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THE

# Statutes at Large,

From the Sixteenth Year of the Reign of

## KING *GEORGE* the THIRD

To the Twentieth Year of the Reign of

## KING *GEORGE* the THIRD, inclusive.

To which is prefixed,

A TABLE of the TITLES of all the Publick and Private Statutes during that Time.

With a COPIOUS INDEX.

VOLUME the THIRTEENTH.

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THE

# Statutes at Large,

Anno decimo ſeptimo GEORGII III. Regis,

Being the THIRD Seſſion of the

FOURTEENTH Parliament of GREAT BRITAIN.

A

# TABLE

OF THE

# Public and Private Statutes,

CONTAINING

The TITLES of the ACTS of the ſeventeenth Year of the Reign of GEORGE III.

## PUBLIC ACTS.

*Anno* 17 *Georgii* III.

1. AN Act for granting an Aid to his Majeſty by a Land Tax, to be raiſed in *Great Britain*, for the Service of the Year one thouſand ſeven hundred and ſeventy-ſeven.
2. An Act for continuing and granting to his Majeſty certain Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year one thouſand ſeven hundred and ſeventy-ſeven.
3. An Act for puniſhing Mutiny and Deſertion; and for the better Payment of the Army and their Quarters.
4. An Act for the Regulation of his Majeſty's Marine Forces while on Shore.
5. An Act for the better Relief and Employment of the Poor of the Pariſh of *Saint Mary Iſlington*, in the County of *Middleſex*, and for building a Workhouſe for the ſaid Pariſh.
6. An Act for veſting in *David Hartley* Eſquire, his Executors, Adminiſtrators, and Aſſigns, the ſole Uſe and Property of a certain Method by him invented of ſecuring Buildings againſt the Calamities of Fire, throughout his Majeſty's Dominions, for a limited Time.
7. An Act for enabling the Commiſſioners for executing the Office of Lord High Admiral of *Great Britain*, to grant Commiſſions to the Commanders of private Ships and Veſſels, employed in Trade, or retained in his Majeſty's Service, to take and make Prize of all ſuch Ships and Veſſels, and their Cargoes, as are therein mentioned, for a limited Time.
8. An Act to amend ſo much of an Act, made in the thirteenth Year of the Reign of his preſent Majeſty (intituled, *An Act for eſtabliſhing certain Regulations for the better Management of the Affairs of the* Eaſt India *Company, as well in* India *as in* Europe), as relates to the Day on which the annual Election of Directors of the ſaid Company is to be made.
9. An Act to impower his Majeſty to ſecure and detain Perſons charged with, or ſuſpected of, the Crime of High Treaſon, committed in any of his Majeſty's Colonies or Plantations in *America*, or on the High Seas, or the Crime of Piracy.
10. An Act for defraying the Charge of the Pay and Cloathing of the Militia in that Part of *Great Britain* called *England*, for one Year, beginning the twenty-fifth Day of *March*, one thouſand ſeven hundred and ſeventy-ſeven.
11. An Act for more effectually preventing Frauds and Abuſes committed by Perſons employed in the Manufactures of Combing Wool, Worſted Yarn and Goods made from Worſted, in the Counties of *York*, *Lancaſter*, and *Cheſter*.
12. An Act for building a Bridge acroſs the River *Severn*, from or near a Place called *Preen's Eddy*, in the Pariſh of *Broſeley*, to or near a Place called *The Sheep-waſh*, in the Pariſh of *Sutton Maddock*, in the County of *Salop*; and for making proper Roads and Avenues to and from the ſame.
13. An Act for continuing, for a limited Time, an Act made in the ſeventh Year of the Reign of his preſent Majeſty, to prevent Frauds and Abuſes in the Admeaſurement of Coals ſold by Wharf-meaſure, within the City of *London* and the Liberties thereof, and between *Tower-dock* and *Limehouſe-hole*, in the County of *Middleſex*.
14. An Act to enable his Majeſty to licence a Theatre in the City of *Cheſter*.
15. An Act for the more eaſy and ſpeedy Recovery of ſmall Debts within the Pariſhes of *Halifax*, *Bradford*, *Kighley*, *Bingley*, *Guiſeley*, *Calverley*, *Batley*, *Birſtal*, *Mirfield*, *Hartiſhead cum Clifton*, *Almondbury*, *Kirkheaton*, *Kirkburton*, and *Huddersfield*, and the Lordſhip or Liberty of *Tong*, in the Weſt Riding of the County of *York*; and for extending the Juriſdiction of the Courts Baron of the Honour of *Pontefract*, Manor of *Wakefield*, and Manor of *Bingley*, in the ſaid County.

16. An Act for limiting the Exemptions from Toll (granted by any Act or Acts of Parliament for repairing Turnpike Roads) on account of Cattle going to and from Water or Pasture.

17. An Act for dividing the Chase of *Enfield*, in the County of *Middlesex*; and for other Purposes therein mentioned.

18. An Act for enabling the Mayor, Aldermen, and Commons, of the City of *London*, to purchase the present Tolls and Duties payable for navigating upon the River *Thames*, Westward of *London bridge*, within the Liberties of the City of *London*, and for laying a small Toll in lieu thereof, for the Purpose of more effectually completing the said Navigation; and for other Purposes.

19. An Act for the more easy and speedy Recovery of small Debts within the Parish of *Old Swinford*, in the Counties of *Worcester* and *Stafford*.

20. An Act for continuing two Acts, made in the sixth Year of the Reign of King *George* the First, and in the twentieth Year of the Reign of his late Majesty, *for laying a Duty of Two Pennies* Scots, *or one-sixth Part of a Penny* Sterling, *upon every* Scots *Pint of Beer or Ale vended or sold within the Town of* Burntisland, *and Liberties thereof, for encreasing the public Revenue of the said Town; and for other Purposes therein mentioned.*

21. An Act for the better Support of his Majesty's Household, and of the Honour and Dignity of the Crown of *Great Britain*.

22. An Act for opening Communications between *Wapping-street* and *Ratcliff-highway*, and between *Old Gravel-lane* and *Virginia-street*; and for paving certain Streets intended to be built, and also certain other Streets and public Passages and Places within the Parishes of *Saint George* and *Saint John* of *Wapping*, in the County of *Middlesex*.

23. An Act for lighting and watching the Turnpike Road leading from the Stones End next *Blackman-street*, in the Parish of *Saint Mary Newington*, in the County of *Surrey*, to the Bridge at *Walworth*, in the same Parish, and the several Roads, Ways, and Places, therein described, communicating therewith.

24. An Act for expediting the Sale of Estates in *Scotland* belonging to the *York-buildings Company*, for the Relief of their Creditors.

25. An Act for widening, cleansing, and lighting, the several Streets, Lanes, Alleys, Ways, and other public Passages, within the Town of *Wolverhampton*, in the County of *Stafford*; and for taking down, altering, or rebuilding certain Buildings therein mentioned; and for removing all other Nuisances and Incroachments, and for regulating Carts and other Carriages within the said Town.

26. An Act for registering the Grants of Life Annuities; and for the better Protection of Infants against such Grants.

27. An Act for allowing a Drawback of the Duties of Customs on the Exportation of Tea to *Ireland*.

28. An Act to revive and continue such Part of an Act, made in the last Session of Parliament, intituled, *An Act for allowing the Exportation of certain Quantities of Wheat, and other Articles, to his Majesty's Sugar Colonies in* America, *and to the Island of* Saint Helena, *and to the other Settlements belonging to the United Company of Merchants of* England *trading to the* East Indies, *and of Biscuit and Pease to* Newfoundland, Nova Scotia, Bay Chaleur, *and* Labrador; *and for indemnifying all Persons with respect to advising or carrying into Execution his Majesty's Orders of Council already made for allowing the Exportation of Wheat, and other Articles*; as expired on the first Day of *January*, one thousand seven hundred and seventy-seven.

29. An Act for the more effectual Prevention of the manufacturing of Ash, Elder, Sloe, and other Leaves, in Imitation of Tea, and to prevent Frauds in the Revenue of Excise in respect to Tea.

30. An Act for further restraining the Negotiation of Promissory Notes, and Inland Bills of Exchange, under a limited Sum, within that Part of *Great Britain* called *England*.

31. An Act to enable the Commissioners for executing the Office of Treasurer of his Majesty's Exchequer, or the Lord High Treasurer for the Time being, to make an Agreement or Composition with the several Sureties of *William Brown*, and the Representatives of such of the said Sureties as are dead, for a Debt remaining due from them to the Crown, on several Tobacco Bonds, entered into and executed by such Sureties respectively; and that they and their Estates and Effects may be acquitted and discharged therefrom.

32. An Act for building a new Church within the Town and Parish of *Buckingham*.

33. An Act to allow the Master Dyers, within the Counties of *Middlesex*, *Essex*, *Surrey*, and *Kent*, to employ Journeymen in their Trade who have not served Apprenticeships thereto.

34. An Act for the better Supply of Mariners and Seamen to serve in his Majesty's Ships of War, and on Board Merchant Ships and other Trading Ships and Vessels.

35. An Act for further continuing an Act, passed in the sixth Year of his present Majesty's Reign, intituled, *An Act to prohibit the Importation of Foreign-wrought Silks and Velvets for a limited Time, and for preventing unlawful Combinations of Workmen employed in the Silk Manufacture.*

36. An Act for enlarging the Times appointed for the first Meetings of Commissioners or Trustees for putting in Execution certain Acts of this Session of Parliament.

37. An Act to indemnify such Persons as have omitted to qualify themselves for Offices and Employments; and to indemnify Justices of the Peace, or others, who have omitted to register or deliver in their Qualifications within the Time limited by Law, and for giving further Time for those Purposes; and to indemnify Members and Officers, in Cities, Corporations, and Borough Towns, whose Admissions have been omitted to be stamped according to Law, or, having been stamped, have been lost or mislaid; and for allowing them Time to provide Admissions duly stamped; and to give further Time to such Persons as have omitted to make and file Affidavits of the Execution of Indentures of Clerks to Attornies and Solicitors.

38. An Act for raising a certain Sum of Money by Loans or Exchequer Bills, for the Service of the Year one thousand seven hundred and seventy-seven.

39. An Act for granting to his Majesty a Duty upon all Servants retained or employed in the several Capacities therein mentioned; and for repealing several Rates and Duties upon Glass, imposed by an Act made in the nineteenth Year of the Reign of his late Majesty, and for granting to his Majesty other Rates and Duties upon Glass in lieu thereof, and for the better collecting the Duties upon Glass; and for repealing the several Rates and Duties charged, by an Act made in the twenty-ninth Year of the Reign of his said late Majesty, upon all Persons and Bodies Politick and Corporate having certain Quantities of Silver Plate.

40. An Act to authorize the carrying of the Captures therein mentioned into any Part of his Majesty's Dominions in *North America*; and for ascertaining the Value of such Part of Ships and Goods as belong to the Recaptors.

41. An

41. An Act to prevent the clandeſtine unſhipping from and receiving Goods at Sea on Board Veſſels employed in the *Eaſt India* Company's Service; for aſcertaining the Manner of diſcharging Bonds given for the due Exportation of certain Goods from *Great Britain* to Foreign Parts; and to oblige the Maſters of *Britiſh* or *Iriſh* Ships, ſailing from any of his Majeſty's Dominions into the *Baltick*, to deliver a Manifeſto of their Cargoes to the *Britiſh* Conſul reſiding there.

42. An Act for preventing Abuſes in the making and vending Bricks and Tiles.

43. An Act for repealing the eleventh Rule in the Book of Rates, ſo far as the ſame relates to making any Allowance upon the Importation of damaged Currants and Raiſins, and for making the Importer of ſuch Goods an Abatement in the Duties in lieu thereof; and for explaining the ſaid Rule with reſpect to ſuch Allowance for Damage on other Goods; and to permit the Exportation of Tobacco-pipe Clay from this Kingdom to the *Britiſh* Sugar Colonies or Plantations in the *Weſt Indies* for a limited Time.

44. An Act to continue the ſeveral Laws therein mentioned, relating to encouraging the making of Indico in the *Britiſh* Plantations in *America*; to the regiſtering the Prices at which Corn is ſold in the ſeveral Counties of *Great Britain*, and the Quantity exported and imported; to encouraging the manufacturing of Leather, by lowering the Duty payable upon the Importation of Oak Bark, when the Price of ſuch Bark ſhall exceed a certain Rate; to the allowing Timber and Wood to be exported from the Iſland of *Dominica* into any other of the *Britiſh* Iſlands, Colonies, or Plantations in *America*; and to the allowing a Bounty on the Exportation of *Britiſh*-made Cordage.

45. An Act for allowing further Time for Inrollment of Deeds and Wills made by Papiſts, and for Relief of Proteſtant Purchaſers.

46. An Act for raiſing a certain Sum of Money by Way of Annuities, and for eſtabliſhing a Lottery.

47. An Act for granting to his Majeſty a certain Sum of Money out of the Sinking Fund, and for applying certain Monies therein mentioned, for the Service of the Year one thouſand ſeven hundred and ſeventy-ſeven; and for further appropriating the Supplies granted in this Seſſion of Parliament.

48. An Act for rendering more effectual an Act, made in the fourteenth Year of the Reign of his preſent Majeſty, for promoting the Diſcovery of a Method for finding the Longitude at Sea, ſo far as relates to the Encouragement and Reward of Perſons making leſſer Diſcoveries for finding the ſame, or making other uſeful Diſcoveries and Improvements in Navigation; and to the making of Experiments relating thereto.

49. An Act to enable the Lords Commiſſioners of his Majeſty's Treaſury to compound a Debt due to the Crown from the Eſtate of *William Harry* deceaſed, and his Sureties.

50. An Act for granting to his Majeſty certain Duties on Licences, to be taken out by all Perſons acting as Auctioneers; and certain Rates and Duties on all Lands, Houſes, Goods, and other Things, ſold by Auction; and upon Indentures, Leaſes, Bonds, Deeds, and other Inſtruments.

51. An Act for enabling his Majeſty to raiſe the Sum of one Million, for the Uſes and Purpoſes therein mentioned.

52. An Act for better ſecuring the Duties on Sope, and the Duties on Rum of the Sugar Plantations put into Warehouſes; and for allowing a Drawback of the Duties on Rum ſhipped as Stores, to be conſumed on Board Merchant Ships on their Voyages, for a limited Time.

53. An Act to promote the Reſidence of the Parochial Clergy, by making Proviſion for the more ſpeedy and effectual building, rebuilding, repairing, or purchaſing Houſes, and other neceſſary Buildings and Tenements, for the Uſe of their Benefices.

54. An Act for defraying the Expence of building a new Gaol and Shire-hall for the County of *Weſtmoreland*.

55. An Act for the better regulating the Hat Manufactory.

56. An Act for amending and rendering more effectual the ſeveral Laws now in being, for the more effectual preventing of Frauds and Abuſes by Perſons employed in the Manufacture of Hats, and in the Woollen, Linen, Fuſtian, Cotton, Iron, Leather, Fur, Hemp, Flax, Mohair, and Silk Manufactures; and alſo for making Proviſions to prevent Frauds by Journeymen Dyers.

57. An Act for more effectually ſecuring the Property of Prints to Inventors and Engravers, by enabling them to ſue for and recover Penalties in certain Caſes.

58. An Act for enlarging the public Gaol of the County of *Warwick*, and for other Purpoſes therein mentioned.

59. An Act to repeal an Act, made in the twelfth Year of the Reign of King *Charles* the Second, intituled, *The Maſter of the Rolls impowered to make Leaſes for Years, in order to new-build the old Houſes belonging to the Rolls*; and for the better regulating the Method of granting Leaſes of the ſaid Rolls Eſtate for the future; and for making Compenſation to the Earl of *Macclesfield*, and Sir *Thomas Sewell*, for their beneficial Rights and Intereſts in certain Leaſes made of the Rolls Eſtate; and for regulating the Method of making Leaſes of the ſaid Eſtate for the future.

60. An Act for incloſing and embelliſhing the middle Part of *Hoxton Square*, in the Pariſh of *Saint Leonard, Shoreditch*, in the County of *Middleſex*; and for extinguiſhing all Right of Common in and upon the ſaid Square.

61. An Act to enable the Dean and Chapter of the Collegiate Church of *Saint Peter* in *Weſtminſter*, to open a Street from the South End of *Long-ditch* to the North End of *Smith-ſtreet*, and to widen Part of *Tothill-ſtreet*, and of *Long-ditch* aforeſaid; and to widen the Paſſage between *Orchard-ſtreet*, and the new-intended Street, and alſo to widen *Wood-ſtreet*, and to make a more commodious Entrance from the *Broad Sanctuary* into *Dean's-yard*, within the City and Liberty of *Weſtminſter*.

62. An Act for the more eaſy and ſpeedy Recovery of ſmall Debts, within the ſeveral Pariſhes of *Surfleet*, *Goſberton*, *Quadring*, *Donington*, *Bicker*, *Swineſhead*, *Wigtoft*, *Sutterton*, *Algarkirk*, *Foſdike*, *Kirton*, *Frampton*, *Wiberton*, and *Brothertoft*, within the Hundred of *Kirton*, in the Parts of *Holland*, in the County of *Lincoln*.

63. An Act to explain and amend an Act, made in the fourteenth Year of the Reign of his preſent Majeſty, intituled, *An Act for paving, repairing, lighting, and watching, the Streets, and other public Paſſages and Places, within that Part of the Pariſh of* Clerkenwell *called* Saint James's, *and removing Obſtructions and Annoyances therein*; *for widening the Paſſage from* Clerkenwell-green *to the Pariſh Church, and for watching and lighting certain Highways within the ſaid Pariſh*; for repairing the Highways in the ſaid Pariſh, and cleanſing the ſaid Part of the ſaid Pariſh; for widening the Paſſage from *Clerkenwell-cloſe* to *Roſoman's Street*, and from *Roſomon's Street* to *Saint John Street*; and for building a Chapel in the ſaid Pariſh.

64. An Act for the better Relief and Employment of the Poor of the Pariſh of *Saint Mary Abbots, Kenſington*, in

the County of *Middlesex*, and for other Purposes therein mentioned.

65. An Act for amending and rendering more effectual an Act, made in the twenty-second Year of the Reign of King *George* the Second, intituled, *An Act for draining and preserving certain Fen Lands and Low Grounds in the several Parishes of* Sutton, Mepal, Witcham, Chatteris, Doddington, *and a Place called* Byal-fen, *in the* Isle of Ely, *and County of* Cambridge; *and also in the Parishes of* Somersham *and* Pidley with Fenton, *in the County of* Huntingdon; so far as the same relates to the Fen Lands and Low Grounds lying in the Parishes of *Sutton*, *Mepal*, *Witcham*, *Chatteris*, and a Place called *Byal-fen*, in the *Isle of Ely*.

66. An Act for establishing a Nightly Watch within the Hamlet of *Mile end Old Town*, in the Parish of *Saint Dunstan Stepney*, otherwise *Stebonheath*, in the County of *Middlesex*.

67. An Act for varying and enlarging the Powers of an Act, made in the twelfth Year of the Reign of his present Majesty, *for making a navigable Cut or Canal from the River* Dee, *within the Liberties of the City of* Chester, *to or near* Middlewich *and* Nantwich, *in the County of* Chester.

68. An Act for rebuilding the Bridge over the River *Severn*, at *Maisemore*, near the City of *Gloucester*; for raising, widening, and securing *Over's Causeway*, leading from the said City towards *Maisemore* aforesaid; and for enforcing the proper paving and cleansing of the several Streets within the said City, and for removing Nuisances and Annoyances therefrom, and preventing the like for the future.

69. An Act for making and maintaining a navigable Cut or Canal from the River *Trent*, in the Lordships of *Sawley* and *Long Eaton*, in the County of *Derby*, to or near *Langley-bridge*, in the Counties of *Derby* and *Nottingham*.

70. An Act for dividing and inclosing the Open Common Fields, Meadows, Dales, and Common Fen, within the Parish of *Billinghay*, in the County of *Lincoln*; and for draining and preserving the said Dales and Common Fen, and also certain inclosed Low Lands thereto adjoining in the said Parish.

71. An Act to enable the Feoffees and Trustees of an Estate in the County of *Middlesex*, given by *Lawrence Sheriff*, for the founding and maintaining a School and Alms-houses at *Rugby*, in the County of *Warwick*, to sell Part of the said Estate, or to grant Leases thereof, or of any Part thereof, and to effectuate the other Purposes therein mentioned.

72. An Act to enlarge the Term and Powers of an Act, made in the second Year of his present Majesty's Reign, for repairing, widening, turning, and shortening, the Road leading from the Turnpike Road on *Farrard's Common*, in the Parish of *Bradford*, through *Holt* and *Melksham*, to *Homan's Stile*, in the Parish of *Laycock*, in the County of *Wilts*; and for completing a Communication between the said Road, and the *Bath* Turnpike Road, upon *Kingsdown-hill* in the same County.

73. An Act for continuing the Term, and altering and enlarging the Powers, of so much of an Act, made in the twenty-sixth Year of the Reign of his late Majesty King *George* the Second, for repairing certain Roads therein mentioned, as relates to the Roads from *Kighley* to *Wakefield*, and from *Kighley* to *Halifax*, and from *Dudley-hill* through *Beckwith-shaw* to *Killinghall*, and from *Beckwith-shaw* to the South-west Corner of *Harrogate Inclosures*, in the West Riding of the County of *York*.

74. An Act for repairing and widening the Road from a Place called *Crouch-hill*, in the Parish of *Henfield*, to the Turnpike Road leading from *Brighthelmstone* to *Cuckfield*, and from the East Side of the said Turnpike Road to the Town of *Ditchling*, in the County of *Sussex*.

75. An Act to repeal an Act of the thirty-third Year of his late Majesty, *for amending, widening, and keeping in Repair several Roads leading from the Market house in the Town of* Kidderminster, *in the County of* Worcester; and also to repeal so much of two Acts of the tenth of his late Majesty, and the seventh of his present Majesty, as relate to the Road from the *Mitre-oak* to a Farm-house called *Goodness*; and from *Titton-brook* to the Hamlet of *Wribbenhall*, in the said County; and to discontinue the Powers of an Act of the eighth of his present Majesty, so far as relate to the Road from *the Cross of the Hands* near *Goodness Farm*, to a Place called *The Spout*; and for more effectually amending, widening, and keeping in Repair, the several Roads described in the first-mentioned Act; and also several other Roads therein mentioned.

76. An Act for continuing the Term of two Acts passed in the fourth and twenty-fourth Years of his late Majesty King *George* the Second, *for repairing the Roads leading from the most Southern Part of* Butt-lane, *in the Parish of* Lawton, *in the County Palatine of* Chester, *to* Lawton, *and from thence to* Henshall's Smithy, *upon* Cranage-green, *in the said County*.

77. An Act to enlarge the Term and Powers of an Act, made in the twenty-fifth Year of the Reign of his late Majesty, *for repairing the Roads from the Town of* Leeds, *through* Harwood, *to the South-west Corner of the Inclosures of* Harrogate, *and from thence in two Branches (one through* Ripley, *over* Burage-green, *and the other through* Knaresborough *and* Boroughbridge) *to* Ripon, *and from thence to the First Rill of Water or Watercourse on* Hutton-moor, *in the County of* York, *and for repairing the Sloughs or Ruts on the said Moor*; so far as the same relates to the Road leading from the South-west Corner of the Inclosures of *Harrogate* (through *Knaresborough*) to *Boroughbridge*.

78. An Act for enlarging the Term and continuing the Powers of two Acts of Parliament, one passed in the twenty-fifth Year of the Reign of his late Majesty King *George* the Second, intituled, *An Act for repairing the Roads from the Town of* Leeds, *through* Harwood, *to the South-west Corner of the Inclosures of* Harrogate, *and from thence in two Branches (one through* Ripley, *over* Burage-green, *and the other through* Knaresborough *and* Boroughbridge) *to* Ripon, *and from thence to the First Rill of Water or Watercourse on* Hutton-moor, *in the County of* York, *and for repairing the Sloughs or Ruts on the said Moor*; and the other passed in the twenty-ninth Year of his said Majesty's Reign, to explain and amend the said first-mentioned Act; with respect to the Road from the Town of *Leeds*, through *Harwood*, to the South-west Corner of the Inclosures of *Harrogate*.

79. An Act for continuing the Term and enlarging the Powers of an Act made in the second Year of the Reign of his present Majesty, *for repairing and widening several Roads in the Counties of* Cornwall *and* Devon, *leading to the Borough of* Saltash, *in the County of* Cornwall.

80. An Act for enlarging the Term and Powers of two Acts of Parliament, one passed in the twenty-fifth Year of the Reign of his late Majesty King *George* the Second, intituled, *An Act for repairing the Roads from the Town of* Leeds, *through* Harwood, *to the South-west Corner of the Inclosures of* Harrogate, *and from thence in two Branches (one through* Ripley, *over* Burage-green, *and the other through* Knaresborough *and* Boroughbridge) *to* Ripon,

Ripon, *and from thence to the First Rill of Water or Watercourse on* Hutton-moor, *in the County of* York, *and for repairing the Sloughs or Ruts on the said Moor*; and the other passed in the twenty-ninth Year of his said Majesty's Reign, to explain and amend the said first-mentioned Act; with respect to those Parts of the said Roads from *Harrogate*, through *Ripley* and *Ripon*, to the North-east Corner of *Hutton-moor*, and from the East End of *Kirby-hill-moor* to the Town of *Ripon* aforesaid.

81. An Act for continuing the Term and enlarging the Powers of an Act made in the thirty-first Year of the Reign of his late Majesty, *for repairing the High Road leading from* Brent Bridge, *in the County of* Devon, *to* Gasking-gate, *in or near the Borough of* Plymouth, *in the said County*.

82. An Act for enlarging the Term and Powers of three several Acts of Parliament, for repairing the Roads therein mentioned in the County of *Bucks*, so far as the said Acts relate to the Road from the West End of the Town of *Wendover* to the End of a Lane called *Oak-lane*, next the Great Road, called *The Oxford Road*; and also Half a Mile of Road next from the River *Colne* towards *Beconsfield*, in the said County.

83. An Act for continuing the Term of an Act, made in the twenty-ninth Year of the Reign of his late Majesty, *for repairing and widening the Road from the Top of* Harnham-hill, *near the City of* New Sarum, *in the County of* Wilts, *through the Towns of* Blandford Forum *and* Dorchester, *to a certain Intrenchment on* Askerwell-hill, *in the County of* Dorset, *and from the Index-post on the Side of* Harnham-hill *aforesaid to a House called* Master Baker's Farm-house, *in the said County of* Wilts.

84. An Act for enlarging the Term and continuing the Powers granted by an Act passed in the thirtieth Year of the Reign of his late Majesty King *George* the Second, *for repairing the Road from a Place called* The Golden Farmer, *near* Bagshott, *in the County of* Surrey, *to* Hertford-bridge-hill, *in the County of* Southampton.

85. An Act to enlarge the Term and Powers of two Acts, passed in the second and twenty-second Years of his late Majesty's Reign, for repairing the several Roads therein mentioned, leading into the Town of *Leominster*, in the County of *Hereford*.

86. An Act for continuing the Term and altering and enlarging several of the Powers contained in an Act, made in the seventh Year of the Reign of his present Majesty, so far as the same relate to the Road from the Turnpike Road between the Town and County of *Poole* and *Winborn-minster*, in the County of *Dorset*, to the Turnpike Road in the Parish of *Brianston*, in the said County of *Dorset*, which leads from *Blandford-forum* to *Dorchester*.

87. An Act for enlarging the Terms and Powers of two Acts, passed in the fourteenth and twenty-sixth Years of his late Majesty's Reign, for repairing the Road leading from *Ealand* to the Town of *Leeds*, in the West Riding of the County of *York*.

88. An Act for enlarging the Term and altering the Powers of an Act, made in the twenty eighth Year of the Reign of his late Majesty, for repairing and widening several Roads therein mentioned, in the Counties of *Warwick* and *Oxford*, so far as relates to the Road *from the Guide-post in the Village of* Adderbury, *through* Kidlington, *to the Mileway leading towards the City of* Oxford.

89. An Act to enlarge the Term and Powers of an Act passed in the twenty-sixth Year of the Reign of his late Majesty King *George* the Second, *for repairing and widening the Road from* The Halfway-house, *in the Parish of* Lower Crompton, *in the County of* Dorset, *through the Towns of* Yeovil, Crewkerne, *and* Chard, *to the East End of the Town of* Axminster, *in the County of* Devon, *and several other Roads round the Town of* Yeovil, *in the County of* Somerset; and for amending two Roads leading from *Vagg Hollow*, in the Parish of *Yeovil*; and the Road from *Chard* to *Cheeseway-ash*; and from *White Down* to *Perry-street*, in *Chard*, and from thence to the Turnpike Road near *Tytherleigh Inn*, in the said County of *Dorset*.

90. An Act for continuing the Term, and altering and enlarging the Powers of an Act, made in the thirty-third Year of the Reign of his late Majesty, *for diverting, altering, widening, repairing, and amending the Roads from the Town of* Halifax, *and from* Sowerby-bridge, *in the County of* York, *by* Todmorden *to* Burnley *and* Littleborough, *in the County of* Lancaster.

91. An Act for repairing and widening the Road leading from the *Maypole*, in the Town of *Henfield*, over *Poynings* Common, to the Town of *Brighthelmstone*; and from *Poynings* Common aforesaid, to *High cross*, in the Parish of *Albourne*; and from thence, for the Distance of two Furlongs of the Road or Lane leading towards *Twineham*; and from the Marle-pit near the Bottom of *Saddlescombe-hill*, in the Parish of *Newtimber*, to the Marle-pit fronting *Newtimber Broad Lane*, in the same Parish, in the County of *Sussex*.

92. An Act for repealing so much of two Acts made in the eleventh and seventeenth Years of the Reign of King *George* the Second, for repairing several Roads leading to and from the Town of *Derby*, in the County of *Derby*, as relates to the Road leading from the Gaol-bridge in the said Town of *Derby*, through the Town of *Asthborne*, to *Hurdloe-house* in the said County, for making more effectual Provision for the Repair of the said Road; and for enabling the Trustees to alter Part of the Course of the present Road between *Asthborne* and the *New inn Turnpike*.

93. An Act for continuing the Term and Powers of an Act, made in the twenty-ninth Year of the Reign of his late Majesty, *for repairing and widening the Road from the Eighteen Mile-stone beyond* Willoughby hedge, *through the Town of* Mere, *in the County of* Wilts, *and through* Wincanton, *to* Charlton-hourthorn, *and from thence to* Milborne-port; *and from* Willoughby-hedge *aforesaid to the West End of* Long-lane, *in* Kilmington; *and from* Wincanton *aforesaid to the* Sherborn *Turnpike Cross gate on* Cattle-hill, *and from* Wincanton *to* Sparkford, *in the County of* Somerset.

94. An Act for repairing and widening the Road from *Stall-gate Close*, at the South-west End of the Town of *Bedford*, to the Town of *Ampthill*; and from the said Town of *Ampthill* to *Woburn Park*, in the County of *Bedford*; and also the Road branching out of the same in *Kempston-field* to the Turnpike Road leading from *Hitchin* to the said Town of *Bedford*.

95. An Act for continuing the Term and altering and enlarging the Powers of an Act of Parliament, made in the twenty-ninth Year of the Reign of his late Majesty, *for repairing and widening several Roads leading from and near the Town of* Brewton, *in the County of* Somerset, and for repairing and widening the Street from the North or North-east End of *Coombe Street*, along *Patwell-Street*, in the said Town of *Brewton*, to the South or South-east Side of *Dymond's River*.

96. An Act to enlarge the Term and Powers of an Act, passed in the twenty-eighth Year of the Reign of King *George* the Second, *for repairing and widening the several Roads therein mentioned, leading to, through, and from the Town of* Monmouth.

97. An Act for repealing an Act, made in the twenty-seventh Year of his late Majesty King *George* the Second, *for amending, widening, and keeping in Repair the Road leading*

*leading from* Union-point *near the Town of* Uckfield, *in the County of* Suſſex, *to* Langney-bridge *in the Pariſh of* Weſtham, *in the ſaid County*, and for more effectually repairing the ſaid Road; and alſo for amending, widening, and keeping in Repair the Road from the Side-gate on the *Horſe-bridge* Turnpike Road, in the Pariſh of *Hellingly*, to the Turnpike Road leading from *Croſs-in-hand* to *Burwaſh*, in the ſaid County.

98. An Act for repairing and widening the Road from *Combe-bridge*, through *Winſley* and *Bradford*, to *Staverton-bridge*, and to the *Trowbridge* Road on *Aſhton-common*, and alſo the Road from *Bradford-bridge* to *Cockhill-gate*, all in the County of *Wilts*; and for making effectual Proviſion for maintaining a Bridge over the River *Avon* at *Stokeford*, in the ſame County.

99. An Act for amending and keeping in Repair the Road from the Town of *Warminſter*, in the County of *Wilts*, to a Place where the Roads to *Bath* and *Briſtol* divide; and from the Town of *Frome* to the Town of *Beckington*, in the County of *Somerſet*; and for repealing an Act, made in the twenty-fifth Year of the Reign of his late Majeſty, relating to the ſaid Roads; and for repairing the Road from or near the *Red-lion* in the Pariſh of *Woolverton*, in the ſaid County of *Somerſet*, to *Rode-bridge*, and from the ſaid Bridge to the Turnpike Road leading from *Trow-bridge* by *White-trough* to *Beckington* aforeſaid.

100. An Act for repairing and widening ſeveral Roads leading to and from the Towns of *Bala* and *Dolgelly*, in the County of *Merioneth*, and other Roads therein mentioned, in the Counties of *Montgomery*, *Denbigh*, and *Salop*.

101. An Act for repealing ſo much of three Acts, made in the eleventh, ſeventeenth, and thirty-third Years of the Reign of King *George* the Second, for repairing ſeveral Roads leading to and from the Town of *Derby*, in the County of *Derby*, as relates to the Road leading from the North Side of *Cavendiſh-bridge*, in the ſaid County of *Derby*, through the ſaid Town of *Derby* to *Braſſington*, in the ſaid County; and for making more effectual Proviſion for the Repair of the ſaid Road.

102. An Act for repairing and widening the Road from the Town of *Skipton* to the Turnpike Road leading from *Leeds* to *Ripon*, near *Okbeck*, in the Townſhip of *Bilton*, with *Harrogate*, and from thence to communicate with the Road leading from *Knareſborough* to *Wetherby*, in the Weſt Riding of the County of *York*.

103. An Act for amending, widening, and keeping in Repair the Road leading from *Crookhill*, in the Pariſh of *Chickrell*, to the Turnpike Road leading from *Bridport* to *Bridport Harbour*, and ſeveral other Roads therein mentioned, in the County of *Dorſet*.

104. An Act for more effectually amending, widening, and keeping in Repair ſeveral Roads therein mentioned, leading from a Gate in the Town and County of *Poole* called *Poole-gate*, and for repealing two Acts of Parliament of the twenty-ninth and thirtieth Years of his late Majeſty relating to the ſaid Roads; and alſo for applying a certain Sum of Money therein mentioned, towards paving and repairing a certain Street or Way within the ſaid Town and County.

105. An Act for amending, widening, and keeping in Repair the Road leading from the Turnpike Road in the Pariſh of *Aſthall*, in the County of *Oxford*, to the Turnpike Road at or near *Buckland*, in the County of *Berks*.

106. An Act for repairing and widening the Road from the Town of *Halifax*, in the Weſt Riding of the County of *York*, to the Town of *Sheffield*, in the ſame Riding.

107. An Act for repairing and widening ſeveral Roads in the County of *Dumfries*; and for converting the Statute Labour within the ſaid County into Money; and for applying the ſame towards repairing the Highways within the ſame County.

108. An Act for amending the Road from the South Eaſt End of the Town of *Loughborough*, in the County of *Leiceſter* to *Derby-bridge*, near *The Ruſhes*, and from the ſaid Bridge, to the South End of *Cavendiſh-bridge*, in the ſame County.

109. An Act for enlarging the Term and Powers of an Act, made in the twenty-ninth Year of the Reign of King *George* the Second, for repairing and widening certain Roads leading to and from the City of *Lincoln*; and for repairing and widening the Roads from the Termination of the preſent Turnpike Road, at the Foot of *Brace-bridge* Bridge, over the ſaid Bridge, Weſtward, to the Extremity of the County of *Lincoln*, near a Place called *Potter-hill*; and from the Termination of the preſent Turnpike Road at the Foot of *Canwick-hill*, Southward, to a Windmill at the Top of the ſaid Hill.

110. An Act for repairing and widening the Road from *Gateſhead* in the County of *Durham*, to the Church-lane near *Ryton Lane-head*; and from the *Bar-moor* to the *Hexham* Turnpike Road near *Dilſton-bar*, in the County of *Northumberland*; and alſo the Road from *Mickley-bank* to *Lead-hill* or *Silver hill*, and alſo for making a Road croſs certain Grounds belonging to *Crozier Surtees* Eſquire, in the Pariſh of *Ryton* in the County of *Durham*.

111. An Act for enlarging the Term and Powers of an Act made in the ninth Year of the Reign of his preſent Majeſty, intituled, *An Act for repairing and widening the Road leading from* Tal y Cafn Ferry, *in the County of* Caernarvon, *and through the Towns of* Conway, Bangor, *and* Caernarvon, *to the Town of* Pwllhely *in the ſame County*; and alſo for repairing and widening the Roads from *Tal y Cafn* Ferry aforeſaid, on the *Denbighſhire* Side of the River *Conway*, to join the Turnpike Road between *Conway* and *Saint Aſaph*, at a Place called *Sarn y Mynech*; and from the Turnpike Road between *Bangor* and *Conway*, at the Village of *Aber*, over *Bwlch y Ddwyfaen* Mountain to *Tal y Cafn* Ferry aforeſaid, and from thence to the Town of *Llanrwſt* in the County of *Denbigh*.

## PRIVATE ACTS.

*Anno* 17 *Georgii* III.

1. AN Act for dividing and incloſing the Commons and Waſte Grounds in the Manor and Pariſh of *Crownthorpe*, in the County of *Norfolk*.
2. An Act for naturalizing *Andreas Gottlieb*.
3. An Act for naturalizing *Gilles Prudent Melaſſe*
4. An Act for naturalizing *Dorothea Margreta Hartman*.
5. An Act for naturalizing *Paul Johan Chriſtian Tax* and *John Vallientine Gottlieb*.
6. An Act for veſting the ſeveral Rectories, Parſonages, Churches, and Chapels, of *Reckburne*, *Beeamore*, *South Charford*, *Hale*, *Whitſbury*, and *Quideſley*, with the Glebe Lands, Tithes, and other Appurtenances, thereto reſpectively belonging, Part of the ſettled Eſtate of the moſt Noble *George* Duke of *Mancheſter*, in Truſtees, upon certain Truſts therein expreſſed; and for ſettling other Lands and Hereditaments of the ſaid Duke, in lieu thereof, to the ſeveral Uſes therein mentioned.
7. An Act for dividing and incloſing the Common and Open Fields, Common Meadows, and Common Paſtures, within the Manor and Pariſh of *Thorpe Malſor*, in the County of *Northampton*.
8. An Act for dividing and incloſing the Common and Open Fields, Meadows, Commonable Lands, and Waſte Grounds, in the Pariſh of *Tanſor*, in the County of *Northampton*.

9. An

9. An Act to enable the Mayor, Aldermen, and Burgeſſes, of the Town of *Great Torrington*, in the County of *Devon*, and other Truſtees, to grant Part of the Common or Waſte Lands called *Great Torrington Common*, to *William Callon*, purſuant to an Agreement for that Purpoſe, and other the Purpoſes therein mentioned.
10. An Act for dividing and incloſing an Open Waſte or Common, called *Weſtergate Common*, in the Pariſh of *Aldingborne*, in the County of *Suſſex*.
11. An Act for dividing and incloſing the Open Fields, Meadows, Paſtures, Commons, or Waſte Grounds, within the Lordſhip or Liberty and Pariſh of *Hatherne*, in the County of *Leiceſter*.
12. An Act for dividing and incloſing the Open Fields and Meadows within the Pariſh of *Shepſhead*, in the County of *Leiceſter*, and the Common Ground lying within the Ring Fence of the ſame Fields, and adjoining thereto, within the ſame Pariſh; and alſo ſeveral Cloſes or Parcels of Land and Ground, called *The Carrs* and *Michaelmas Grounds*, within the ſaid Pariſh.
13. An Act for dividing, allotting, and incloſing, the Open and Common Fields, Common Paſtures, Common Meadows, and other Commonable Lands and Grounds, of and within the Manor and Pariſh of *Holcot*, in the County of *Northampton*.
14. An Act for dividing and incloſing the Common and Waſte Grounds within the Manor and Lordſhip of *King's Meaburn*, in the Pariſh of *Moreland*, in the County of *Weſtmorland*.
15. An Act for dividing and incloſing a certain Piece of Common or Waſte Ground, lying in the Villages of *Horncliff* and *Horncliff Lone End*, in the Pariſh of *Norham*, in the County of *Durham*.
16. An Act for dividing and incloſing ſeveral Commons or Waſte Grounds, Open Common Fields, undivided Incloſures, and other Commonable Lands, within the Manor and Pariſh of *Thornor*, in the Weſt Riding of the County of *York*.
17. An Act for dividing and incloſing the Moors, Commons, or Waſte Grounds, within the Townſhip of *Rednal*, in the Pariſh of *Weſt Felton*, in the County of *Salop*.
18. An Act for dividing, allotting, and incloſing, the Open and Common Fields, Meadows, Commonable Lands, and Commons, within the Pariſh of *Tempsford*, in the County of *Bedford*.
19. An Act to enable *John Eames*, a Minor, and his Iſſue, to take and uſe the Surname of *Waight*, purſuant to the Will of *John Waight* Eſquire, deceaſed.
20. An Act for naturalizing *George William Soltau*, *Gerhard Berck*, *Henry Albrecht Hammelburg*, and *Gunter Henry Groger*.
21. An Act for naturalizing *Erneſt Bernard Banning*.
22. An Act for naturalizing *John Centlivres*.
23. An Act for naturalizing *Marcellin Pernoud*.
24. An Act for naturalizing *William Aguiton*.
25. An Act for naturalizing *Villem Vlught*.
26. An Act for naturalizing *Horace Cattaneo* and *Francis Gaudot*.
27. An Act for veſting certain Eſtates of *Robert Ladbroke* Eſquire, in the City of *London*, and Counties of *Middleſex*, *Northampton*, *Berks*, and *Warwick*, in Truſtees, to be ſold; and for laying out the Monies to ariſe thereby in the Purchaſe of other Manors, Lands, and Hereditaments, to be ſettled to the ſame Uſes as the ſaid ſettled Eſtates now ſtand limited.
28. An Act to diſcharge certain Copyhold Premiſes, in the Pariſh of *Heſton*, in the County of *Middleſex*, from the Uſes and Truſts thereof, declared by the Will of *Mary Wotton* deceaſed; and to ſubject and charge the ſame Copyhold Premiſes, and alſo certain Freehold Lands lying contiguous thereto, within the ſaid Pariſh, with the Payment of a perpetual yearly Rent Charge of twelve Pounds to the Reverend *John Gibſon* Clerk, and his Succeſſors, Vicars of the ſaid Pariſh, for the Uſe of the Poor of the ſame Pariſh; and for ſettling and aſſuring the ſame Premiſes ſo charged, in the Truſtees of *Rupert Clarke* Eſquire, upon the Truſts therein mentioned.
29. An Act for veſting Part of the ſettled Eſtates of *Robert Grimſton* Eſquire, at *Thwing* and *Octon*, in the Pariſh of *Thwing upon the Wolds*, in the Eaſt Riding of the County of *York*, in the ſaid *Robert Grimſton*, in Feeſimple; and for ſettling an Eſtate of the ſaid *Robert Grimſton*, in the Townſhip of *Neſwick*, in the Pariſh of *Bainton*, in the ſaid Eaſt Riding of the County of *York*, of greater Value in lieu thereof; and for other Purpoſes.
30. An Act for dividing and incloſing the Open Fields, Meadows, Paſtures, and other unincloſed Grounds, within the Townſhip of *Tunſtall* in *Holderneſs*, in the Eaſt Riding of the County of *York*.
31. An Act for dividing, allotting, and incloſing, the Open and Common Fields, Meadows, and Paſtures, in the Pariſh of *Syſton*, in the County of *Leiceſter*, and ſeveral Parcels of unincloſed Land, in the Pariſh of *Barkby*, in the ſaid County of *Leiceſter*, lying within the Ring of the ſaid Fields.
32. An Act for dividing and allotting the ſeveral Open and Common Fields, Paſtures, and other unincloſed Grounds, within the Townſhip of *Boynton*, in the Eaſt Riding of the County of *York*.
33. An Act for dividing and incloſing a Common Moor, or Tract of Waſte Ground, called *Lees Fell*, otherwiſe *Morralee*, and *Struther's Common*, and *Hagbank*, within the Barony or Manor of *Langley*, and in the Pariſh of *Warden*, in the County of *Northumberland*.
34. An Act for dividing and incloſing the Commonable Lands and Waſte Grounds, within the Manor and Pariſh of *Compton Biſhop*, commonly called or known by the Name of *Croſs Moor* alias *Charles Moor*, in the County of *Somerſet*.
35. An Act for dividing and incloſing the Open and Common Fields, Meadows, Common Paſtures, and other Commonable Lands and Grounds, in the Pariſh of *Swinſtead*, and County of *Lincoln*.
36. An Act for dividing and incloſing the Open Common Fields, Common Paſtures, Waſte Grounds, and Commonable Places, in the Pariſh of *Duntiſborne Abbotts*, in the County of *Glouceſter*.
37. An Act for dividing and incloſing certain Open Fields, Lands, and Grounds, within the Pariſh of *Kirnington* otherwiſe *Kirmington*, in the County of *Lincoln*.
38. An Act for dividing and incloſing the ſeveral Commons and Waſte Grounds within the Manor of *Shirland*, in the County of *Derby*.
39. An Act for dividing and incloſing the ſeveral Commons and Waſte Grounds within the Manor of *Stretton*, in the Pariſhes of *Northwingfield* and *Morton*, in the County of *Derby*.
40. An Act for dividing and incloſing the Open Fields, Meadows, and Grounds, in the Pariſh of *Winthorpe*, in the County of *Nottingham*.
41. An Act for dividing, allotting, and incloſing, certain Commons or Waſte Lands, lying in the Pariſh of *Huntſpill*, in the County of *Somerſet*; and alſo certain Moors, called *Land Moor* otherwiſe *Cote Moor* and *Gold Corner*, lying in or near the ſaid Pariſh of *Huntſpill* and *Coſſington*, in the ſaid County.
42. An Act for dividing, incloſing, and improving *Wallingfen*, in the Eaſt Riding of the County of *York*.

43. An

# The TITLES of the STATUTES.

43. An Act for dividing, inclosing, assigning, and allotting, the Open and Common Field, and Commonable Land, lying within the Liberties, Territories, and Precincts, of *Ludgershall*, in the County of *Buckingham*.

44. An Act for dividing and inclosing several Open Fields and Stinted Pastures, within the Township of *Bugthorpe*, in the County of *York*; and for exempting the Lands, Tenements, and Frontsteads, within the Parish of *Bugthorpe*, from the Payment of Tythes, and other Ecclesiastical Dues; and for other Purposes therein contained.

45. An Act for dividing and inclosing *Fremington Edge* and *Fremington Moor*, and certain Waste Grounds in the Township of *Fremington*, in the Parish of *Grinton*, in the North Riding of the County of *York*.

46. An Act for dividing and inclosing *Aysgarth Pasture* and *Aysgarth Moor* or *Common*, in the Township and Parish of *Aysgarth*, in the North Riding of the County of *York*.

47. An Act to dissolve the Marriage of *John Potter Harris* Esquire, with *Elizabeth Martha Chicheley Plowden*, his now Wife; and to enable him to marry again; and for other Purposes therein mentioned.

48. An Act to enable *Jervoise Clarke* Esquire, and the Heirs Male of his Body, to take and use the Surname and Arms of *Jervoise*, pursuant to the Will of *Thomas Jervoise* Esquire, deceased.

49. An Act to enable the Archbishop of *Canterbury* and *Daniel Ponton* Esquire, to grant Building Leases, pursuant to an Agreement entered into for that Purpose.

50. An Act for vesting in the Right Honourable *Robert Spencer*, commonly called *Lord Robert Spencer*, and the most Noble *George* Duke of *Marlborough*, one of the Knights Companions of the most Noble Order of the Garter, and the Heirs and Assigns of the said Duke of *Marlborough*, the settled Estates of the said Lord *Robert Spencer*, situate in the County of *Lincoln*.

51. An Act for Sale of Part of the settled Estate of Sir *Thomas Broughton* Baronet, situate in the County of *Stafford*; and purchasing other Estates, situate in the County of *Chester*, to be settled to the same Uses; and for extinguishing the said Sir *Thomas Broughton*'s Power of making Leases for Lives, as to Part of his settled Estate in the County of *Chester*, and making such Recompence to him for the same as therein is mentioned.

52. An Act to enable *John Barnewall Curson* Esquire, to settle a Jointure upon any Woman or Women he may hereafter marry.

53. An Act to enable *Thomas Assheton Smith* Esquire, and *William Henry Assheton Smith* his Brother, to grant building, improving, and other Leases of the Estates devised by the Will of *William Smith* Esquire, deceased.

54. An Act for vesting the undivided Moiety of the Reverend *Henry Osman* Clerk, and *Mary* his Wife, of and in certain Lands and Hereditaments, in the Parish of *King's Langley*, in the County of *Hertford*, in Trustees, to be sold; and for applying Part of the Money arising by such Sale in Discharge of an Incumbrance upon the said Moiety; and for laying out the Residue thereof in the Purchase of entire Messuages, Lands, or Hereditaments, to be settled in lieu thereof, to the same Uses.

55. An Act for establishing and confirming Exchanges of divers Messuages, Lands, Tenements, and Hereditaments, situate, standing, lying, and being, within the Hamlet of *Wightbill*, in the Parish of *Tackley*, in the County of *Oxford*, pursuant to Articles of Agreement between the President and Scholars of *Corpus Christi College*, in the University of *Oxford*, and *Simon Wisdome* Esquire; and for other Purposes therein mentioned.

56. An Act to enable the President and Scholars of the College of *Saint Mary Magdalen*, in the University of *Oxford*, to grant Building Leases of certain Ground, Messuages, Houses, and Buildings, in the Parish of *Saint John, Southwark*, in the County of *Surrey*.

57. An Act to enable the Feoffees and Trustees of an Estate in the County of *Middlesex*, given by *Lawrence Sheriff*, for the founding and maintaining a School and Almshouses at *Rugby*, in the County of *Warwick*, to sell Part of the said Estate, or to grant Leases thereof, or of any Part thereof; and to effectuate the other Purposes therein mentioned.

58. An Act for dividing and inclosing the Commons and Waste Grounds within the Manor of *Bolton*, in the County of *Cumberland*.

59. An Act for dividing and inclosing certain Commons and Wastes, within the Manor of *Egremont*, in the County of *Cumberland*.

60. An Act for dividing and inclosing the Common and Waste Grounds, within the Townships, Villages, or Hamlets, of *Carleton Briseo*, and *Wreay*, within the Manor or Lordship of *Botchardgate*, otherwise *Prior Lordship*, in the Parishes of *Saint Cuthbert Carlisle*, and *Saint Mary Carlisle*, in the County of *Cumberland*.

61. An Act for dividing and inclosing the Common and Open Fields, Meadows, Commonable Lands, and Waste Grounds, in *Nassington*, *Yarwell*, *Apethorpe*, and *Woodnewton*, within the Prebend or Peculiar of *Nassington*, in the County of *Northampton*.

62. An Act for dividing, allotting, and inclosing, the Open and Common Fields, Heaths, Half Year Lands, and other Commonable Meadows, Pastures, and Grounds, within the Parish of *Little Cressingham*, in the County of *Norfolk*.

63. An Act for dividing and inclosing the Commons, or Waste Lands, within the Manor of *Whittington*, in the County of *Salop*.

64. An Act for dividing, allotting, and inclosing, the several Moors, Commons, and Waste Grounds, lying within the Manor and Parish of *Farlam*, in the County of *Cumberland*.

65. An Act for dividing, allotting, and inclosing, the several Moors, Commons, and Waste Grounds, lying within the Manor and Parish of *Brampton*, in the County of *Cumberland*.

66. An Act for dividing, inclosing, and improving, certain Commons, Lands, and Grounds, in the Township of *Tibshelf*, in the County of *Derby*.

67. An Act for dividing and inclosing the Open and Common Fields, and other Commonable Lands, in the Parish of *Weston under Wetheley*, in the County of *Warwick*.

68. An Act for dividing and inclosing the Open and Common Fields, and other Commonable Lands, in the Parish of *Condicote*, in the County of *Gloucester*.

69. An Act for dividing, allotting, and inclosing, the Commons and Waste Lands, within the Parish of *Wreningham*, in the County of *Norfolk*.

70. An Act for dividing, allotting, and inclosing, the Old Whole Year Inclosures, Common Fields, Commons, and Waste Lands, within the Parish of *Carlton Rode*, in the County of *Norfolk*.

71. An Act for dividing and inclosing certain Tracts of Waste Grounds, Moors, or Commons, within the Manor and Barony of *Prudhoe*, and Parish of *Ovingham*, in the County of *Northumberland*.

72. An Act for dividing and inclosing the Open Fields and Commonable Places of and within the Parish of *Welford*, in the County of *Northampton*.

73. An Act for dividing and inclosing the Open Common Fields, Meadows, Pastures, Commons, and Commonable Lands within the Manor and Parish of *Stanton Saint John*, in the County of *Oxford*.

74. An

74. An Act for dividing and inclosing the Open and Common Field and Commonable Lands lying within the Townships and Liberties of *Great Bourton* and *Little Bourton*, in the Parish of *Cropredy*, in the County of *Oxford*.

75. An Act for dividing, allotting, and inclosing, the Dole or Heath Lands, Commons, and Waste Grounds, within the Parish of *Felthorpe*, in the County of *Norfolk*.

76. An Act for dividing, allotting, and laying in Severalty, the Open Common Fields, Common Meadows, Common Downs, Waste Lands, and Commonable Places, within the Parish of *Market Lavington*, in the County of *Wilts*.

77. An Act for dividing and inclosing a Common or Moor, called *Hewtell Common* alias *Houfedon*, in the Parish of *Kirknewton*, in the County of *Northumberland*.

78. An Act for confirming Exchanges of Lands and Tithes of and in the Open and Unincloſed Common Fields, within the Manor and Parish of *Wendover*, in the County of *Buckingham*; and for eſtabliſhing and ſecuring certain annual Payments in lieu of Tithes.

79. An Act for dividing and inclosing the Common and Waſte Grounds, and certain Common Fields, and alſo two Moſſes, called *Waitham Moſs* and *Hilderſtone Moſs*, within the Manor of *Yealands*, in the Pariſh of *Warton*, and County Palatine of *Lancaſter*.

80. An Act for dividing and inclosing the Open and Common Fields, Common Meadows, Common Paſtures, and other Commonable Lands, lying and being in *Wykeham* and *Caudwell*, in the Pariſh of *Rothley*, in the County of *Leiceſter*.

81. An Act for dividing and inclosing three ſeveral Moors or Commons, called *Low Gatherley Moor*, *Moor Holme*, and *The High Moor*, ſituate in the ſeveral Townſhips of *Kirkby Ravenſworth*, *Ravenſworth*, and *Whaſhton*, in the Pariſh of *Kirkby Ravenſworth*, in the North Riding of the County of *York*.

82. An Act to diſſolve the Marriage of *John Braithwaite* Eſquire, with *Elizabeth Browne*, his now Wife; and to enable him to marry again; and for other Purpoſes therein mentioned.

83. An Act to enable *William Kilborn* and his Iſſue Male to take and uſe the Surname of *Burrowes*, purſuant to the Will of *John Burrowes* deceaſed.

84. An Act for veſting the Real Eſtates late of *Ann Phillips* Spinſter, now the Wife of *Henry Barnes* Gentleman, compriſed in their Marriage Settlement, ſituate in the County of *Salop*, in Truſtees, to be ſold; and for applying the Purchaſe-money for the Purpoſes in the Act mentioned.

85. An Act for veſting in Truſtees and their Heirs certain Eſtates of *Philip Jones*, and *Robert Berkley*, Eſquires, in the Counties of *Kent* and *Suſſex*, in order to ſell the ſame, and, with Part of the Purchaſe-money, to diſcharge certain Incumbrances thereon; and for laying out the Reſidue of the Purchaſe-money in the Purchaſe of other Eſtates, to be ſettled to the ſame Uſes as the ſaid Eſtates to be ſold ſtand limited.

86. An Act for diſcharging Part of the ſettled Eſtates of *Thomas Hull* Eſquire, in the Counties of *Dorſet* and *Devon*, from the Uſes and Truſts of his Marriage Settlement; and for ſettling other Eſtates, in the County of *Devon*, in lieu thereof; and for other Purpoſes.

87. An Act for uniting and better regulating the Charities of *Nathaniel Waterhouſe*, within the Town and Pariſh of *Halifax*, in the Weſt Riding of the County of *York*.

88. An Act for veſting certain Pieces or Parcels of Ground and Hereditaments, in the County of *Kent*, Part of the ſettled Eſtate of *William Wheatley* Eſquire, in Truſtees, to be ſold to Sir *Sampſon Gideon* Baronet, purſuant to Agreement; and for laying out the Money ariſing by Sale thereof in the Purchaſe of other Lands or Hereditaments, to be ſettled to the ſame Uſes.

89. An Act for veſting certain Meſſuages and Hereditaments, in the ſeveral Pariſhes of *Kirkwhelpington*, *Lowick*, and *Simonburne*, in the County of *Northumberland*, late Part of the Eſtate of Sir *John Swinburne* Baronet, deceaſed, in Truſtees and their Heirs, in Truſt, to be ſold, diſcharged from the Uſes, Truſts, Charges, and Powers, in the Will of the ſaid *John Swinburne* mentioned; and for applying the Money to ariſe by Sale thereof in Manner therein mentioned; and for other Purpoſes therein expreſſed.

90. An Act to enable *William Jackſon* and *Hannah* his Wife to carry into Execution an Agreement for Sale of certain Hereditaments, ſituate at or near *Barney*, in the County of *Norfolk* (being their ſettled Eſtate) to *Richard Reeve* the younger, Gentleman; and for laying out the Money ariſing by ſuch Sale in the Purchaſe of other Lands and Hereditaments, to be ſettled to the Uſes to which the ſaid ſettled Eſtate doth now ſtand limited.

91. An Act for veſting certain Meſſuages, Lands, Tenements, and Hereditaments, in the *Iſle of Wight*, the ſettled Eſtate of *Elizabeth Trattle* of *Cardiff*, in the County of *Glamorgan* Widow; and alſo a certain Meſſuage, and Lands and Hereditaments, of the Warden and Scholars, Clerks of *Saint Mary College* of *Wincheſter*, near *Wincheſter*, in the County of *Southampton*, in Truſtees, in Truſt, to ſell and convey Part of the ſaid ſettled Eſtate, and alſo the ſaid Eſtate of the ſaid Wardens and Scholars, Clerks, to Sir *Richard Worſley* Baronet; and other Part of the ſaid ſettled Eſtates, to the ſaid Warden and Scholars, Clerks; and to apply Part of the Money ariſing from ſuch Sale, in paying off an Incumbrance affecting Part of the ſaid ſettled Eſtate; and for laying out the Reſidue of the ſaid Money in the Purchaſe of other Lands and Hereditaments, to be ſettled to the like Uſes; and to enable the ſaid Warden and Scholars, Clerks, to take a Conveyance of that Part of the ſaid ſettled Eſtates intended to be conveyed to them.

92. An Act for veſting Part of the ſettled Eſtates of *William Weddell* Eſquire, in Truſtees, to be ſold; and for laying out the Money ariſing by ſuch Sale in the Purchaſe of Lands and Hereditaments, to be ſettled in lieu thereof; and for the other Purpoſes therein mentioned.

93. An Act for veſting the Real and Perſonal Eſtate of *John Harvey* Gentleman, a Lunatic, in Truſtees, in Truſt, to ſell ſo much thereof as will be ſufficient for the Payment of the Debts and Legacies of *John Harvey*, his late Father deceaſed; and for other Purpoſes therein mentioned.

94. An Act for repealing an Act, made in the twelfth Year of the Reign of his preſent Majeſty, intituled, *An Act for veſting the Manors, Lands, and Tenements, both Freehold and Leaſehold, compriſed in the Marriage Settlement of* Charles Baldwyn *Eſquire, in Truſtees, to be ſold; and for laying out the Money ariſing by ſuch Sale in the Purchaſe of other Lands and Hereditaments, to be ſettled to the ſame Uſes which are now ſubſiſting with regard to the ſaid Freehold ſettled Eſtate*; and for ſettling the ſaid Manors, Lands, and Tenements, to new and other Uſes.

95. An Act for rendering valid and effectual a Partition between *Taylor White* Eſquire, and *Sarah* his Wife, and *Thomas Fowke* Eſquire, and *Ann* his Wife, of ſeveral Eſtates in the Counties of *Huntingdon*, *Leiceſter*, *Cambridge*, *Eſſex*, and *Kent*; and for veſting and ſettling the ſame to the Uſes, and upon the Truſts, contained in their reſpective Marriage Settlements; and for other Purpoſes therein mentioned.

96. An Act for confirming and eſtabliſhing an Exchange agreed to be made between the Right Honourable *George* Lord

Lord *Onſlow* and *Cranley*, and *William Luck* Gentleman, and *Edmund Luck*, his Son.

97. An Act for veſting the Freehold Eſtates, in the Counties of *Hereford* and *Monmouth*, deviſed by the Will of *Thomas Chamberlayne* Eſquire, deceaſed, in *Richard Combe* Eſquire, in Fee-ſimple; and for ſettling other Eſtates of the ſaid *Richard Combe*, in the County of *Somerſet*, of greater Value, in lieu thereof.

98. An Act for dividing, allotting, and incloſing, a certain Common or Waſte Ground, called *Halton Moor*, in the Townſhip of *Halton*, in the Manor of *Temple-newſam*, in the Pariſh of *Whitkirke*, in the Weſt Riding of the County of *York*.

99. An Act for dividing and incloſing the Open and Common Fields, Common Meadows, Common Paſtures, and Waſte Lands, within the Manor and Pariſh of *Great Sturton*, in the County of *Lincoln*.

100. An Act for dividing, allotting, and incloſing, certain Commons or Waſte Grounds, within the ſeveral Townſhips of *Kingſley*, *Newton* near *Kingſley*, *Norley*, and *Crowton*, in the Pariſhes of *Frodſham* and *Weaverham*, in the County of *Cheſter*.

101. An Act for veſting Part of the ſettled Eſtates of Sir *William Hamilton* and Dame *Catherine* his Wife in Truſtees, to ſell or exchange the ſame; and for laying out the Money to ariſe by Sale thereof, in the Purchaſe of other Meſſuages, Lands, or Hereditaments, to be ſettled to the ſame Uſes.

102. An Act for Sale of the ſettled Eſtate of *Philip Egerton* Eſquire, in the County of *Flint*; and for inveſting the Money in the Purchaſe of other Eſtates, to be ſettled to the ſame Uſes.

103. An Act to confirm and eſtabliſh Articles of Agreement, for a Partition or Diviſion of Lands and Hereditaments, in the Counties of *Northampton* and *Warwick*, the Eſtates of *John Clarke* Eſquire, and *Mary* his late Wife, deceaſed; and for ſettling the ſame to the Uſes therein mentioned.

104. An Act for dividing and incloſing the ſeveral Open Fields, Arable Lands, Meadows, Commons, and Waſte Grounds, within the Manor of *Killamarſh*, in the County of *Derby*.

105. An Act for dividing, allotting, and incloſing, the Open and Common Fields, and other Commonable Lands and Grounds, of and within the ſeveral Pariſhes and Liberties of *Whilton*, *Norton*, and *Brockhall*, or in ſome or one of them, in the County of *Northampton*.

106. An Act for dividing and incloſing the Common Fields, Common Meadows, Paſtures, and Common Downs, in the Pariſhes of *Shireborne* and *Windruſh*, in the County of *Glouceſter*.

107. An Act for dividing and incloſing the Common and Open Fields, Common Meadows, and Common Paſtures, in the Manor and Pariſh of *Grafton Underwood*, in the County of *Northampton*.

108. An Act for dividing and incloſing the Open and Common Fields, Meadows, Paſtures, Fens, Heath, and Waſte Lands, within the Manor and Pariſh of *Metheringham*, in the County of *Lincoln*.

109. An Act for dividing and incloſing certain Open Common Fields, Meadows, and other Commonable Lands and Grounds, within the Pariſh of *Candleſby*, in the County of *Lincoln*.

110. An Act for dividing and incloſing the Commons and Waſte Lands, and a ſtinted Paſture, in the Townſhip of *Newſham*, in the North Riding of the County of *York*.

111. An Act for dividing and incloſing ſeveral Open Common Fields, Common Paſtures, Ings, Common and other Waſte Lands and Grounds, within the Townſhip and Manor of *Barmby upon the Moor*, in the Eaſt Riding of the County of *York*.

112. An Act for dividing and incloſing ſeveral Open Common Arable Fields, Wolds, Commons, and Waſte Grounds, in the Townſhips of *North Newbald* and *South Newbald*, within the Pariſh of *North Newbald*, in the County of *York*.

113. An Act for dividing and incloſing the Open and Common Fields, Common Paſtures, Common Meadows, and other Commonable Lands and Grounds, of and within the Manor, Pariſh, and Liberties of *Killeſby*, in the County of *Northampton*.

114. An Act for dividing and incloſing the ſeveral Open Arable Fields, Meadow and Paſture Grounds, and the Common or Moor, within the Townſhip of *Thornton*, in the Pariſh of *Foſton*, in the North Riding of the County of *York*.

115. An Act for dividing and incloſing the Open Fields, Meadows, Common Paſtures, Foreſt and Waſte Grounds, in the Pariſh of *Farnsfield*, in the County of *Nottingham*.

116. An Act for dividing and incloſing certain Open Fields, Meadows, Commons, and Waſte Grounds, in the Pariſh of *Brampton*, in the County of *Lincoln*.

117. An Act for dividing and incloſing the Open Fields, Meadows, Commons, and Waſte Grounds, within the Pariſhes of *Halam* and *Edingley*, in the County of *Nottingham*.

118. An Act for dividing and incloſing the Open and Common Fields, Commonable Lands, and Waſte Grounds, within the Manor and Pariſh of *Leadenham*, in the County of *Lincoln*.

119. An Act for dividing, allotting, and incloſing, certain Open and Common Fields, Common Meadows, Common Paſtures, Downs, Commons, and other Commonable Lands, within the Townſhip of *Uffington*, and the Hamlets of *Balking* and *Woolſton*, otherwiſe *Woolverſton*, and within the Hamlets of *Kingſton Liſle* and *Fawler*, in the County of *Berks*.

120. An Act for dividing and incloſing the Common Fields, Meſne Incloſures, Commons, or Waſte Grounds, within the Townſhip of *Monkbretton* otherwiſe *Burton*, in the Pariſh of *Royſtone*, in the Weſt Riding of the County of *York*.

121. An Act for dividing and incloſing the Open and Common Fields, and certain Commonable Lands, within the Pariſh of *Farmborough* otherwiſe *Farnborough*, in the County of *Berks*

122. An Act for dividing and incloſing the Open and Common Fields and Commonable Grounds within the Pariſh of *Gilmorton*, in the County of *Leiceſter*.

123. An Act for dividing, allotting, and incloſing, the Open and Common Fields, Commonable Lands, Cow Paſture, or Shrub, Town-green, Heath, and Waſte Grounds, within the Manor and Pariſh of *Weſton Colville*, in the County of *Cambridge*.

124. An Act for dividing and incloſing the Moors, Commons, or Waſte Grounds, within the Manors of *Baſchurch*, *Hordley*, *Stanwardine in the Wood*, *Weſton*, *Lullingfield*, and *Stanwardine in the Fields*, or ſome of them, in the County of *Salop*.

125. An Act for dividing and allotting the Open and Common Fields, Common Meadows, Common Paſtures, and other Commonable Grounds, in the Tithings or Liberties of *Ramſbury Town*, *Park Town*, *Whittonditch*, *Eaſtridge*, and *Baydon*, within the Manor of *Ramſbury*, in the County of *Wilts*.

126. An Act for dividing, allotting, and incloſing, the Open Fields, Common Paſtures, and Moor, or Common, in the Pariſh of *Bulmer*, in the North Riding of the County of *York*.

127. An

127. An Act for dividing and inclosing *Corfton Wood*, otherwise *Corveton Wood* or *Common*, within the Manor of *Corfton*, otherwise *Corverton*, and Parish of *Diddlebury*, in the County of *Salop*; and for making a Boundary or Ring-fence against a certain open and unincloſed Ground, in the Manor of *Corpham*, within the ſame Pariſh.

128. An Act for dividing, allotting, and incloſing, the Open and Common Fields, Common Paſtures, Common Meadow, and other Commonable Lands and Grounds, of and within the Manor and Pariſh of *Mears Aſhby*, in the County of *Northampton*.

129. An Act for dividing and incloſing the Open Fields, Meadows, Paſtures, Commons, and Waſte Grounds, within the Pariſh of *Bleaſby*, in the County of *Nottingham*.

130. An Act for dividing and incloſing the ſeveral Commons and Waſte Grounds, within the Manor and Pariſh of *Ipſtones*, in the County of *Stafford*.

131. An Act to diſſolve the Marriage of *George Carpenter* Eſquire, Earl of *Tyrconnel* in the Kingdom of *Ireland*, with the Right Honourable Lady *Frances Manners*, his now Wife, and to enable him to marry again; and for other Purpoſes therein mentioned.

132. An Act to enable *William Dutton* Eſquire, his firſt and other Sons, and their Iſſue Male, to take, uſe, and bear the Name and Arms of *Naper*, purſuant to the Will of *James Lenox Dutton* Eſquire, deceaſed; and for making the Exemplification of the Will and Codicil of the ſaid *James Lenox Dutton*, under the Great Seal of *Great Britain*, Evidence in all Courts of Law and Equity in *Great Britain* and *Ireland*.

133. An Act to enable *Iſaac Martin Rebow* Eſquire, to take and uſe the Surname of *Martin*, purſuant to the Will of *Matthew Martin* Eſquire, deceaſed.

134. An Act for naturalizing *Maria Perry*.

135. An Act for naturalizing *Charles Morris Klarert*.

136. An Act for veſting an undivided Moiety of certain Freehold and Copyhold Eſtates, late of Dame *Elizabeth Pettus*, deceaſed, in Truſtees, to convey and ſurrender the ſame reſpectively, purſuant to an Agreement for the Sale thereof; and for laying out the Money in the Purchaſe of other Lands and Hereditaments, to be ſettled to the like Uſes.

137. An Act for dividing, allotting, and incloſing, ſeveral Commons, Moors, or Waſte Grounds, and Open Common Fields, in the Townſhip of *Barnſley*, within the Pariſh of *Silkſton*, in the County of *York*.

138. An Act for dividing and incloſing the Common Fields, Common Meadows, Stinted Paſture, and Commonable Lands, within the Pariſh of *Earl Stoke*, in the County of *Wilts*.

139. An Act for dividing, allotting, and incloſing, the Open and Common Fields, Common Meadows, Common Paſtures, and other Commonable Grounds, in the Manor and Pariſh of *Aſhton Keynes*, in the County of *Wilts*.

140. An Act for dividing and incloſing the Common Fen, Common Marſh, Common Fields, and Waſte Grounds, in the Pariſh of *Surfleet*, in the County of *Lincoln*.

141. An Act for dividing and incloſing the ſeveral Open Common Fields, Meadows, Paſtures, Commons, and Waſte Grounds, within the Townſhips of *Cantley*, *Brampton*, *Beſſacarr*, and *High Ellers*, within the ſeveral Manors of *Brampton* and *Beſſacarr*, in the Pariſh of *Cantley*, in the Weſt Riding of the County of *York*.

142. An Act for dividing and incloſing the ſeveral Open Fields, Carrs, Ings, or Meadow Grounds, and Commons, or Waſte Grounds, within the Townſhips of *Melbourn* and *Storthwaite*, within the Manor of *Melbourn with Storthwaite*, in the Pariſh of *Thornton*, in the Eaſt Riding of the County of *York*.

143. An Act for dividing and incloſing the Common or Waſte Ground, called *Shapwick Moor* or *Shapwick Turf Moor*, in the Pariſh of *Shapwick*, in the County of *Somerſet*.

THE

# Statutes at Large,

Anno decimo octavo GEORGII III. Regis,

Being the FOURTH Seſſion of the

FOURTEENTH Parliament of GREAT BRITAIN.

A

# TABLE

OF THE

# Public and Private Statutes,

CONTAINING

The TITLES of the ACTS of the eighteenth Year of the Reign of GEORGE III.

## PUBLIC ACTS.

*Anno* 18 *Georgii* III.

1. AN Act for continuing an Act, made in the laſt Seſſion of Parliament, intituled, *An Act to empower his Majeſty to ſecure and detain Perſons charged with, or ſuſpected of, the Crime of High Treaſon, committed in any of his Majeſty's Colonies or Plantations in* America, *or on the High Seas, or the Crime of Piracy.*
2. An Act for granting an Aid to his Majeſty by a Land Tax, to be raiſed in *Great Britain*, for the Service of the Year one thouſand ſeven hundred and ſeventy-eight.
3. An Act for continuing and granting to his Majeſty certain Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year one thouſand ſeven hundred and ſeventy eight.
4. An Act for puniſhing Mutiny and Deſertion; and for the better Payment of the Army and their Quarters.
5. An Act for the Regulation of his Majeſty's Marine Forces while on Shore.
6. An Act for the better Supply of Mariners and Seamen to ſerve in his Majeſty's Ships of War, and on Board Merchant Ships and other Trading Ships and Veſſels.
7. An Act for repairing the Highways and Bridges in the County of *Wigton*.
8. An Act to enable his Majeſty to licenſe a Theatre in the City of *Briſtol*.
9. An Act for taking down the Pariſh Church of *Lilford*, being a Vicarage united to the Rectory of *Achurch*, in the County of *Northampton*; and for repairing the Pariſh Church of *Achurch* aforeſaid; and for other Purpoſes therein mentioned.
10. An Act to continue and enlarge the Term and Powers of an Act, made in the thirtieth Year of the Reign of King *George* the Second, *for building a Bridge over the River* Lea, *at or near a Place called* Jeremy's Ferry; *and for making, repairing, and widening Roads from thence into the Great Roads at* Snareſbrook, *in the County of* Eſſex, *and at* Clapton, *in the County of* Middleſex.
11. An Act for repealing an Act, paſſed in the fourteenth Year of his preſent Majeſty's Reign, intituled, *An Act for the better regulating the Government of the Province of the* Maſſachuſets Bay *in* New England.
12. An Act for removing all Doubts and Apprehenſions concerning Taxation by the Parliament of *Great Britain* in any of the Colonies, Provinces, and Plantations in *North America* and the *Weſt Indies*; and for repealing ſo much of an Act, made in the ſeventh Year of the Reign of his preſent Majeſty, as impoſes a Duty on Tea imported from *Great Britain* into any Colony or Plantation in *America*, or relates thereto.
13. An Act to enable his Majeſty to appoint Commiſſioners with ſufficient Powers to treat, conſult, and agree upon the Means of quieting the Diſorders now ſubſiſting in certain of the Colonies, Plantations, and Provinces of *North America*.
14. An Act for defraying the Charge of the Pay and Cloathing of the Militia in that Part of *Great Britain* called *England*, for one Year, beginning the twenty-fifth Day of *March*, one thouſand ſeven hundred and ſeventy-eight; and for filling up Vacancies in the Militia, in the Caſes therein mentioned.
15. An Act for the Relief of the Captors of Prizes, with reſpect to the bringing and landing certain Prize Goods in this Kingdom.
16. An Act for allowing the Exportation of certain Quantities of Wheat-flour, Biſcuit, and Peaſe, to *Newfoundland*, *Nova Scotia*, *Bay Chaleur*, and *Labrador*.
17. An Act for building an additional Jail, and alſo a Priſon and Houſe of Correction, within the County of *Cornwall*; and for other Purpoſes therein mentioned.
18. An Act to explain an Act, paſſed in the ſeventh Year of the Reign of his late Majeſty King *George* the Second, intituled, *An Act for the more effectual preventing the forging the Acceptance of Bills of Exchange*; *or the Numbers*

*or principal Sums of accountable Receipts for Notes, Bills, or other Securities for Payment of Money; or Warrants or Orders for Payment of Money or Delivery of Goods.*

19. An Act for the Payment of Costs to Parties, on Complaints determined before Justices of the Peace out of Sessions; for the Payment of the Charges of Constables in certain Cases; and for the more effectual Payment of Charges to Witnesses and Prosecutors of any Larceny, or other Felony.

20. An Act for further continuing the Duties granted by three Acts, made in the fifth and twenty-fifth Years of his late Majesty King *George* the Second, and in the third Year of his present Majesty's Reign, for enlarging the Pier and Harbour of *Scarborough*, in the County of *York*.

21. An Act for the more effectually carrying into Execution the Powers contained in two several Acts of Parliament, the one made in the twelfth Year of his present Majesty's Reign, *for making a navigable Cut or Canal from the River* Dee, *within the Liberties of the City of* Chester, *to or near* Middlewich, *and* Nantwich, *in the County of* Chester; and the other made in the seventeenth Year of his said Majesty's Reign, for varying and enlarging the Powers of the said former Act.

22. An Act for raising a certain Sum of Money by way of Annuities, and for establishing a Lottery.

23. An Act for appointing Commissioners to put in Execution an Act of this Session of Parliament, intituled, *An Act for granting an Aid to his Majesty by a Land Tax, to be raised in* Great Britain, *for the Service of the Year one thousand seven hundred and seventy-eight*, together with those named in two former Acts for appointing Commissioners of the Land Tax.

24. An Act for allowing the Re-importation of unmanufactured Tobacco from foreign Parts, although the same may have been sold abroad; and the Importation of Tobacco, the Growth and Product of the Island of *Dominica*, under certain Regulations and Restrictions.

25. An Act for allowing Corn, Grain, and Flour, imported into the Ports of *Portsmouth*, *Sandwich*, *Chichester*, and *Chester*, to be landed without Payment of the Duties, under the like Restrictions as Corn, Grain, and Flour, is allowed to be landed at the several Ports mentioned in an Act, made in the thirteenth Year of the Reign of his present Majesty, intituled, *An Act to regulate the Importation and Exportation of Corn.*

26. An Act for granting to his Majesty certain Duties upon all inhabited Houses within the Kingdom of *Great Britain.*

27. An Act for granting to his Majesty several additional Duties upon Wines and Vinegar imported into this Kingdom.

28. An Act for repealing so much of an Act, made in the thirteenth Year of his present Majesty's Reign, intituled, *An Act to explain, amend, and reduce into one Act of Parliament, the General Laws now in being for regulating the Turnpike Roads in that Part of* Great Britain *called* England, *and for other Purposes*; as is to subject Carriages, having the Fellies of the Wheels thereof of less Breadth or Gauge than six Inches, to the Payment of double Tolls; and for vacating Contracts for leasing Tolls.

29. An Act for empowering the Commissioners and Governors of the Royal Hospital for Seamen at *Greenwich*, in the County of *Kent*, to exchange certain Messuages, Lands, Tenements, Tithes, and Hereditaments, belonging to them in the Parishes of *Alnwick*, *Embleton*, and *Warkworth*, in the County of *Northumberland*, for other Lands belonging to the most Noble *Hugh* Duke of *Northumberland*, in some one or more of the Open Common Fields at *Corbridge*, in the said County; and to empower the said Commissioners and Governors to grant Leases, in Manner therein mentioned.

30. An Act for the more effectually levying of the Duty upon Servants in that Part of *Great Britain* called *Scotland.*

31. An Act for enabling his Majesty to settle on their Royal Highnesses the Princes *Frederick* Bishop of *Osnaburgh*, *William Henry*, *Edward*, *Ernest Augustus*, *Augustus Frederick*, and *Adolphus Frederick*, an Annuity of sixty thousand Pounds *per Annum*; and also to settle on their Royal Highnesses the Princesses *Charlotte Augusta Matilda*, *Augusta Sophia*, *Elizabeth*, *Mary*, and *Sophia*, one other Annuity of thirty thousand Pounds *per Annum*; and also to settle on his Highness Prince *William Frederick* one other Annuity of eight thousand Pounds *per Annum*, and on her Highness the Princess *Sophia Matilda* one other Annuity of four thousand Pounds *per Annum.*

32. An Act for further continuing so much of certain Duties as have by several Acts of Parliament been granted and continued for repairing and maintaining the Harbours of *Dover* and *Rye*, as are applicable to completing and keeping in Repair the said Harbour of *Rye*, in the County of *Sussex.*

33. An Act for the better Preservation of Fish, and regulating the Fisheries, in the Rivers *Severn* and *Verniew.*

34. An Act for the more easy and speedy Recovery of Small Debts, within the Soake of *Bolingbrooke* and Wapentake of *Candleshoe*, in the Parts of *Lindsey*, in the County of *Lincoln.*

35. An Act for the better Relief and Employment of the Poor within the Hundred of *Stow*, in the County of *Suffolk.*

36. An Act for the more easy and speedy Recovery of Small Debts, within the *Isle of Ely*, in the County of *Cambridge.*

37. An Act for paving Parts of the Footpaths on the Sides of the great Road, called *Whitechapel Road*, in the County of *Middlesex*; and also the several Streets, Lanes, Roads, and Passages, opening into the same; and for preventing Obstructions, Nuisances, and Annoyances therein, and near thereto.

38. An Act for raising a certain Sum of Money by Loans or Exchequer Bills for the Service of the Year one thousand seven hundred and seventy-eight.

39. An Act to indemnify such Persons as have omitted to qualify themselves for Offices and Employments; and to indemnify Justices of the Peace, or others, who have omitted to register or deliver in their Qualifications within the Time limited by Law, and for giving further Time for those Purposes; and to indemnify Members and Officers, in Cities, Corporations, and Borough Towns, whose Admissions have been omitted to be stamped according to Law, or, having been stamped, have been lost or mislaid; and for allowing them Time to provide Admissions duly stamped; and to give further Time to such Persons as have omitted to make and file Affidavits of the Execution of Indentures of Clerks to Attornies and Solicitors.

40. An Act to repeal such Part of an Act, made in the last Session of Parliament, as relates to the Manner of discharging Bonds given for the due Exportation of certain Goods from *Great Britain* to Foreign Parts; and to extend such Part of the same Act, as obliges the Master of *British* or *Irish* Ships, sailing from any of his Majesty's Dominions into the *Baltic*, to deliver a Manifest of their Cargoes to the *British* Consul residing there, to the like Vessels sailing into *Denmark*, *Norway*, and *Archangel.*

41. An Act for uniting the Free Grammar School of *James* King of *England*, within the Town of *Henley upon Thames*,

*Thames*, in the County of *Oxford*, with the Charity School founded in the ſame Town by Dame *Elizabeth Periam* Widow; and for the better Regulation and Management of the ſaid Endowments.

42. An Act to enable the Corporation of *Trinity Houſe* of *Deptford Strond* to eſtabliſh and maintain a Light-houſe on the Rocks called *The Smalls*, in *Saint George's Channel*.

43. An Act to repeal an Act, paſſed in the laſt Seſſion of Parliament, *for the Recovery of Small Debts, within the ſeveral Pariſhes of* Surfleet, Goſberton, Quadring, Donnington, Bicker, Swineſhead, Wigtoft, Sutterton, Algarkirke, Foſdyke, Kirton, Frampton, Wiberton, *and* Brothertoft, *within the Hundred of* Kirton, *and County of* Lincoln.

44. An Act for building a Stone Bridge acroſs the River *Tyne*, oppoſite the Town of *Hexham*, in the County of *Northumberland*, and for making proper Roads and Avenues to and from the ſame.

45. An Act to continue the ſeveral Laws therein mentioned, relating to the Allowance upon the Exportation of *Britiſh*-made Gunpowder; to the further encouraging the Manufacture of *Britiſh* Sail Cloth, and to the Duties payable on foreign Sail Cloth; to the granting a Liberty to carry Sugars of the Growth, Produce, or Manufacture of any of his Majeſty's Sugar Colonies, directly to foreign Parts, in Ships built in *Great Britain*, and navigated according to Law; to the further Puniſhment of Perſons going armed or diſguiſed, in Defiance of the Laws of Cuſtoms or Exciſe; to the prohibiting the Importation of light Silver Coin of this Realm from foreign Countries into *Great Britain* or *Ireland*, and to reſtrain the Tender thereof beyond a certain Sum; to the granting a Bounty upon Flax-ſeed imported into *Ireland*; to the better regulating of Pilots for the conducting of Ships and Veſſels from *Dover*, *Deal*, and *Iſle of Thanet*; and to revive and continue ſo much of an Act, made in the ſixteenth Year of his preſent Majeſty's Reign, as relates to allowing the Exportation of certain Quantities of Wheat, and other Articles, to his Majeſty's Sugar Colonies in *America*.

46. An Act for allowing further Time for Inrollment of Deeds and Wills made by Papiſts, and for Relief of Proteſtant Purchaſers.

47. An Act to amend ſuch Part of an Act, made in the forty-third Year of the Reign of Queen *Elizabeth*, intituled, *An Act for the Relief of the Poor*, as relates to the binding of Pariſh Apprentices.

48. An Act for empowering the Mayor, Aldermen, and Commons, of the City of *London*, in Common Council aſſembled, to raiſe, upon the Credit of the Surpluſſes to ariſe out of a certain Fund, commonly called *The Orphans Fund*, the Sum of forty thouſand Pounds, towards diſcharging the Debt incurred in rebuilding the Gaol of *Newgate*, and a *Seſſions-houſe* adjoining, and for completing the ſaid Gaol, and building an Infirmary thereto; and other the Purpoſes therein mentioned.

49. An Act for applying the Sum of one thouſand Pounds, to ariſe out of the Surpluſſes of a certain Fund, commonly called *The Orphans Fund*, for the Purpoſe of opening Communications between *Wapping-ſtreet*, and *Ratcliff-highway*, and between *Old Gravel-lane* and *Virginia-ſtreet*, within the Pariſhes of *Saint George* and *Saint John* of *Wapping*, in the County of *Middleſex*.

50. An Act for applying the Sum of one thouſand five hundred Pounds, to ariſe out of the Surpluſſes of a certain Fund, commonly called *The Orphans Fund*, for the Purpoſe of widening certain Avenues leading into *Goodman's Fields*, in the County of *Middleſex*.

51. An Act for applying the Sum of four thouſand Pounds, to ariſe out of the Surpluſſes of a certain Fund, commonly called *The Orphans Fund*, towards completing the paving of the Town and Borough of *Southwark*, and certain Parts adjacent, in the County of *Surrey*.

52. An Act for the Relief of Inſolvent Debtors; and for the Relief of Bankrupts, in certain Caſes.

53. An Act for the more eaſy and better recruiting of his Majeſty's Land Forces and Marines.

54. An Act for granting to his Majeſty a certain Sum of Money out of the Sinking Fund; and for applying certain Monies therein mentioned for the Service of the Year one thouſand ſeven hundred and ſeventy-eight; and for further appropriating the Supplies granted in this Seſſion of Parliament; and for carrying to the Aggregate Fund a Sum of Money which hath ariſen by the Two Sevenths Exciſe.

55. An Act to permit the Exportation of certain Goods, directly from *Ireland*, into any *Britiſh* Plantation in *America*, or any *Britiſh* Settlement on the Coaſt of *Africa*; and for further encouraging the Fiſheries and Navigation of *Ireland*.

56. An Act to permit the Importation of Cotton-yarn, the Manufacture of *Ireland*, into this Kingdom Duty-free.

57. An Act for raiſing a further Sum of Money, by Loans or Exchequer Bills, for the Service of the Year one thouſand ſeven hundred and ſeventy-eight.

58. An Act to explain and amend ſo much of an Act, made in the fourth Year of the Reign of his preſent Majeſty, as relates to the preventing the clandeſtine Conveyance of Sugar and Paneles from the *Britiſh* Colonies and Plantations in *America* into *Great Britain*.

59. An Act to amend and render more effectual the Laws relating to the raiſing and training the Militia within that Part of *Great Britain* called *England*; and to eſtabliſh certain Regulations with reſpect to Officers ſerving in the Corps of Fencible Men directed to be raiſed in that Part of *Great Britain* called *Scotland*, and certain other Corps therein mentioned.

60. An Act for relieving his Majeſty's Subjects profeſſing the Popiſh Religion from certain Penalties and Diſabilities impoſed on them by an Act, made in the eleventh and twelfth Years of the Reign of King *William* the Third, intituled, *An Act for the further preventing the Growth of Popery*.

61. An Act for repealing certain Proviſions in two Acts, made in the firſt Year of the Reign of Queen *Anne*; one intituled *An Act for the Relief of the Proteſtant Purchaſers of the forfeited Eſtates in* Ireland; and the other intituled, *An Act for advancing the Sale of the forfeited Eſtates in* Ireland, *and for veſting ſuch as remain unſold by the preſent Truſtees in her Majeſty, her Heirs and Succeſſors, for ſuch Uſes as the ſame were before veſted in the ſaid Truſtees; and for the more effectual ſelling and ſetting the ſaid Eſtates to Proteſtants; and for explaining ſeveral Acts relative to the Lord* Bophin *and Sir* Redmond Everard.

62. An Act to continue an Act, made in the ſixteenth Year of his preſent Majeſty, intituled, *An Act to authorize, for a limited Time, the Puniſhment, by hard Labour, of Offenders who, for certain Crimes, are or ſhall become liable to be tranſported to any of his Majeſty's Colonies and Plantations*.

63. An Act for enabling Truſtees under particular Turnpike Acts, to meet and carry ſuch Acts into Execution, notwithſtanding they may not have met or adjourned agreeable to the Directions of ſuch Acts; and for preventing Diſputes touching the Payment of Tolls for Horſes or Carriages belonging to or employed by Officers or Soldiers on Duty.

64. An

64. An Act for enabling his Majesty to raise the Sum of one million, for the Uses and Purposes therein mentioned.

65. An Act for settling and securing a certain Annuity on the Earl of *Chatham*, and the Heirs of the Body of the late *William Pitt* Earl of *Chatham*, to whom the Earldom of *Chatham* shall descend, in Consideration of the eminent Services performed by the said late Earl to his Majesty and the Public.

66. An Act for making proper Drains and Sewers, for the Purpose of carrying off the Water from the Prebendal Estate of *Halliwell* and *Finsbury*, in the Suburbs of the City of *London*; and for other Purposes therein mentioned.

67. An Act for authorising the Justices of the Peace for the County of *Middlesex*, to sell the present Session-house for the said County, and for enabling them to build another Session-house in a more convenient Situation, and to keep the same in Repair; and for applying the Sum of eleven thousand Pounds (to be borrowed upon the Credit of the Surpluses of a certain Fund, commonly called *The Orphans Fund)* towards defraying the Expence of building the said Session-house.

68. An Act for building a Bridge across the River *Tawey*, at a Place called *The Wich Tree*, in the Parish of *Llansamlett*, to the opposite Shore in the Parish of *Llangevelach*, in the County of *Glamorgan*; for making proper Avenues or Roads to and from the said Bridge; and also for repairing and widening the Road from *Pentre-brook*, near a Place called *Aberduyberthy*, in the Parish of *Saint John's*, near *Swansea*, to the said intended Bridge.

69. An Act for repairing the Highways and Bridges in the County of *Stirling*.

70. An Act to enable *Hector Munro* Esquire, to build and maintain a Harbour and Pier at the Town of *Findhorn*, in the County of *Elgin* and *Forres*.

71. An Act for empowering the Mayor, Aldermen, and Commons, of the City of *London*, in Common Council assembled, to make a Street or Opening from *Moorfields*, opposite *Chiswell-street*, towards the East into *Bishopsgate street*; and also from the East End of *Chiswell-street* Westward into *Barbican*; and to raise, upon the Credit of the Surpluses to arise out of a certain Fund, commonly called *The Orphans Fund*, the Sum of sixteen thousand five hundred Pounds for such Purpose.

72. An Act for erecting a Building for holding the Courts and exercising the Jurisdiction of the Dean and Chapter of the Collegiate Church of *Saint Peter* in *Westminster*, within the City and Liberty of *Westminster*, and for holding the Quarter Sessions of the Peace, and transacting the other public Business of the said City and Liberty; and for appropriating Part of the Surpluses of the *Orphans Fund*, towards defraying the Expence thereof

73. An Act for paving the High Street or Road leading from *Aldersgate bars*, in the Parish of *Saint Botolph without Aldersgate*, *London*, to the Turnpike near the End of *Goswell-street*, in the County of *Middlesex*; and for applying the Sum of five thousand Pounds, to be raised upon the Credit of the Surpluses to arise out of a certain Fund, commonly called *The Orphans Fund*, for such Purpose

74. An Act to amend an Act, passed in the twenty sixth Year of King *George* the Second, *more effectually to enable the Parishioners of the Parish of* Christchurch, *in the County of* Middlesex, *to purchase, hire, or erect a Workhouse, for the employing and maintaining the Poor of the said Parish, and for the more effectual Support and Employment of the Poor therein.*

75. An Act for making a Navigable Canal from the Town of *Basingstoke*, in the County of *Southampton*, to communicate with the River *Wey*, in the Parish of *Chertsey*, in the County of *Surrey*; and to the South-east Side of the Turnpike Road in the Parish of *Turgiss*, in the said County of *Southampton*.

76. An Act for better paving, cleansing, lighting, and watching, the Streets and Lanes in the Town of *Dover* in the County of *Kent*, and in the several Parishes of *Saint Mary the Virgin* and *Saint James the Apostle* in the said Town and County; and for removing and preventing Nuisances and Annoyances therein.

77. An Act for paving and repairing the Streets, Lanes, and other public Passages and Places, within such Part of the Liberty of *Norton Falgate*, in the County of *Middlesex*, as is extra-parochial; and certain Parts of *Magpie-alley* and *Blossom-street*, in the Parish of *Saint Leonard Shoreditch*, in the said County; and for removing Obstructions and Annoyances therein.

78. An Act for applying the Sum of nine thousand Pounds, to arise out of the Surpluses of a certain Fund, commonly called *The Orphans Fund*, for the Purpose of making a Passage for Carriages from *Spital-fields* to *Bishopsgate-street*, in the County of *Middlesex*.

79. An Act for paving, cleansing, lighting, and watching, the Town of *Northampton*; and for removing and preventing Incroachments, Obstructions, and Annoyances therein.

80. An Act for widening and improving a certain Avenue called *Dirty-lane*, and Part of *Brick-lane*, leading from *Whitechapel* to *Spital-fields*, in the County of *Middlesex*; and for paving *Dirty-lane*, and also the East Side of *Petticoat-lane*, from *Whitechapel High street* to *Wentworth-street*; the said Avenue called *Wentworth-street*; from thence in one continued Line through *Old Montague-street*, *Chapel-street*, and *Princes-row*, to *Baker's-row* inclusive, and the several Streets and Passages leading into the same; and for removing all Obstructions and Encroachments therefrom, and preventing the like for the future.

81. An Act for continuing the Terms and enlarging the Powers of two Acts, one passed in the seventh and the other in the eighth Years of his present Majesty's Reign, for repairing and widening the Roads from *Oxford* over *Botley-causeway*, to *Fifield*, in the County of *Berks*, and *Witney*, in the County of *Oxford*.

82. An Act to enlarge the Term and Powers of several Acts passed in the sixth and twelfth Years of King *George* the First, the twenty-eighth Year of his late Majesty, and the ninth Year of his present Majesty, for repairing the Roads from *Stevenage*, in the County of *Hertford*, to *Biggleswade*, in the County of *Bedford*, and other Roads therein mentioned.

83. An Act to enlarge the Term and Powers of an Act, made in the twenty-fifth Year of the Reign of his late Majesty King *George* the Second, *for repairing the Road leading from* Long Horsley *Bar or Gate, on the Post Road near the Town of* Morpeth, *by or through* Long Horsley, Weldon-bridge, *and* Whittingham, *to the River* Breamish, *and from thence to* Percy's Cross, *in the County of* Northumberland.

84. An Act to enlarge the Term and Powers of several Acts for repairing the Road from *Highgate Gatehouse*, in the County of *Middlesex*, to *Barnet Blockhouse*, in the County of *Hertford*; and the Road from the *Bear-inn* in *Hadley* to the *Angel* in *Enfield chace*; and also *Canewood-lane* leading from *Highgate* to *Hampstead*, in the said County of *Middlesex*; and the Road beginning at *Barnet Blockhouse*

*Blockhouſe* and ending at the *Bear-inn* in *Hadley* aforeſaid.

85. An Act for continuing the Term, and altering and enlarging the Powers, of an Act, made in the thirty-ſecond Year of the Reign of his late Majeſty King *George* the Second, *for repairing the Road from* Wakefield *to* Auſterlands, *in the Weſt Riding of the County of* York.

86. An Act to enlarge the Term and Powers of an Act, paſſed in the thirty-third Year of King *George* the Second, *for repairing and widening the Road from* The Bars *at* Boughton, *within the Liberties of the City of* Cheſter, *to* Whitchurch, *and from thence to* Newport, *in the County of* Salop, and other Roads in the ſaid Act mentioned; and for making a Road of Communication from the ſaid Road between *Whitchurch* and *Newport*, to the preſent Turnpike Road from *Newport* aforeſaid to *Eccleſhall*, in the County of *Stafford*.

87. An Act to enlarge the Term of an Act paſſed in the thirtieth Year of his late Majeſty King *George* the Second, *for repairing and widening the Road from* Towceſter, *through* Silverſton *and* Brackley, *in the County of* Northampton, *and* Ardley, *and* Middleton Stoney, *to* Weſton-gate, *in the Pariſh of* Weſton on the Green, *in the County of* Oxford.

88. An Act for repairing and widening the Road from *The Birches Brook* to *Buildwas-bridge*, and from thence to join the *Watling-ſtreet* Turnpike Road at *Tern-bridge*, in the County of *Salop*.

89. An Act for enlarging the Term and Powers of an Act, made in the twenty-ninth Year of the Reign of his late Majeſty King *George* the Second, *for amending, widening, and keeping in Repair, ſeveral Roads leading from the Market-houſe in the Town of* Much Wenlock, *in the County of* Salop, and for amending, widening, and keeping in Repair, the Road leading from *Gleeton-hill* to *Creſſage*, in the ſaid County.

90. An Act to enlarge the Term and Powers of three Acts, of the third and ſeventeenth Years of the Reign of King *George* the Second, and the tenth Year of the Reign of his preſent Majeſty, for repairing the Road leading from *Galley-corner*, adjoining to *Endfield-chace*, in the Pariſh of *South Mims*, in the County of *Middleſex*, to *Lemsford-mill*, in the County of *Hertford*.

91. An Act for repairing and widening the Road from *Stoken-church*, in the County of *Oxford*, to *Wheatley-bridge*, and from the ſaid Bridge to *Enſlow-bridge*, and from *Wheatley-bridge* to the Mileway leading towards *Magdalen-bridge*; and from the Mileway leading from *Saint Giles's Church*, near the City of *Oxford*, by *Begbroke*, to *New Woodſtock*, in the ſaid County.

92. An Act for continuing the Term and altering and enlarging the Powers of an Act, made in the twenty-ſixth Year of the Reign of his late Majeſty, *for widening and repairing the High Road leading from* Northallerton *to the South Wall of the Church-yard of the Town of* Thirſk, *and from the South-eaſt End of the Street called* Finkell-ſtreet, *in* Thirſk *aforeſaid, to and through the Town of* Eaſingwould, *in the County of* York, *to a Place called* Burton-ſtone, *near the City of* York; *and alſo the Road from* Thirſk *aforeſaid to* Topcliffe, *in the North Riding of the County of* York.

93. An Act for repealing certain Parts of three ſeveral Acts of Parliament, of the firſt, the ſeventeenth, and the thirtieth Years of the Reign of his late Majeſty King *George* the Second, made for repairing ſeveral Roads leading to and from the Borough of *Eveſham*, in the County of *Worceſter*; and for repairing and widening the Road from *Eveſham-bridge*, in the ſaid Borough, to the *Globe Inn* in *Alceſter*, in the County of *Warwick*.

94. An Act for enlarging the Term and Powers of an Act, made in the thirtieth Year of the Reign of his late Majeſty King *George* the Second, *for amending, widening, and keeping in Repair, the Roads from the Eaſt End of the Town of* Hertford, *in the County of* Hertford, *through* Watton, *to* Broadwater, *and from the Town of* Ware, *through* Watton, *to the North End of the Town of* Walkern, *in the ſaid County*.

95. An Act for amending, widening, turning, altering, and keeping in Repair, the Roads from *Whiſtle-bridge*, in the Pariſh of *Barwick*, in the County of *Somerſet*, to the Turnpike Road in the Pariſh of *Charminſter*, in the County of *Dorſet*; and from the Croſs in the Town of *Maiden Newton*, to a Stream of Water in the Pariſh of *South Perrott*, in the County of *Dorſet*; and from a Place called *Furze-moor Gate*, in the Pariſh of *Broadwinſor*, to *Lenham's Water*, in the Pariſh of *Beamiſter*; and from *Bugler's Corner* in the Town of *Beamiſter*, to the *Dorſetſhire Inn*, in the Pariſh of *Woolcombe*; and from *Upſydling Ewe Leaze*, to the Town of *Cerne Abbas*; and from the Town of *Frampton*, to join the Weſtern Turnpike Road near *Steepleton*, in the ſaid County of *Dorſet*.

96. An Act for continuing the Term and altering and enlarging the Powers of an Act, made in the thirty-ſecond Year of the Reign of his late Majeſty King *George* the Second, *for repairing and widening the Road leading from the Eaſt Side of* Barnſley Common, *in the County of* York, *to the Middle of* Grange Moor, *and from thence to* White Croſs; *and alſo the Road from the Guide poſt in* Barugh *to a Rivulet called* Barugh Brook, *and from thence for two hundred Yards over and beyond the ſame Rivulet or Brook into the Townſhip of* Cawthorne, *in the ſaid County*.

97. An Act for more effectually amending, widening, and keeping in Repair, ſeveral Roads leading from the Town of *Taunton*, in the County of *Somerſet*; and for repealing two Acts, one of the twenty-fifth Year of his late Majeſty, and the other of the fifth Year of his preſent Majeſty, relating to the ſaid Roads; and for amending, widening, and keeping in Repair, ſeveral other Roads adjoining thereto.

98. An Act for repairing and widening the Road from the City of *Glouceſter* to the Town of *Stroud*, in the County of *Glouceſter*.

99. An Act for enlarging the Term and Powers of an Act, made in the twenty-ninth Year of the Reign of his late Majeſty King *George* the Second, *for amending and keeping in Repair the Roads leading from a Place called* Fryer Bacon's Study *to* Chilton Pond; *and from the Top of* Hinkſey-hill *to* Foxcombe-hill Gate *in the Road leading to* Farringdon, *in the County of* Berks.

100. An Act for continuing the Term and altering and enlarging the Powers of an Act, made in the twenty-ſixth Year of the Reign of his late Majeſty, *for repairing, amending, and widening, the ſeveral Roads leading from the* Red Poſt, *in the Pariſh of* Fivehead, *through the Towns of* Langport *and* Somerton, *to* Butwell; *and alſo from* Curry Rivell *to* Puckington-lane, *and from* Carybridge *to* Street Croſs, *in the County of* Somerſet; and for amending, widening, and keeping in Repair, ſeveral other Roads adjoining thereto.

101. An Act for continuing the Term and altering and enlarging the Powers of an Act, made in the twenty-ſixth Year of the Reign of his late Majeſty, *for repairing and widening the Roads therein mentioned, leading to and from the Towns of* Shepton Malet *and* Ivelcheſter, *in the County of* Somerſet, ſo far as the ſame relates to the Roads therein called *The Ivelcheſter Turnpike Roads*.

102. An Act to enlarge the Term and Powers of an Act, paſſed in the twenty-ninth Year of the Reign of King *George*

*George* the Second, *for repairing and widening the Roads leading from the City of* Glouceſter, *towards* Cheltenham *and* Tewkeſbury, *in the County of* Glouceſter.

103. An Act for repairing and widening the Road from *Chippenham-bridge*, in the County of *Wilts*, to the Top of *Togg-hill*, in the County of *Glouceſter*; and from the Stone Pillar to the Top of *Old Sodbury Hill*, in the ſaid County of *Glouceſter*.

104. An Act for enlarging the Term and Powers of an Act, made in the thirty-firſt Year of the Reign of his late Majeſty King *George* the Second, intituled, *An Act for repairing and widening the Roads from* Donnington High-bridge *to* Hale Drove, *and to the Eighth Mile ſtone, in the Pariſh of* Wigtoft, *and to* Langret Ferry, *in the County of* Lincoln.

105. An Act for enlarging the Term and Powers of an Act, made in the thirty-firſt Year of the Reign of his late Majeſty, *for repairing the Road from* Leeds *to* Sheffield, *in the County of* York, ſo far as the ſame relates to the Road from *Wakefield* to *Sheffield*; and alſo one other Act, made in the firſt Year of the Reign of his preſent Majeſty, for amending and rendering more effectual the ſaid Act.

106. An Act to enlarge the Term and Powers of ſeveral Acts, paſſed in the fourth Year of King *George* the Firſt, and the ninth and thirtieth Years of King *George* the Second, *for repairing the Highways from* Crown Corner, *in the Town of* Reading, *leading by and through the ſeveral Pariſhes of* Shinfield *and* Heckfield, *in the ſeveral Counties of* Berks, Wilts, *and* Southampton, *to* Baſingſtoke, *in the ſaid County of* Southampton.

107. An Act to enlarge the Term and Powers of an Act, paſſed in the twenty-fifth Year of the Reign of his late Majeſty King *George* the Second, *for repairing the Road leading from the Town of* Morpeth, *by or through* Mitford, Thropple, Long-witton, *and by the North Side of* Rothley Park Wall, *to* Sting Croſs, *and to the* High Croſs *in* Elſdon, *in the County of* Northumberland.

108. An Act for continuing and amending an Act, made in the twenty-ſixth Year of the Reign of his late Majeſty, *for repairing the Road leading from the Town of* Penrith, *in the County of* Cumberland, *by* Hutton Hall, *over* Skelton *and* Caſtle Sowerby Paſtures, *and* Sebraham-bridge, *to* Chalk Beck, *in the ſaid County*; *and alſo the Road which branches and ſeparates from the ſame Road, upon* Caſtle Sowerby Paſture *foreſaid, and leads from thence through* Heſket, *otherwiſe* Heſket-newmarket, *to* Caldbeck, *in the ſaid County*.

109. An Act to empower the Truſtees for amending the Road from *Uttoxeter* to *Newcaſtle-under-lyme*, in the County of *Stafford*, to repair and widen the Road branching out of the ſaid Road at *Lower-lane*, to the Turnpike Road on *Hem-heath*, in the ſame County.

110. An Act for enlarging the Term and Powers of an Act, paſſed in the thirtieth Year of the Reign of his Majeſty King *George* the Second, *for repairing and widening the Road from the North End of* Dapdon-wharf, *in the Pariſh of* Stoke, *next* Guldeford, *through* Guldeford *to* Andrew's Croſs, *and to* Alford-bars, *in the County of* Surrey, *and from thence to* Saint Mary's Gate, *in* Arundel, *in the County of* Suſſex.

111. An Act for continuing the Term of an Act, made in twenty-ninth Year of his late Majeſty, intituled, *An Act for amending, repairing, and widening, the Roads leading from the* Rye-way, *in the Pariſh of* Yarpole, *in the County of* Hereford, *to* Preſteigne, *in the County of* Radnor, *and from thence to* Leintwardine; *and from* Preſteigne *aforeſaid, to the Top of* Trap-hill; *and from the* Rye-way *aforeſaid, by the* Maidenhead, *to* Wooferton, *in the County of* Salop; and for amending, widening, and keeping in Repair, ſeveral other Roads, branching out of the Roads compriſed in the ſaid Act.

112. An Act for more effectually amending, widening, and keeping in Repair, the Roads leading from the Town of *Northampton* to *Chain-bridge*, near the Town of *Market Harborough*, and from the Direction-poſt in *Kingſthorpe*, in the County of *Northampton*, to *Welford-bridge*, in the ſaid County; and for repealing ſeveral Acts, made in the eighth Year of King *George* the Firſt, and the twelfth and twenty-third Years of his late Majeſty, relating to the ſaid Roads.

113. An Act for continuing the Term and altering and enlarging the Powers of an Act, made in the twenty-ſixth Year of the Reign of his late Majeſty King *George* the Second, intituled, *An Act for repairing, amending, and widening the Road from* Keighley, *in the Weſt Riding of the County of* York, *to* Kirkby *in* Kendal, *in the County of* Weſtmorland.

114. An Act for repairing and widening the Road from *Tetbury*, in the County of *Glouceſter*, to and through *Malmeſbury*, to *Chippenham-bridge*, in the County of *Wilts*; and from *Malmeſbury* to the Turnpike Road at or near *Jackament's Bottom*, in the ſaid County of *Glouceſter*; and alſo the Road from *Farringdon* to *Cricklade*, from thence to *Malmeſbury*, and to the Turnpike Road at *Acton Turville*; and alſo from *Sherſtone* to the Turnpike Road leading from *Tetbury* to *Bath*.

115. An Act for repealing an Act, made in the twenty-fifth Year of the Reign of his late Majeſty King *George* the Second, *for repairing and widening the Road leading from a Part of the Road (directed to be repaired by an Act paſſed in the laſt Seſſion of Parliament, from* Carliſle *to* Newcaſtle upon Tyne) *near* Glenwhelt, *to another Part of the Road (ſo making from* Carliſle *to* Newcaſtle) *upon* Shildon Common, *in the County of* Northumberland; and for making more effectual Proviſion for the Repair of the ſaid Road.

116. An Act for altering, repairing, and widening, the Road from *Summer Rods Bar*, near the Town of *Hexham*, in the County of *Northumberland*, to the Town of *Alſton*, in the County of *Cumberland*.

## PRIVATE ACTS.

*Anno* 18 *Georgii* III.

1. AN Act to enable the Right Honourable *Robert Craggs* Earl *Nugent*, and the Right Honourable *Charles Townſhend*, to take in *Great Britain* the Oath of Office, as Vice Treaſurer, and Receiver General, and Paymaſter General of all his Majeſty's Revenues in the Kingdom of *Ireland*; and to qualify themſelves for the Enjoyment of the ſaid Offices.

2. An Act for rectifying a Miſtake in the Name of one of the Commiſſioners appointed to put in Execution an Act made in the laſt Seſſion of Parliament, for dividing and incloſing the ſeveral Open Common Fields, Meadows, Paſtures, Commons, and Waſte Grounds, within the Townſhips of *Cantley*, *Brampton*, *Beſſacarr*, and *High Ellars*, within the ſeveral Manors of *Brampton* and *Beſſacarr*, in the Pariſh of *Cantley*, in the Weſt Riding of the County of *York*.

3. An Act for naturalizing *Francis Popham*.

4. An Act for naturalizing *John Meyer* and *Chriſtopher Henry Martens*.

5. An Act for veſting certain Meſſuages, Lands, and Hereditaments, in the County of *Kent* (Part of the Eſtates deviſed and ſettled by the Will of *John Thoyts*, deceaſed), in Truſtees, to be ſold, and conveyed to Sir *Sampſon Gideon* Baronet, and his Heirs; and for laying out the Monies

Monies arising by such Sale in the Purchase of other Lands and Hereditaments, to be conveyed and settled to and upon the like Uses and Trust, in the said Will.

6. An Act for dividing, allotting, and inclosing, the Open and Common Fields, Meadows, and Common Grounds, within the Parish of *Bulwick*, in the County of *Northampton*.

7. An Act for dividing and inclosing the Open and Common Fields, Common Pastures, Common Meadows, and other Commonable Lands, in the Liberties of *Kimcoate* and *Walton*, in the Parishes of *Kimcoate* and *Knaptoft*, in the County of *Leicester*.

8. An Act for dividing and inclosing the Common and Open Fields, Meadows, Commonable Lands, and Waste Grounds, in the Parish of *Titchmarsh*, in the County of *Northampton*.

9. An Act for dividing, allotting, and inclosing, the Open Fields, Commons, and Waste Grounds, in the Parish, Lordship, and Liberty of *Sapcote*, in the County of *Leicester*.

10. An Act for dividing, allotting, and inclosing, the Open and Common Fields, Common Pastures, Common Meadows, Heath, and other Commonable Lands and Grounds, of and within the Manor and Parish of *Great Billing*, in the County of *Northampton*.

11. An Act for dividing and inclosing the Common and Open Fields, Meadows, and Commonable Lands, in the Parish of *Rushden*, in the County of *Northampton*.

12. An Act for dividing and allotting the Open and Common Fields, Downs, and Commonable Grounds, in the Hamlet or Tithing of *Bookampton*, in the Parish of *Chipping Lambourne*, in the County of *Berks*.

13. An Act for dividing and inclosing several Open Fields, and Stinted Pastures, or Waste Grounds, in the Manor of *North Dalton*, in the East Riding of the County of *York*.

14. An Act for dividing, allotting, and inclosing the Open Fields, and Common or Waste Land, in the Lordship of *Long Whatton*, in the County of *Leicester*.

15. An Act for regulating the stocking of a certain Piece of inclosed Pasture Ground, called *Nazeing Wood*, or *Nazeing Park*, in the Manor and Parish of *Nazeing*, in the County of *Essex*, and for keeping the Fences thereof in Repair.

16. An Act for dividing and inclosing the Commons and Waste Grounds within the Manor of *Clifton upon Calder*, in the West Riding of the County of *York*.

17. An Act for dividing and inclosing the Common or Waste Ground, called *Brislington* otherwise *Busleton Common*, in the Parish of *Brislington* otherwise *Busleton*, in the County of *Somerset*.

18. An Act for dividing and inclosing the several Commons and Waste Grounds, within the Manors of *Latham* and *Skelmersdale*, in the Parish of *Ormskirk*, in the County Palatine of *Lancaster*.

19. An Act for dividing and inclosing the Common and Open Fields, Meadows, Commonable Lands, and Waste Grounds, in the Parish of *Isham*, in the County of *Northampton*.

20. An Act for dividing and inclosing the Open Fields, Meadows, and Common Pastures, within the Lordship or Parish of *Castle Donington*, in the County of *Leicester*.

21. An Act for dividing and inclosing certain Open and Common Fields, Common Meadows, Common Pastures, and other Commonable and Waste Lands, within the Parish of *Highworth*, in the County of *Wilts*.

22. An Act to enable *Walter James Head* Esquire, a Minor, and his Issue, to take and use the Surname of *James* only, and to bear the Coat Armour of the Family of *John James* Esquire, deceased.

23. An Act for enabling *Charles Wyndham* Esquire (now called *Charles Edwin*) and his Heirs Male, to take and use the Surname of *Edwin* only.

24. An Act for naturalizing *David Henry De Beanne*.

25. An Act for naturalizing *Hans Arfwidsson*.

26. An Act for naturalizing *Charles Frederick Loudonsack*.

27. An Act for naturalizing *Henry Wilckens*.

28. An Act for naturalizing *John Christian Deane* and *Jacob Gottfried Hippius*.

29. An Act for naturalizing *James Cazenove*.

30. An Act for naturalizing *Francis Long*.

31. An Act for naturalizing *Antoine Bazin*.

32. An Act to enable the Lord Archbishop of *Canterbury* to enfranchise and grant a small Parcel of Glebe and Waste Land, belonging to the Manor of *Lambeth*, in the County of *Surrey*; and also to enable the Rector of the Parish of *Saint Mary, Lambeth*, or his Successors, to build a Parsonage-house on Part of the said Glebe and Waste Land, and to grant Building Leases of other Parts thereof, and for other the Purposes therein mentioned.

33. An Act for vesting in the Right Honourable *Charles Howard* Esquire, commonly called *Charles Earl of Surrey*, and his Heirs, the settled Estates of the said Earl, in the Counties of *Cumberland*, *Westmorland*, and *Surrey*, subject to certain Charges affecting the same.

34. An Act for vesting the Timber and Wood growing upon the Estates of *Henry Perryn Browne* Esquire, in the County of *York*, in Trustees, to sell the same, and apply the Money arising therefrom for making a Recompence to Sir *Richard Perryn*, his Father, for the Charges and Expences of making Buildings and Improvements upon the same Estate, and for the other Purposes therein mentioned.

35. An Act for annexing a Portion of the Rectory, and of the Rectory Manor thereto belonging, of *Huntspill*, in the County of *Somerset*, to the Office of Master of *Baliol College*, in *Oxford*.

36. An Act for establishing an Agreement, for discharging the Manor of *Laughton*, in the County of *Leicester*, and certain Lands and Hereditaments in the Parish of *Laughton*, from the Payment of Tithes, or any Modus or Rate for Tithe; and for vesting other Lands and Hereditaments in the Rector of the said Parish, and his Successors, as a Compensation for the said Tithes, and in Lieu thereof.

37. An Act for dividing and allotting certain Open and Common Fields, Downs, and Commonable Lands or Grounds, in the Tithing of *Ogbourn Saint Andrew*, in the County of *Wilts*.

38. An Act for dividing and inclosing the Open Arable Fields, Open Meadows, Common Pastures, and Common Grounds, within the Parish of *Kegworth*, in the County of *Leicester*.

39. An Act for dividing, allotting, and inclosing, the Open and Common Fields, Common Pastures, Common Meadows, Heath, and other Commonable Lands and Grounds, of and within the Parish of *Harpole*, in the County of *Northampton*.

40. An Act for dividing, allotting, and inclosing, the Open Fields, Meadows, and Commons, in the Lordship of *Earl Shilton*, in the County of *Leicester*.

41. An Act for dividing, allotting, and inclosing, the Open Common Fields, Common Pastures, and all other Commonable Lands, in the Tithings of *Frampton* and *Hayley*, in the Parish of *Sapperton*, in the County of *Gloucester*.

42. An Act for dividing and inclosing the Open and Common Fields, Common Pastures, Common Meadows,

and other Commonable Lands and Grounds, of and within the Manor, Pariſh, and Liberties of *Braybrooke*, in the County of *Northampton*.

43. An Act for dividing and incloſing certain Open Fields, Meadows, Ings, Common Paſtures, and Moors, within the Pariſhes of *Thimbleby* and *Edlington*, in the County of *Lincoln*.

44. An Act for aſſigning certain Open and Incloſed Lands, and Rights of Common, within the Manor of *Kipley*, in the County of *York*, purſuant to an Agreement entered into between the Truſtees of *John Ingilby* Eſquire, a Minor, and *Walter Vavaſour* Eſquire, *Thomas Grimſton*, and *Elizabeth Eteſon*; and for other Purpoſes therein mentioned.

45. An Act for dividing and incloſing the Open Fields, Meadows, Common Paſtures, and other Commonable Lands and Grounds, in the conſolidated Pariſhes of *Siddington Saint Peter*, and *Siddington Saint Mary*, in the County of *Glouceſter*; and for taking down the Rectory Church of *Saint Mary*, within the ſaid Pariſhes.

46. An Act for dividing and incloſing the Open and Common Fields, Common Meadows, Common Grounds, and Commonable Lands, within the Townſhip and Liberties of *Hardwicke*, in the County of *Buckingham*.

47. An Act for dividing and incloſing the Open and Common Fields, Common Meadows, and Commonable Lands and Grounds, called *Shuckburgh Fields*, in the County of *Warwick*.

48. An Act for dividing and incloſing the Open and Common Fields, and other Commonable Lands and Grounds, of and within the Pariſh and Liberties of *North Marſton*, in the County of *Bucks*.

49. An Act for dividing and incloſing the Common or Waſte Ground, called *North Myms Common*, or *Wood*, in the Pariſh of *North Myms*, in the County of *Hertford*.

50. An Act for dividing, allotting, and laying in Severalty, the Open Common Fields, Common Meadows, Common Paſtures, Waſte Lands, and Commonable Places, within the Pariſh of *Patney*, in the County of *Wilts*.

51. An Act for dividing, allotting, and incloſing, the Commons and Waſte Lands within the Pariſh of *Tacolneſton*, in the County of *Norfolk*.

52. An Act for dividing and incloſing the Open and Common Fields, Common Meadows, Common Paſtures, Heath, and Waſte Lands, within the Manor and Pariſh of *Hackthorne*, in the County of *Lincoln*.

53. An Act for dividing and incloſing the Open and Common Fields, and all other Commonable Land, in the Manor and Hamlet of *Cow Honeyborn*, otherwiſe *Chapel Honeyborn*, in the County of *Glouceſter*.

54. An Act for dividing, allotting, and incloſing, certain Commons and Waſte Grounds, called *Gluſburn Moor*, within the Manor of *Gluſburn*, in the Pariſh of *Kildwick*, in the *Weſt Riding* of the County of *York*.

55. An Act for veſting the ſeveral yearly Rents and Copyhold Fines, payable to the Lord Biſhop of *Durham*, and his Succeſſors, and iſſuing out of the ſeveral Meſſuages, Lands, and Tenements, within the Manor of *Howden*, in the *Eaſt Riding* of the County of *York*, in Truſtees, to be ſold; and for enabling the ſaid Lord Biſhop of *Durham*, and his Succeſſors, to enfranchiſe the ſeveral Cuſtomary or Copyhold Meſſuages, Lands, and Tenements, within the ſaid Manor; and for applying the Money ariſing from ſuch Sale and Enfranchiſement in the Manner therein mentioned.

56. An Act for eſtabliſhing and confirming an Agreement, made between the Dean and Chapter of *Durham*, and General *Cuthbert Elliſon*, for the Partition and Diviſion of a Tract of unimproved Land, in the Pariſh of *Jarrow*, in the County Palatine of *Durham*, and the Partition and Diviſion made in purſuance thereof.

57. An Act to enable *John Arthur Worſop* (heretofore called *John Arthur* Eſquire) to ſettle a Jointure upon any Woman or Women he may hereafter marry, on the Terms therein mentioned.

58. An Act to empower *John Bond* Merchant, and *Sarah* his Wife, or the Survivor of them, during their reſpective Lives, to grant Leaſes of their ſettled Eſtate, in the County of *Surrey*.

59. An Act for veſting the ſettled Eſtate of *John Bullock* Eſquire, and *Elizabeth* his Wife, in the County of *Cheſter*, in Truſtees, to be ſold, for raiſing Money to diſcharge an Incumbrance thereon, and laying out the Surplus in the Purchaſe of Lands and Hereditaments to be ſettled to the Uſes limited of the ſaid ſettled Eſtate.

60. An Act for exemplifying or enrolling the Will of *George* late Lord *Bingley* deceaſed, and making ſuch Exemplification, or atteſted Copies of the Inrolment thereof, Evidence as well in *Ireland* as in *Great Britain*.

61. An Act for dividing and incloſing the Open and Common Fields, Common Meadows, Common Paſtures, Commonable Lands, and Waſte Grounds, within the Pariſh and Manor of *Hitcham*, in the County of *Buckingham*.

62. An Act for dividing, allotting, and laying in Severalty, the Open Common Fields, Common Meadows, Common Paſtures, Waſte Lands, and Commonable Places, within the Manor and Tithing of *Coate*, in the Pariſh of *Biſhop's Cannings*, in the County of *Wilts*.

63. An Act for dividing and incloſing a certain Common Moor, or Tract of Waſte Land, called *Acomb Common*, within the Regality or Manor of *Hexham*, in the County of *Northumberland*.

64. An Act for dividing and incloſing the Open and Common Fields, Common Paſtures, Common Meadows, and other Commonable Lands and Grounds, of and within the Manor, Pariſh, and Liberties of *Barby*, in the County of *Northampton*.

65. An Act for confirming a Diviſion and Incloſure of the Common Fields, Common Meadows, and Common Paſtures, within the Pariſh of *Little Berkford*, in the County of *Bedford*, and certain Exchanges of Lands and Eſtates within the ſaid Pariſh.

66. An Act for dividing and incloſing the Open Fields, Meadows, Paſtures, Commons, and Waſte Grounds, in the Townſhip of *Kerſall*, in the Pariſh of *Kneeſall*, and County of *Nottingham*.

67. An Act for dividing and incloſing the Open Common Fields, Common Meadows, and Paſture, Waſte Grounds, and other Commonable Lands, in the Pariſh of *Leckhampton*, in the County of *Glouceſter*, and ſeveral ſmall Parcels of the ſaid Fields which extend into the Pariſh of *Cheltenham*, in the ſame County.

68. An Act for confirming, eſtabliſhing, and making effectual, certain Articles of Agreement, made and entered into, for incloſing and dividing the ſeveral Commons, called *Ealing Common*, *Ealing Green*, and *Cooks Hill*, in the Pariſh of *Hampſtead Norreys*, in the County of *Berks*, and for exchanging certain Lands in the ſaid Pariſh.

69. An Act for dividing and incloſing the Open and Common Fields, Common Meadows, and Commonable Lands and Grounds, within the Pariſh and Liberties of *Napton upon the Hill*, in the County of *Warwick*.

70. An Act for naturalizing *Pierre Theodore De Bruges*.

71. An Act to enable the Honourable *Temple Simon Luttrell* to make a Jointure upon his intended Wife out of his ſettled Eſtate; and for making a Proviſion, by Way of Equivalent, in Lieu thereof.



72. An

72. An Act to diſſolve the Marriage of *John Hooke Campbell* Eſquire, with *Elizabeth Euſtacia* his now Wife, and to enable him to marry again, and for other Purpoſes therein mentioned.

73. An Act for dividing and incloſing the Open and Common Fields, Common Paſtures, Common Meadows, and other Commonable Lands and Grounds, of and within the Manor, Pariſh, and Liberties, of *Byfield* and *Weſtrup*, in the Pariſh of *Byfield*, in the County of *Northampton*.

74. An Act for dividing and incloſing the Open and Common Fields, Common Paſtures, Common Meadows, and other Commonable Lands and Grounds, of and within the Manor, Pariſh, and Liberties of *Fenny Compton*, in the County of *Warwick*.

75. An Act for dividing and incloſing a certain Common, or Tract of Commonable Land, called or known by the Name of *Weſthay Moor*, within the Pariſh of *Mear*, in the County of *Somerſet*.

76. An Act for dividing and incloſing the Open and Common Fields, Common Paſtures, and Common Meadows, within the Pariſh of *Hanſlop*, in the County of *Buckingham*.

77. An Act for dividing and incloſing the Open and Common Fields, Common Paſtures, Common Meadows, and other Commonable Lands and Grounds, within the Pariſhes of *Saint Gyles*, *Saint Sepulchre*, *Saint Lawrence*, and *Saint Andrew*, in or near the Town of *Northampton*, in the County of *Northampton*, ſome or one of them, and which are commonly called or known by the Name of *Northampton Fields*.

78. An Act for dividing and incloſing the Open and Common Fields, Common Paſtures, Common Meadows, and other Commonable Lands and Grounds, of and within the Manor, Pariſh, and Liberties of *Floore*, otherwiſe *Flower*, in the County of *Northampton*.

79. An Act for veſting Part of the ſettled Eſtates of Sir *Robert Sutton* deceaſed, in the County of *Lincoln*, in Sir *Richard Sutton* Baronet, in Fee Simple; and for veſting certain Lands of the ſaid Sir *Richard Sutton*, in *Eaſtthorpe*, in the County of *Nottingham*, in the Archbiſhop of *York* and his Succeſſors, in Fee Simple, in Exchange for the Manſion-houſe, Park, and Lands, of the ſaid Sir *Richard Sutton*, called *Norwood Park* and *Hall Meadow*, in the ſaid County of *Nottingham*, now held by the ſaid Sir *Richard Sutton* upon Leaſe for Lives; and for veſting the ſame, together with other Lands of the ſaid Sir *Richard Sutton*, in the County of *Nottingham*, in Lieu of the ſaid ſettled Eſtates.

80. An Act for carrying into Execution an Agreement entered into by Sir *James Wright* Baronet, for Sale of the Manor of *Huſborne Tarrant*, and ſeveral Woodlands and Hereditaments in the County of *Southampton*, to *Joſeph Portal* Eſquire; and for laying out the Money ariſing by ſuch Sale in the Purchaſe of other Lands and Hereditaments, to be ſettled to the ſame Uſes.

81. An Act to enable the Reverend *Richard Harrington*, and the Receiver for the Time being of the Eſtates of *Arthur Champernowne* Eſquire, an Infant, to grant Leaſes and Setts of the ſame Eſtates during his Minority.

82. An Act for veſting the ſettled Eſtate of *Anthony Deane* the younger, Eſquire, in the County of *Worceſter*, in Truſtees, to be ſold; and for laying out the Money ariſing by ſuch Sale, together with other Monies therein mentioned, in the Purchaſe of other Lands and Hereditaments, to be ſettled, in Lieu thereof, to the ſeveral Uſes therein expreſſed.

83. An Act for veſting the ſettled Eſtates of *Henry Martin* Gentleman, and *Elizabeth* his Wife, in *Elton*, in the County of *Huntingdon*, in Truſtees, to be exchanged, or to be ſold, and the Money laid out in the Purchaſe of other Lands and Hereditaments, to be ſettled to the ſame Uſes

84. An Act to authoriſe Sir *Lawrence Dundas* Baronet, and the ſeveral other Perſons therein named, to inſert in a Deed of Diſpoſition and Conveyance of Lands and Hereditaments in *Scotland*, agreed to be ſettled by Articles made previous to the Marriage of *Thomas Dundas* Eſquire, with Lady *Charlotte* his Wife, the like Power of Exchange, as is contained in the Settlement made previous to the ſaid Marriage, of certain Eſtates of the ſaid Sir *Lawrence Dundas*, in *England*.

85. An Act for empowering the Judges of the Court of Seſſion in *Scotland* to ſell ſuch Parts and Portions of the entailed Eſtates of *Shawfield*, and others, in the Counties of *Lanark* and *Argyle*, belonging to *Walter Campbell*, of *Shawfield*, Eſquire, as ſhall be ſufficient for Payment of the Debts affecting the ſame.

86. An Act for veſting the ſettled Eſtates of *Thomas Bennett* the younger, and *Elizabeth* his Wife, in Truſtees, to be conveyed in Exchange for other Eſtates of greater Value, to be ſettled to the ſame Uſes.

87. An Act for dividing and allotting certain Open and Common Fields in the Manor and Pariſh of *Gratley*, in the County of *Southampton*.

88. An Act for dividing and incloſing certain Commons and Waſte Lands, within the Townſhips of *Otley*, and *Newall with Cliſton*, in the Weſt Riding of the County of *York*.

89. An Act for dividing and incloſing a Common Moor, or Tract of Waſte Ground, called *Fourſtones Common*, within the Barony or Manor of *Langley*, and in the Pariſh of *Warden*, in the County of *Northumberland*.

90. An Act for dividing, incloſing, and preſerving, a certain Common, or Parcel of Waſte Ground, or Marſh, called *Saltney Marſh*, within the Manor and Pariſh of *Hawarden*, in the County of *Flint*, and for other the Purpoſes therein mentioned.

91. An Act for dividing and incloſing the Commons and Waſte Grounds within the Townſhip of *Ollerton*, in the Pariſh of *Edwinſlow*, in the County of *Nottingham*.

92. An Act for dividing and incloſing the ſeveral Commons and Waſte Grounds, within the Manor of *Bolſterſtone*, in the Pariſh of *Eccleſfield*, in the County of *York*.

93. An Act for dividing and incloſing the Open and Common Fields, Hills, Downs, Paſtures, and Commonable Lands, within the Pariſh of *Naunton*, in the County of *Glouceſter*.

94. An Act for dividing and incloſing the Open Arable Fields and Commons, within the Manor of *Bolſover*, in the Pariſhes of *Bolſover* and *Clown*, in the County of *Derby*.

95. An Act for dividing and incloſing certain Open Fields, Meadow, Carr, Common, and Waſte Ground, within the Townſhip of *Dunnington*, in the Pariſhes of *Saint Leonard* and *Saint John*, in the County of *York*.

96. An Act for dividing and incloſing certain Open and Common Fields, and Commonable Lands and Grounds, within the Manor and Pariſh of *Bolnhurſt*, in the County of *Bedford*; and for exonerating certain ancient Incloſures, within the ſaid Manor and Pariſh, from the Payment of Tithes.

97. An Act for dividing and incloſing the Open Common Fields, Meadow Grounds, Common Fen, Cow Paſture, and other Commonable Lands, in the Pariſh of *Ruſkington*, in the County of *Lincoln*.

98. An Act for dividing and incloſing the Common and Waſte Grounds, within the Townſhip of *Northowram*, in the Pariſh of *Halifax*, in the County of *York*.

99. An

99. An Act for dividing and inclosing the Open and Common Fields, Common Pastures, Common Meadows, Common Grounds, Heath and Waste Grounds, of and within the Parish of *Maidford*, in the County of *Northampton*.

100. An Act for dividing, allotting, and inclosing the Open and Common Fields, Common Pastures, Common Meadows, and other Commonable Lands and Grounds, of and within the Parish and Liberties of *Wooton*, in the County of *Northampton*.

101. An Act for dividing and inclosing the Open and Common Fields, Common Meadows, Common Pastures, Common Ground, and Waste Grounds, within the Manors or Lordships of *Rouslench* and *Radford*, in the Parish of *Rouslench*, in the County of *Worcester*.

102. An Act to dissolve the Marriage of Sir *Patrick Blake* Baronet, with Dame *Annabella Blake*, his now Wife; and to enable him to marry again; and for other Purposes therein mentioned.

103. An Act to dissolve the Marriage of *Thomas Darby*, Clerk, with *Mary* his Wife; and to enable him to marry again; and for other Purposes therein mentioned.

104. An Act to dissolve the Marriage of *George Christopher Degen*, with *Catherine Furlong*, his now Wife; and to enable him to marry again; and for other Purposes therein mentioned.

105. An Act to dissolve the Marriage of *Clotworthy Dobbin* Esquire, with *Mary* his now Wife; and to enable him to marry again; and for other Purposes therein mentioned.

106. An Act to enable *Edmund Hartopp* (lately called *Edmund Bunney*) Esquire, and the Heirs of his Body by *Ann* his Wife, to take and use the Surname, and bear the Arms, of *Hartopp*.

107. An Act for naturalizing *Court Henry Dirs*.

108. An Act for naturalizing *Phillippe Besnard*.

109. An Act concerning certain Estates heretofore of *Francis Keck* Esquire, deceased, in the Counties of *Oxford* and *Wilts*, (that is to say) for vesting such Part thereof which hath been sold under a Decree and subsequent Order of the Court of Chancery, in Trustees, to enable them to convey the same; and for carrying into Execution an Agreement concerning other Parts of such Estates; and for confirming and carrying into Execution a Partition made, pursuant to the said Decree and subsequent Order, of so much of the said Estates as remain unsold; and for vesting Part of such Estates in *Diana Mary Barker*, and her Heirs, subject to the Trusts in the Will of *Francis Baber* Esquire, deceased, and the Residue in Trustees, to be sold; and for directing the Application of the Money which shall arise by such Sale; and for other Purposes therein mentioned.

110. An Act for vesting certain Messuages, Lands, Tenements, and Hereditaments, in the Parish of *Crayford*, in the County of *Kent*, comprised in the Marriage Settlement of *Shovel Blackwood* and *Sarah* his Wife, in Trustees, to the several Uses within mentioned; and also for vesting certain other Messuages, Lands, Tenements, and Hereditaments, in the Parishes of *Norborn*, *Betshanger*, *Ham*, *Sholdon*, and *Poultons*, in the said County of *Kent*, called *Poulton Farm*, and *West Street*, and *Park Gate Farm*, entailed upon the Issue Male of the said *Shovel Blackwood*, in other Trustees, to the several Uses within mentioned

111. An Act for vesting in Trustees certain Messuages, Lands, and Tenements, in the County of *Surrey*, settled in and by the Will of *Thomas Bridges* Esquire, deceased, to be sold and conveyed pursuant to Articles; and for laying out the Purchase-money in other Lands and Tenements, to be settled to the Uses of the said Will.

112. An Act for dividing, allotting, inclosing, and draining, certain Moors, or Pieces of Waste Land, within the Parishes of *Saint John* and *Saint Benedict*, in *Glastonbury*, in the County of *Somerset*.

113. An Act to enable *James Rumball*, now called *James Quilter*, his first and other Sons, and their Heirs Male, to take and use the Surname, and bear the Coat Armour, of *Quilter*, in pursuance of the Will of *James Quilter* Esquire, deceased.

THE

# Statutes at Large,

## Anno decimo nono GEORGII III. Regis,

Being the FIFTH Seſſion of the

## FOURTEENTH Parliament of GREAT BRITAIN.

A

# TABLE

OF THE

# Public and Private Statutes,

CONTAINING

The TITLES of the ACTS of the nineteenth Year of the Reign of GEORGE III.

## PUBLIC ACTS.

*Anno 19 Georgii* III.

1. AN Act for further continuing an Act made in the ſeventeenth Year of the Reign of his preſent Majeſty, intituled, *An Act to impower his Majeſty to ſecure and detain Perſons charged with, or ſuſpected of, the Crime of High Treaſon, committed in any of his Majeſty's Colonies or Plantations in* America, *or on the High Seas, or the Crime of Piracy.*
2. An Act for granting an Aid to his Majeſty by a Land Tax to be raiſed in *Great Britain*, for the Service of the Year one thouſand ſeven hundred and ſeventy-nine.
3. An Act for continuing and granting to his Majeſty certain Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year one thouſand ſeven hundred and ſeventy-nine.
4. An Act for granting further Time for allowing the Drawback upon the Exportation of certain Muſlins, Callicoes, and Coffee.
5. An Act for granting Relief to the Captors of Prizes, with reſpect to bringing and landing certain *French* Prizes in this Kingdom.
6. An Act to authoriſe the Lord High Admiral, or the Commiſſioners for executing the Office of Lord High Admiral, for the Time being, to order any Court-martial, which may be appointed on the Charge of Vice Admiral Sir *Hugh Palliſer* againſt the Honourable Admiral *Auguſtus Keppel*, to be holden on Shore.
7. An Act for making the Church or Chapel erected by *Charles Roe* Eſquire, in the Town of *Macclesfield*, in the County Palatine of *Cheſter*, a perpetual Cure and Benefice, and for endowing the ſame, and veſting the Right of Nomination or Preſentation thereof in the ſaid *Charles Roe*, his Heirs and Aſſigns; and for other Purpoſes.
8. An Act for the Regulation of his Majeſty's Marine Forces while on Shore.
9. An Act for allowing the Importation of fine organzined *Italian* Thrown Silk in any Ships or Veſſels for a limited Time.
10. An Act for repealing an Act, made in the laſt Seſſion of Parliament, intituled, *An Act for the more eaſy and better recruiting of his Majeſty's Land Forces and Marines*; and for ſubſtituting other and more effectual Proviſions in the Place thereof.
11. An Act for rendering more beneficial an Act, made in the thirty-firſt Year of the Reign of King *George* the Second, intituled, *An Act for eſtabliſhing Agreements, made between* Charles Brandling *Eſquire, and other Perſons, Proprietors of Lands, for laying down a Waggon Way, in order for the better ſupplying the Town and Neighbourhood of* Leeds, *in the County of* York, *with Coals*, by enabling the ſaid *Charles Brandling* to ſupply, annually, a larger Quantity of Coals to and for the Uſe of the ſaid Town and Neighbourhood; and for regulating the Prices of carrying Coals from the Repoſitory at *Caſſon-cloſe*.
12. An Act for repairing the Highways and Bridges in the County of *Linlithgow* and *Bathgate*.
13. An Act for the better Relief and Employment of the Poor, within the ſeveral Hundreds of *Hartſmere*, *Hoxne*, and *Thredling*, in the County of *Suffolk*.
14. An Act for the better Supply of Mariners and Seamen to ſerve in his Majeſty's Ships of War, and on board Merchant Ships and other trading Ships and Veſſels.
15. An Act to continue an Act, made in the fourteenth Year of the Reign of his preſent Majeſty (intituled, *An Act for regulating Madhouſes*), for a further Time therein limited.
16. An Act for puniſhing Mutiny and Deſertion; and for the better Payment of the Army and their Quarters.
17. An Act to explain and amend an Act, made in the twenty-ſecond Year of the Reign of his late Majeſty King *George* the Second, intituled, *An Act for amending, explaining, and reducing into one Act of Parliament, the Laws relating to the Government of his Majeſty's Ships, Veſſels, and Forces by Sea.*



18. An

18. An Act for raising a certain Sum of Money by way of Annuities, and for eſtabliſhing a Lottery.
19. An Act for defraying the Charge of the Pay and Cloathing of the Militia in that Part of *Great Britain* called *England*, for one Year, beginning the twenty-fifth Day of *March*, one thouſand ſeven hundred and ſeventy-nine.
20. An Act for the better raiſing and ſecuring a Fund for a Proviſion for the Widows and Children of the Miniſters of the Church of *Scotland*, and of the Heads, Principals, and Maſters, in the Univerſities of *Saint Andrews*, *Glaſgow*, *Edinburgh*, and *Aberdeen*; and for repealing two Acts made in the ſeventeenth and twenty-ſecond Years of the Reign of his late Majeſty King *George* the Second for thoſe Purpoſes.
21. An Act for licenſing and regulating Lottery-office Keepers.
22. An Act to continue ſeveral Laws relating to the giving further Encouragement for the Importation of Naval Stores from the *Britiſh* Colonies in *America*, to the Landing of Rum or Spirits of the *Britiſh* Sugar Plantations before Payment of the Duties of Exciſe; to the diſcontinuing the Duties payable upon the Importation of Tallow, Hogs Lard, and Greaſe; to the regulating the Fees of Officers of the Cuſtoms and Naval Officers in *America*; to the allowing the Exportation of certain Quantities of Wheat, and other Articles, to his Majeſty's Sugar Colonies in *America*; and to the allowing a Drawback of the Duties on Rum ſhipped as Stores to be conſumed on board Merchant Ships on their Voyages.
23. An Act more effectually to enable the Preſident and Governors of the Hoſpital or Infirmary at *Bath*, eſtabliſhed by an Act, paſſed in the twelfth Year of the Reign of his late Majeſty King *George* the Second, intituled, *An Act for eſtabliſhing and well-governing an Hoſpital or Infirmary in the City of* Bath, to take or acquire, and hold, any Lands, Tenements, or Hereditaments, or any Intereſt in Lands, Tenements, or Hereditaments, and any Money or Perſonal Property, to be laid out in Lands, Tenements, or Hereditaments, purſuant to any Will, or otherwiſe, to the Amount limited in the ſaid Act.
24. An Act for charging the Lands within the North Level, Part of the Great Level of the Fens called *Bedford Level*, and divers Lands adjoining thereto, in the Manor of *Crowland*, with further Taxes, for a limited Time, for diſcharging the Debts incurred by the Commiſſioners under an Act of the twenty-ſeventh Year of King *George* the Second; and for ſupporting and preſerving the Drainage of the ſaid Lands.
25. An Act for granting to his Majeſty additional Duties upon the Produce of the ſeveral Duties under the Management of the reſpective Commiſſioners of the Cuſtoms and Exciſe in *Great Britain*.
26. An Act to continue and amend an Act, made in the eleventh Year of his preſent Majeſty's Reign, intituled, *An Act for the Encouragement of the White Herring Fiſhery*.
27. An Act for further continuing and extending the Proviſions of two Acts, made in the twenty-ninth Year of the Reign of his late Majeſty King *George* the Second, and in the tenth Year of the Reign of his preſent Majeſty, *for granting a Bounty on certain Species of* Britiſh *and* Iriſh *Linens exported, and taking off the Duties on the Importation of foreign Raw Linen Yarns made of Flax*; and *for granting a Bounty on the Exportation of* Britiſh *chequed and ſtriped Linens, and upon* Britiſh *and* Iriſh *Diapers, Huckabacks, Sheeting, and other Linen, of above a certain Breadth*.
28. An Act to permit, during the preſent Hoſtilities with *France*, certain Goods enumerated in the Act of Navigation to be imported in *Britiſh* built Ships ſold to Foreigners, and for releaſing Ships and Goods which have been ſeized in purſuance of the ſaid Act.
29. An Act for allowing Corn, Grain, and Flour, imported into the Port of *Cowes*, in the *Iſle of Wight*, to be landed without Payment of the Duties, under the like Reſtrictions as Corn, Grain, and Flour, are allowed to be landed at the ſeveral Ports mentioned in an Act, made in the thirteenth Year of his preſent Majeſty's Reign, intituled, *An Act to regulate the Importation and Exportation of Corn*.
30. An Act for the better Relief and Employment of the Poor of the ſeveral Pariſhes within the Hundred of *Coſford* (except the Pariſh of *Hadleigh*), and alſo of the Pariſh of *Polſted*, within the Hundred of *Babergh*, in the County of *Suffolk*.
31. An Act for building a new Aſſize or Town Hall and Market-houſe, within the City or Borough of *Wells*, in the County of *Somerſet*; and for regulating the Markets within the ſaid City or Borough.
32. An Act for continuing and amending two Acts, made in the twenty-ſixth Year of his late Majeſty, and the fourth Year of his preſent Majeſty, for repairing the Road from *Piper's Inn* to *Glaſtonbury*, and ſeveral other Roads therein mentioned, in the County of *Somerſet*; and for repairing the Road from *Piper's Inn* aforeſaid to *Athelney bridge*; and alſo for paving, cleanſing, and lighting the City or Borough of *Wells*, in the ſaid County, and for removing and preventing Incroachments, Nuiſances, and Annoyances therein.
33. An Act for draining, improving, and preſerving, the Low Lands in the Pariſhes of *Altcar*, *Sefton*, *Halſall*, and *Walton upon the Hill*, in the County Palatine of *Lancaſter*.
34. An Act to explain, amend, and render more effectual, an Act paſſed in the ſeventh Year of his preſent Majeſty's Reign, intituled, *An Act for draining and preſerving certain Fen Lands and Low Grounds, lying in the South Level, Part of the Great Level of the Fens commonly called* Bedford Level, *and in the County of* Cambridge, *between the River* Cam, *otherwiſe* Grant, *Weſt, and the Hard Lands of* Bottiſham, Swaffham Bulbeck, *and* Swaffham Prior, *Eaſt*; *and for impowering the Governor, Bailiffs, and Commonalty, of the Company of Conſervators of the Great Level of the Fens, commonly called* Bedford Level, *to ſell certain Fen Lands, lying within the Limits aforeſaid, commonly called* Inveſted Lands.
35. An Act to repeal ſo much of ſeveral Acts of Parliament, as prohibit the Growth and Produce of Tobacco in *Ireland*; and to permit the Importation of Tobacco of the Growth and Produce of that Kingdom into *Great Britain*, under the like Duties and Regulations as Tobacco of the Growth of the *Britiſh* Colonies in *America* is permitted to be imported.
36. An Act for erecting a Market-houſe, and regulating the Markets, within the Borough of *Bridgewater*, in the County of *Somerſet*; and for paving, cleanſing, lighting, and watching the Streets, Lanes, and other public Paſſages and Places within the ſaid Borough.
37. An Act for granting a Bounty upon the Importation into this Kingdom of Hemp, of the Growth of the Kingdom of *Ireland*, for a limited Time.
38. An Act for altering the Times of holding the *Martinmas* and *Candlemas* Terms in the Court of Exchequer in *Scotland*.
39. An Act for paving, repairing, cleanſing, and lighting, the Town and Borough of *Burton upon Trent*, in the County of *Stafford*; and for removing and preventing Obſtructions and Annoyances therein.

40. An

40. An Act for better ſecuring the Duties on Starch.
41. An Act for granting a Drawback of the Duties, impoſed by an Act of the laſt Seſſion of Parliament, upon all foreign Wines exported from *Great Britain* to any *Britiſh* Colony or Plantation in *America*, or to any *Britiſh* Settlement in the *Eaſt Indies*.
42. An Act to enable the Truſtees for putting in Execution an Act of the ninth Year of the Reign of his preſent Majeſty, *for building a Bridge at* Worceſter, *over the River* Severn, *and for opening convenient Avenues to the ſaid Bridge*, to finiſh and complete the ſaid Bridge, and to carry the Purpoſes of the ſaid Act into Execution.
43. An Act for the more eaſy and ſpeedy Recovery of Small Debts within the Soake of *Horncaſtle*, and Wapentakes of *Wraggoe* and *Gartree* (except the Pariſh of *Great Sturton*), and within the Wapentakes of *Louth Eſke*, *Ludborough*, and *Calceworth*, and Pariſhes of *Wrangle*, *Leake*, *Leverton*, *Benington*, *Butterwick*, *Freiſton*, *and Fiſhtoft*, in the Hundred of *Skirbeck*, in the County of *Lincoln*.
44. An Act for the further Relief of Proteſtant Diſſenting Miniſters and Schoolmaſters.
45. An Act to enable the Chancellor and Council of the Duchy of *Lancaſter* to ſell and diſpoſe of certain Fee-farm Rents, and other Rents, and to enfranchiſe Copyhold and Cuſtomary Tenements, within their Survey, and to encourage the Growth of Timber on Lands held of the ſaid Duchy.
46. An Act for building a new Gaol and Houſe of Correction for the County of *Pembroke*.
47. An Act to indemnify ſuch Perſons as have omitted to qualify themſelves for Offices and Employments; and to indemnify Juſtices of the Peace, or others, who have omitted to regiſter or deliver in their Qualifications within the Time limited by Law, and for giving further Time for thoſe Purpoſes; and to indemnify Members and Officers, in Cities, Corporations, and Borough Towns, whoſe Admiſſions have been omitted to be ſtamped according to Law, or, having been ſtamped, have been loſt or miſlaid; and for allowing them Time to provide Admiſſions duly ſtamped; and to give further Time to ſuch Perſons as have omitted to make and file Affidavits of the Execution of Indentures of Clerks to Attornies and Solicitors.
48. An Act to explain ſo much of an Act, made in the twelfth Year of the Reign of King *Charles* the Second, intituled, *An Act for the encouraging and encreaſing of Shipping and Navigation*, as relates to the Importation into this Kingdom, and other his Majeſty's Dominions, of Goods and Commodities of the Growth or Production of *Africa*, *Aſia*, or *America*, which are manufactured in foreign Parts; for preventing Maſters of Ships removing their Veſſels out of the Stream, except to the lawful Quays in the Port of *London*, before the Goods are diſcharged, or their Veſſels are cleared by the proper Officers inwards or outwards; and for allowing the Officers of the Cuſtoms and Exciſe to make uſe of Lights on board Ships in the Haven, Dock, or Baſon, at the Port of *Kingſton upon Hull*.
49. An Act to prevent Abuſes in the Payment of Wages to Perſons employed in the Bone and Thread Lace Manufactory.
50. An Act for more effectually preventing Frauds by private Diſtillers, and for the better ſecuring the Duties on Low Wines and Spirits.
51. An Act for granting to his Majeſty certain Duties on Licences to be taken out by all Perſons letting Horſes to Hire for travelling in the Manner therein mentioned; and certain Duties on all Horſes let to Hire for the Purpoſes of travelling Poſt, and by Time; and upon certain Carriages therein mentioned.
52. An Act for taking off the Duty upon all Salt uſed in the curing of Pilchards, and laying a proportionable Duty upon all Pilchards conſumed at Home only.
53. An Act for diſcontinuing the Duties on Cotton-wool, the Growth and Product of the *Britiſh* Colonies or Plantations in *America*, exported from this Kingdom.
54. An Act for further continuing, for a limited Time, an Act, made in the ſixteenth Year of the Reign of his preſent Majeſty, intituled, *An Act to authoriſe, for a limited Time, the Puniſhment, by hard Labour, of Offenders, who, for certain Crimes, are or ſhall become liable to be tranſported to any of his Majeſty's Colonies and Plantations.*
55. An Act for enlarging the Times appointed for the Meetings of Commiſſioners or Truſtees for putting in Execution certain Acts of this Seſſion of Parliament.
56. An Act for altering, amending, and enforcing, ſo much of an Act, made in the ſeventeenth Year of the Reign of his preſent Majeſty, intituled, *An Act for granting to his Majeſty certain Duties on Licences to be taken out by all Perſons acting as Auctioneers; and certain Rates and Duties on all Lands, Houſes, Goods, and other Things, ſold by Auction; and upon Indentures, Leaſes, Bonds, Deeds, and other Inſtruments*; as relates to the Method of granting Licences to Auctioneers, and to the collecting the Duties on Eſtates and Goods ſold by Auction.
57. An Act for the better providing of a Maintenance for the Vicar of the Pariſh of *The Trinity*, in the City of *Coventry*.
58. An Act for preſerving the Navigation of the River *Lee*, in the Counties of *Hertford*, *Eſſex*, and *Middleſex*.
59. An Act for repealing the Duties on all inhabited Houſes, impoſed by an Act made in the laſt Seſſion of Parliament, and for granting to his Majeſty other Duties upon all inhabited Houſes in *Great Britain*, and for amending the ſaid Act; and alſo for amending ſo much of an Act, made in the ſeventeenth Year of the Reign of his preſent Majeſty, as impoſes a Duty upon all Servants retained or employed in the ſeveral Capacities therein mentioned.
60. An Act for eſtabliſhing certain Payments to be made to the Vicar of the Pariſh of *Saint Michael* in the City of *Coventry* for the Time being in Lieu of Tithes; and for repealing ſo much of an Act of the fourth and fifth of *Philip* and *Mary* as relates to the Payment of Tithes in the ſaid Pariſh.
61. An Act for continuing in the Poſſeſſion of the United Company of Merchants of *England* trading to the *Eaſt Indies*, for a limited Time, and under certain Conditions, the Territorial Acquiſitions and Revenues lately obtained in the *Eaſt Indies*; and for continuing, for a limited Time, ſo much of an Act, made in the thirteenth Year of the Reign of his preſent Majeſty, intituled, *An Act for eſtabliſhing certain Regulations for the better Management of the Affairs of the* Eaſt India *Company, as well in* India *as in* Europe, as will expire in the Courſe of the preſent Year.
62. An Act to permit the Removal of Lime, and other Articles neceſſary for the Improvement of Land, without Cocquet or Bond.
63. An Act for raiſing a certain Sum of Money, by Loans or Exchequer Bills, for the Service of the Year One thouſand ſeven hundred and ſeventy-nine.
64. An Act for raiſing a further Sum of Money, by Loans or Exchequer Bills, for the Service of the Year one thouſand ſeven hundred and ſeventy-nine.
65. An Act for the further Augmentation of the Salaries of the Puiſne Juſtices of the Courts of King's Bench and Common

Common Pleas, and of the Barons of the Coif of the Court of Exchequer, at *Weſtminſter*.

66. An Act for granting to his Majeſty ſeveral additional Duties on ſtamped Vellum, Parchment, and Paper; and for better ſecuring the Stamp-duties upon Indentures, Leaſes, Deeds, and other Inſtruments.

67. An Act for the Encouragement of Seamen, and the more ſpeedy and effectual manning his Majeſty's Navy.

68. An Act for explaining, amending, and rendering more effectual, an Act paſſed in the twenty-third Year of the Reign of his late Majeſty King *George* the Second, *for the more eaſy and ſpeedy Recovery of Small Debts within the* Tower Hamlets.

69. An Act for the more effectually preventing the pernicious Practices of Smuggling in this Kingdom; and for indemnifying Perſons who have been guilty of Offences againſt the Laws of the Cuſtoms and Exciſe, upon the Terms therein mentioned.

70. An Act for extending the Proviſions of an Act, made in the twelfth Year of the Reign of King *George* the Firſt, intituled, *An Act to prevent frivolous and vexatious Arreſts*; and for other Purpoſes.

71. An Act for granting to his Majeſty a certain Sum of Money out of the Sinking Fund; and for applying certain Monies therein mentioned for the Service of the Year one thouſand ſeven hundred and ſeventy-nine; and for further appropriating the Supplies granted in this Seſſion of Parliament.

72. An Act to explain, amend, and render more effectual, the ſeveral Laws now in being relative to the Militia Forces of this Kingdom; and for making certain Proviſions relative to the Fencible Men in that Part of *Great Britain* called *Scotland*.

73. An Act for enabling his Majeſty to raiſe the Sum of One million, for the Uſes and Purpoſes therein mentioned.

74. An Act to explain and amend the Laws relating to the Tranſportation, Impriſonment, and other Puniſhment, of certain Offenders.

75. An Act for removing certain Difficulties with reſpect to the more ſpeedy and effectual Manning of his Majeſty's Navy, for a limited Time.

76. An Act for augmenting the Militia.

77. An Act to enable the Commiſſioners of his Majeſty's Treaſury to compound a Debt due to the Crown from *James Gildart* and his Sureties, and for veſting the Eſtates of the ſaid *James Gildart* in *Francis Gildart* and *Thomas Gildart*; and for other Purpoſes therein mentioned.

78. An Act for enlarging the Term of an Act, paſſed in twelfth Year of his preſent Majeſty's Reign, for building a Temporary Bridge over the River *Tyne*, between the Town of *Newcaſtle upon Tyne* and *Gateſhead*, in the County of *Durham*; for completing the new Stone Bridge over the ſaid River; and for making the Avenues to, and the Paſſage over the ſame more commodious.

79. An Act for enlarging the Term and Powers of an Act, made in the twenty-ſixth Year of the Reign of his Majeſty King *George* the Second, intituled, *An Act for repairing the Road from the Turnpike Road at* Buckton Burn, *in the County of* Durham, *through* Berwick upon Tweed, *to* Lamberton-hill, *and alſo the ſeveral other Roads therein mentioned, lying in the ſaid County, and within the Liberties of the ſaid Town of* Berwick.

80. An Act for enlarging the Term and Powers of an Act, made in the twenty-eighth Year of the Reign of his Majeſty King *George* the Second, intituled, *An Act for repairing and widening the Road from* Thirſk, *over* Skipton Bridge, *through* Baldersby, *to* Baldersby-gate, *adjoining to* Hutton-moor, *in the Way to* Ripon; *and through* Ainderby, Quernoy, *and* Noſterfield, *by* Well Flaſhes Gate, *to* Maſham, *in the County of* York; *and likewiſe for removing the Toll-houſe and Turnpike-gates at* Burby Stobb, *in the ſaid County, to ſome other convenient Place in the Road leading from* Borough-bridge *to the City of* Durham.

81. An Act for continuing the Term, and altering the Powers of an Act, made in the thirty-ſecond Year of the Reign of his late Majeſty, *for repairing, widening, and rendering ſafe and commodious, ſeveral Roads leading from the Town of* South Molton, *in the County of* Devon.

82. An Act for continuing the Term and altering and enlarging the Powers of an Act, paſſed in the twenty-eighth Year of the Reign of his late Majeſty King *George* the Second, *for repairing and widening the Road from the Town of* Market Harborough, *in the County of* Leiceſter, *through the Town of* Lutterworth, *in the ſaid County, to the City of* Coventry.

83. An Act for enlarging the Terms and Powers of three Acts paſſed in the ſeventh Year of the Reign of King *George* the Firſt, and in the fifteenth and twenty-fourth Years of the Reign of King *George* the Second, for repairing the Road from *Wendover* to the Town of *Buckingham*, and other Roads in the County of *Buckingham*, ſo far as the ſame relate to the Road from the Weſt End of the Town of *Beaconsfield* to within Half a Mile of the River *Colne*, near *Uxbridge*, in the County of *Middleſex*.

84. An Act for widening and repairing a Lane called *Pitt's* or *Sheppard's Lane*, leading from the Market-houſe in the Town of *Maidenhead*, in the County of *Berks*, towards *Cookham*, in the ſaid County; and for turning the Courſe of the preſent Road, leading from *Ray-mills* and *Cookham* to the Turnpike Road near *Maidenhead* aforeſaid.

85. An Act for continuing the Term, and altering and enlarging the Powers, of an Act, made in the twenty-ſixth Year of the Reign of his late Majeſty, *for repairing the Road from* Aſhby-de-la-Zouch, *in the County of* Leiceſter, *through* Burton upon Trent, *in the County of* Stafford, *and to* The Cock Inn *in* Tutbury, *in the ſaid County*.

86. An Act for enlarging the Term of an Act, made in the twenty-eighth Year of King *George* the Second, intituled, *An Act for repairing the Road from a certain Place in* Bury, *in the County of* Huntingdon, *through* Warboys, Old Hurſt, Saint Ives, Hilton, Eltiſley, Wareſley, Gamlingay, *and* Potton, *to a Houſe called* The Spread Eagle, *in* Stratton, *within the ſeveral Counties of* Huntingdon, Cambridge, *and* Bedford.

87. An Act for enlarging the Term and Powers of an Act, made in the thirty-ſecond Year of the Reign of his Majeſty King *George* the Second, intituled, *An Act for repairing and widening the Road from* Cheſterfield, *to the Turnpike Road at* Hernſtone-lane Head; *and alſo the Road branching from the ſaid Road, upon the* Eaſt Moor, *through* Baſlow *and* Wardlow, *to the joining of the ſaid Roads again near* Wardlow-mires; *and alſo the Road leading between the ſaid Road and Branch, from* Calver-bridge *to* Baſlow bridge; *and alſo the Road from the Turnpike Road, near* Newhaven-houſe, *to the Turnpike Road near* Grindleford-bridge, *in the County of* Derby.

88. An Act for continuing the Term and altering and enlarging the Powers of an Act, made in the thirty-ſecond Year of his late Majeſty, *for repairing and widening the Road from* Dewſbury *to* Elland, *in the Weſt Riding of the County of* York.

89. An Act for continuing the Term, and altering and enlarging

enlarging the Powers, of an Act, made in the twenty-fifth Year of the Reign of his late Majesty, for repairing and amending several Roads leading from *Upton*, in the County of *Worcester*, and other Roads therein mentioned; and for amending the Road leading from the *White Cross*, in the Parish of *Hanley Castle*, in the said County, to the River *Severn*.

90. An Act to enlarge the Term and Powers of an Act, passed in the twenty-sixth Year of the Reign of his late Majesty, *for repairing the Road from the Borough of* Leicester, *in the County of* Leicester, *to the Town of* Ashby-de-la-Zouch, *in the said County*.

91. An Act for more effectually repairing the Road leading from *Stratford upon Avon* to *Edghill*, in the County of *Warwick*; and for repealing the several Laws now in Force relating to the said Road.

92. An Act for more effectually repairing, widening, and amending the Roads from *Wigan* to *Preston*, in the County Palatine of *Lancaster*; and for repealing several Acts, made in the thirteenth Year of King *George* the First, and the fourth and twenty-third Years of his late Majesty, relating to the said Roads.

93. An Act for amending and keeping in Repair the Road from a certain Bridge over a Brook or Stream called *Sudbrook*, near the City of *Gloucester*, to the Nine Mile Stone on the *Bristol* Road, at or near a Place called *The Clay Pits*, in the County of *Gloucester*.

94. An Act for continuing the Term, and varying the Powers, of two Acts, made in the twenty-sixth and twenty-ninth Years of the Reign of his late Majesty, *for repairing and widening the Road from the Top of* White Sheet Hill, *in the Parish of* Donhead Saint Andrew, *in the County of* Wilts, and several other Roads therein mentioned, in the Counties of *Dorset*, *Somerset*, and *Wilts*.

95. An Act for repealing an Act, made in the twenty-fifth Year of the Reign of his late Majesty King *George* the Second, *for repairing and widening the Road from* Alemouth, *through the Town of* Alnwick, *to* Rothbury, *and from thence to the Town of* Hexham; *and also the Road leading out of the aforesaid Road, between* Alnwick *and* Rothbury, *to* Jockey's Dike Bridge, *in the County of* Northumberland; and for making more effectual Provision for the Repair of the said Roads.

96. An Act for enlarging the Term and Powers of an Act, made in the thirty-first Year of the Reign of his late Majesty King *George* the Second, intituled, *An Act for repairing and widening the Roads from* Little Sheffield, *in the County of* York, *through the Towns of* Hatherlage, Hope, *and* Castleton, *to* Sparrowpit-gate, *in the County of* Derby, *and from* the Guide Post, *near* Barber's Fields Cupola, *through* Grindleford-bridge, Great Hucklow, Tidswell, Hargate-wall, *and* Fairfield, *to* Buxton, *in the County of* Derby.

97. An Act for continuing the Term, and altering the Powers, of an Act, made in the twenty-sixth Year of the Reign of his late Majesty, *for repairing the Road from the City of* Carlisle *to the Town of* Penrith, *in the County of* Cumberland, *and from the said Town of* Penrith *to* Eamont Bridge, *which divides the Counties of* Cumberland *and* Westmoreland.

98. An Act for continuing the Term, and enlarging the Powers, of an Act, made in the twenty-sixth Year of the Reign of his late Majesty King *George the* Second, *for repairing and widening the Road leading from* Flimwell Vent, *in the Parish of* Ticehurst, *in the County of* Sussex, *to the Town and Port of* Hastings, *in the said County*.

99. An Act for repairing and widening the Road from *Gander-lane* in the County of *Derby*, to *Sheffield*, in the West Riding of the County of *York*; and also the Road branching out of the said Road at or near *Mosbrough-green*, in the said County of *Derby*, to *Clown*, in the same County.

100. An Act for enlarging the Term, and altering and varying the Powers, of so much of an Act, made in the thirty-second Year of the Reign of his late Majesty King *George* the Second, *for repairing several Roads leading to the Town of* Bridgewater, *in the County of* Somerset, and other Roads therein mentioned, as relates to the Roads leading to the said Town.

101. An Act for enlarging the Term and Powers of two Acts made in the thirty-second Year of the Reign of his late Majesty King *George* the Second, and in the second Year of the Reign of his present Majesty, *for repairing and widening the Roads from* Oxdawngate *in* Popham-lane *to the City of* Winchester, *and from the said City through* Hursley *to* Chandler's Ford, *and from* Hursley *aforesaid to the Turnpike Road at* Romsey, *and from the said Turnpike Road through* Ringwood, *in the County of* Southampton, *to* Longham-bridge *and* Winborne Minster *in the County of* Dorset, and for amending and widening the Road from *Ringwood-gate* in the said County of *Southampton* to *Woolfbridge*, and from a Street called *The Hundred* at *Romsey*, through *Chilworth*, to the River at *Swathling* in the said County.

102. An Act for amending, widening, and keeping in Repair, the Roads leading from *Ludlowfach*, in the County of *Carmarthen*, to the Town of *Llandovery*, and from thence through the Town of *Llangadock* to the River *Amman*, and several other Roads in the said County communicating therewith.

103. An Act for continuing the Term, and enlarging the Powers, of an Act, made in the fifth Year of his present Majesty, *for repairing*, *widening*, *and keeping in Repair*, *several Roads leading from* Kidwelly, *in the County of* Carmarthen, *and also several Roads leading from* Llandilo, *in the said County*, so far as relates to the Roads included in the *Kidwelly* District; and also for repairing, widening, and keeping in Repair, several other Roads within the said County.

104. An Act for continuing the Term and altering and enlarging the Powers of an Act, made in the thirty-first Year of the Reign of his late Majesty, *for repairing and widening the Road from the* Swan Inn *at* Leatherhead, *to the* Maypole *at the upper End of* Spital *or* Somerset Street, *in the Parish of* Stoke, *near the Town of* Guildeford, *in the County of* Surrey.

105. An Act for continuing the Term and altering the Powers of an Act, made in the twenty-sixth Year of the Reign of his late Majesty King *George* the Second, *for repairing the Road from the City of* Carlisle *in the County of* Cumberland, *to the Market and Seaport Town of* Workington *in the said County*, so far as the same relates to the Road between the Town of *Cockermouth* and *Workington* aforesaid.

106. An Act for continuing the Term, and altering and enlarging the Powers, of an Act, made in the twenty-sixth Year of the Reign of his late Majesty, *for repairing and widening the Roads from the East End of* Brough under Stainmore, *in the County of* Westmoreland, *by the End of* Appleby Bridge, *to* Eamont Bridge, *in the said County*.

107. An Act for enlarging the Term and Powers of so much of an Act, made in the thirtieth Year of the Reign of his Majesty King *George* the Second, intituled, *An Act for amending*, *widening*, *and keeping in Repair*, *the Roads from the Town of* Wrexham, *in the County of* Denbigh, *to* Pentre Bridge, *in the County of* Flint; *and from the Town of* Mold *to* Northop, Holywell *and* Rhuddlan, *in the same County*; *and from thence to the* Ferry-



house,

houſe, *oppoſite to the Town of* Conway, *in the County of* Carnarvon; *and from* Ruthin *to the ſaid Town of* Mold; as relates to the Diſtrict of Road from the Town of *Wrexham* in the County of *Denbigh*, to *Pentre Bridge*, in the County of *Flint*.

108. An Act for enlarging the Term and Powers of an Act, made in the twenty-ſixth Year of the Reign of his Majeſty King *George* the Second, intituled, *An Act for widening and repairing the High Road leading from* Heron Syke, *which divides the Counties of* Lancaſter *and* Weſtmoreland, *to the Town of* Kirkby in Kendal, *and from the ſaid Town of* Kirkby in Kendal, *through the Town of* Shapp, *to* Emont Bridge, *in the ſaid County of* Weſtmoreland.

109. An Act for enlarging the Term and Powers of ſo much of an Act, made in the thirtieth Year of the Reign of his Majeſty King *George* the Second, intituled, *An Act for amending, widening, and keeping in Repair, the Roads from the Town of* Wrexham, *in the County of* Denbigh, *to* Pentre Bridge, *in the County of* Flint; *and from the Town of* Mold *to* Northop, Holywell, *and* Rhuddlan, *in the ſame County; and from thence to the* Ferry-houſe, *oppoſite the Town of* Conway, *in the County of* Carnarvon; *and from* Ruthin *to the ſaid Town of* Mold; as relates to the Diſtrict of Road from the Town of *Ruthin*, in the County of *Denbigh*, to the Town of *Mold*, in the County of *Flint*.

110. An Act for enlarging the Term and Powers of an Act made in the eleventh Year of the Reign of his preſent Majeſty, intituled, *An Act for repairing and widening ſeveral Roads leading to the Town of* Lantriſſent, *and alſo the Road leading from* Newbridge *to a Place called the* Old Furnace, *all in the County of* Glamorgan.

111. An Act for enlarging the Term and Powers of an Act, paſſed in the thirtieth Year of the Reign of King *George* the Second, *for amending, widening, and keeping in Repair, the Road from the Turnpike Road at the Bottom of* Shaw Hill, *in the Pariſh of* Melkſham, *through* Googes Lane, Corſham, Biddeſtone, *and* Weſt Yatton, *to the Turnpike Road at* Upper Combe, *in the Pariſh of* Caſtlecombe, *in the County of* Wilts.

112. An Act for continuing the Term of an Act of the thirtieth Year of his late Majeſty, *for amending, widening, making commodious, and keeping in Repair, the Road from* The Croſs Keys, *otherwiſe* Brickers Barn, *in the Pariſh of* Corſham, *in the County of* Wilts, *to* Bath Eaſton Bridge *in the County of* Somerſet.

113. An Act to enlarge the Term and Powers of an Act, paſſed in the twenty-ſixth Year of the Reign of his late Majeſty King *George* the Second, *for repairing and widening the Roads from* Spann Smithy, *in the Townſhip of* Elton, *through the Town of* Middlewich, *and by* Spittle Hill *in* Stanthorn, *to* Winsford Bridge; *and from* Spittle Hill *to the Town of* Northwich, *in the County Palatine of* Cheſter.

114. An Act for reviving and continuing the Term and varying the Powers of an Act, made in the twenty-ninth Year of his late Majeſty, *for amending, widening, and keeping in Repair, ſeveral Roads leading from the Market-houſe, and elſewhere, in the Town of* Ludlow, *in the County of* Salop; and for amending, and keeping in Repair, the Road leading from the Turnpike or Side-gate, in the Pariſh of *Aſhford Bowdler*, to the Turnpike Road on the *Clee Hill*, in the ſaid County.

115. An Act to enlarge the Term and Powers of an Act, paſſed in the twenty-fifth Year of the Reign of his late Majeſty, *for repairing the Road from the Town of* Cirenceſter *to the Town of* Stroud, *and that Part of* Rodborough Hill *which leads to* Dudbridge; *and alſo the Road leading from* Cirenceſter *towards* Biſley, *ſo far as the Bottom of* Gulph Hill; *all in the County of* Glouceſter.

116. An Act to enlarge the Term and Powers of an Act, paſſed in the thirty-firſt Year of the Reign of his late Majeſty King *George* the Second, *for repairing and widening the Road from* Cirenceſter, *in the County of* Glouceſter, *to* Cricklade, *in the County of* Wilts.

117. An Act for making and reparing ſeveral Roads round the City of *Briſtol*.

118. An Act for amending the Road from the Nine Mile Stone on the *Briſtol* Road, at or near a Place called *The Clay Pits*, to or near the Chapel at *Stone*; and alſo the Roads to and near *Berkeley*, *Durſley*, *Wotton under Edge*, *Stroud*, and *Sodbury*; and ſeveral other Roads in the Counties of *Glouceſter* and *Wilts*.

119. An Act for reducing into one Act of Parliament the ſeveral Laws now in Force for repairing the Road leading from the Town or Village of *Tittenſor* to the moſt Northern Part of *Talk on the Hill*, in *Butt Lane*, in the County of *Stafford*; and for repairing the Road from *Darlaſtone Bridge*, over *Tittenſor Heath*, through the Town or Village of *Tittenſor* aforeſaid.

120. An Act for continuing the Term, and altering and enlarging the Powers of ſeveral Acts of Parliament, made in the tenth Year of the Reign of Queen *Anne*, the eighth Year of King *George* the Firſt, and the twenty-ſecond Year of his late Majeſty, *for repairing the Road leading from* Kilburn-bridge, *in the County of* Middleſex, *to* Sparrow's Herne, *in the County of* Hertford.

## PRIVATE ACTS.

*Anno* 19 *Georgii* III.

1. AN Act for extinguiſhing the Right of Common upon certain Incloſed Lands, within the Pariſh of *Winforton*, in the County of *Hereford*.
2. An Act for naturalizing *John Daniel Hoſe*.
3. An Act for dividing and incloſing the Common or Waſte Land, within the Pariſh of *Wood Baſtwick*, in the County of *Norfolk*.
4. An Act to enlarge, explain, and amend, the Powers given in and by an Act, paſſed in the laſt Seſſion of Parliament, intituled, *An Act for dividing and incloſing the Open and Common Fields, Common Paſtures, Common Meadows, and other Commonable Lands and Grounds, of and within the Manor, Pariſh, and Liberties, of* Floore, *otherwiſe* Flower, *in the County of* Northampton; and for making the ſame more effectual for the Purpoſes therein mentioned.
5. An Act for dividing and incloſing the Open and Common Fields, Common Paſtures, Common Meadows, and other Commonable Lands and Grounds, of and within the Pariſh and Liberties of *Bugbrooke*, in the County of *Northampton*.
6. An Act for naturalizing *Theodorus Martinus Miſpelblom Beijer*.
7. An Act for dividing, allotting, and incloſing the Open Fields, Meadows, and Commonable Places in the Pariſh of *Barkby*, in the County of *Leiceſter*.
8. An Act for confirming and eſtabliſhing the Diviſion and Allotment of the Common or Open Fields, and Common Downs, within the Manor of *Milſton* and *Brigmerſton*, in the County of *Wilts*.
9. An Act for dividing and incloſing certain Open Fields, Lands, and Grounds, in the Pariſh of *Brattleby*, in the County of *Lincoln*.
10. An Act for dividing and incloſing the Open Fields, Meadows, Paſtures, and Commonable Grounds of *Croft*, in the County of *Leiceſter*.

11. An

11. An Act for dividing and inclosing a Common Stinted Pasture, and a certain Moor or Common, within the Manor of *West Witton*, in the North Riding of the County of *York*.
12. An Act for dividing, allotting, and inclosing, the Open Common Fields, Common Pastures, Downs, and all other Commonable Lands, within the Hamlet, Vill, or Tithing, of *Ablington*, in the Parish of *Bibury*, in the County of *Gloucester*.
13. An Act for dividing and inclosing certain Open Common Fields, Meadows, Pastures, and other Commonable Lands, in the Parish of *Binton*, and in the Hamlet of *Drayton*, in the Parish of *Old Stratford*, in the County of *Warwick*.
14. An Act for dividing and inclosing the Open and Common Fields, Meadows, Heath or Waste Land, and other Commonable Lands and Grounds, of and within the Parish of *Coleshill*, in the County of *Warwick*.
15. An Act for dividing and inclosing the Common and Open Fields within the Parish of *Cobham*, in the County of *Surrey*.
16. An Act for dividing and inclosing the Commons and Waste Grounds within the Township of *Lepton*, in the Parish of *Kirkheaton*, in the West Riding of the County of *York*.
17. An Act for dividing, allotting, and inclosing, the Open Fields, Meadows, Pastures, and Commonable Places, in the Lordships or Liberties of *Knight Thorpe*, and *Thorpe Acre*, in the County of *Leicester*.
18. An Act for dividing, inclosing, and improving, certain Commons, Lands, and Grounds, in the Township of *Askwith*, in the Parish of *Weston*, in the County of *York*, and for other Purposes therein mentioned.
19. An Act for dividing and inclosing certain Commons and Waste Lands, within the Manor and Parish of *Broom*, in the County of *Stafford*.
20. An Act to dissolve the Marriage had between the Right Honourable *Hugh* Baron *Percy*, *Lucy*, *Poynings*, *Fitzpayne*, *Bryan*, *and Latimer*, and the Right Honourable *Ann* Baroness *Percy* his Wife; and to enable him to marry again; and for other Purposes therein mentioned.
21. An Act to enable *Nathaniel Lee Acton*, Esquire, and the Heirs Male of his Body, to take and use the Surname of *Lee* before and jointly with the Surname of *Acton*, pursuant to the Will of *Baptist Lee* Esquire, deceased.
22. An Act to enable *William House* the younger, and others therein described, to take and use the Surname and Arms of *Newell*, pursuant to the Will of *William Newell* Esquire, deceased.
23. An Act for confirming and establishing an Exchange agreed upon between the Dean and Chapter of the Cathedral Church of *The Blessed Virgin Mary* of *Lincoln*, and the Right Honourable *John* Lord *Monson*, of certain Lands and Hereditaments in the County of *Lincoln*.
24. An Act for vesting certain Lands, Tenements, and Hereditaments, in the Counties of *Hertford* and *Bucks*, (the Settled Estates of *Jane Willson*, the Wife of *George Willson* Esquire) in Trustees, to be sold or exchanged, and for laying out the Money to arise thereby in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the same Uses.
25. An Act for dividing, inclosing, and allotting, certain Commons or Parcels of Waste Lands, called *Dunsley* and *Haffcott* Commons, within the Manor and Parish of *Kinver*, otherwise *Kinfare*, in the County of *Stafford*.
26. An Act for dividing and inclosing the Open Fields, Meadows, Furze, Leys, Stinted Common Pastures, and Waste Grounds, in the Parish of *Willingham*, in the County of *Lincoln*.
27. An Act for extinguishing the Cattle Gates or Leas upon certain Stinted Pastures, within the Parish of *West Stower*, in the County of *Dorset*; and for allotting Lands in Exchange for Part of the Glebe Lands, and for the said Cattle Gates or Leas belonging to the Impropriator of the said Parish.
28. An Act for allotting, dividing, and inclosing, the Open and Common Fields, and Common or Commonable Meadows, Pastures, Lands and Grounds, and Common or Waste Land within the Parish of *Aven Dasset*, in the County of *Warwick*.
29. An Act for dividing and inclosing the Open and Common Fields, Common Pastures, Common Meadows, and other Commonable Lands and Grounds, of and within the Parish and Liberties of *Badby*, in the County of *Northampton*.
30. An Act for dividing, allotting, and inclosing, the Open and Common Fields, Common Meadows, Common Pastures, and all other Commonable Lands and Waste Grounds, in the Parish of *Mayseyhampton*, in the County of *Gloucester*.
31. An Act for dividing and inclosing the Open and Common Fields, Meadows, Pastures, and all other Commonable Lands within the Manor and Parish of *Himbleton*, in the County of *Worcester*.
32. An Act for dividing and inclosing the Open and Common Fields, and all other Commonable Land, in the Parish of *Grafton Flyford*, in the County of *Worcester*.
33. An Act for dividing and inclosing the several Open and Common Fields, and all other Commonable Lands, within and belonging to the Township of *Cropthorn*, in the Parish of *Cropthorn*, and County of *Worcester*.
34. An Act for dividing and inclosing the Common and Open Fields, Meadows, Commonable Lands, and Waste Grounds, in the Parish of *Elton*, in the County of *Huntingdon*.
35. An Act for dividing and inclosing the Open and Common Fields, or Commonable Meadows, Pastures, Lands, and Grounds, and Waste Land, within the Parish of *Herberbury*, otherwise *Harbury*, in the County of *Warwick*.
36. An Act for dividing and inclosing the Open and Common Fields, and other Commonable Lands and Grounds, of and within the Hamlet and Liberties of *Woodend*, in the Parish of *Blakesley*, in the County of *Northampton*.
37. An Act for dividing and inclosing the Open Fields, Open Meadows, Common Pastures, and Common or Waste Grounds, within the Township of *Stanton under Bardon*, in the Parish of *Thornton*, and County of *Leicester*.
38. An Act for dividing, inclosing, and improving, certain Open Fields, Ings, Meadows, and Commons, or Waste Lands, within the Parish of *Huttoft* in the County of *Lincoln*.
39. An Act for dividing, inclosing, and allotting, certain Commons or Waste Lands, within the Parish of *Cainham*, in the County of *Salop*.
40. An Act for dividing and inclosing a certain Common or Piece of Waste Ground within the Township of *Fenwick*, in the Parish of *Campsal*, in the West Riding of the County of *York*.
41. An Act for dividing and inclosing the Open Common Fields, Common Meadows, Common Pastures, Commonable Lands and Waste Grounds, within the Manor and Parish of *Buckland*, in the County of *Gloucester*.
42. An Act for dividing and inclosing a certain Open Common Arable Field, and also certain Commons and Waste Lands, within the Manor and Parish of *West Knighton*, in the County of *Dorset*.
43. An Act to enable *John Raincock*, and others therein described, to take and use the Surname and Arms of *Fleming*,

*Fleming*, purſuant to the Will of *Fletcher Fleming*, deceaſed.

44. An Act for naturalizing *Henry Amſinck*.

45. An Act for eſtabliſhing an Exchange between *George* Earl of *Shrewſbury*, and *Thomas Gilbert* Eſquire, of divers Lands and Hereditaments in the County of *Stafford*; and for the other Purpoſes therein mentioned.

46. An Act for confirming a Partition of ſeveral Eſtates, in the Counties of *Wilts* and *Somerſet*, between the Honourable *Charles William Wyndham* and others the Deviſees of *Charles* late Earl of *Egremont* deceaſed, and their Iſſue, and *Charles* Marquis of *Granby*, and *Charlotte* Counteſs of *Aylesford*, and for veſting and ſettling the ſame to the ſeveral Uſes therein mentioned; and for ſeveral other Purpoſes therein mentioned.

47. An Act to enable the Guardians of Sir *Charles Style* Baronet, an Infant, to grant Leaſes of his Freehold Eſtates in *Middleſex* during his Minority, and to effectuate the other Purpoſes therein mentioned.

48. An Act for Sale of the next Preſentations to certain Livings, late the Eſtates of Sir *Griffith Boynton*, Baronet, deceaſed, for Payment of his Debts, and for ſubſtituting other Parts of his Eſtates to be charged with his younger Children's Fortunes, in Lieu of thoſe by his Will charged therewith, and for other Purpoſes.

49. An Act for Sale of Part of the ſettled Eſtates of *Henry Scourfield* Eſquire, ſituate in the County of *Brecon*, and for purchaſing other Eſtates in the County of *Pembroke*, to be ſettled, in Lieu thereof, to the ſame Uſes.

50. An Act for veſting in Truſtees; and their Heirs, the ſettled Eſtate of *John Tempeſt* Eſquire, ſituate in the County of *Kent*, in Truſt, to ſell the ſame, and for laying out the Money ariſing by ſuch Sale in the Purchaſe of other Lands and Hereditaments, to be ſettled, in Lieu thereof, to the ſame Uſes.

51. An Act to impower certain Perſons to infranchiſe divers Copyhold and Cuſtomary Lands and Tenements within the ſeveral Manors or Lordſhips of *Titchfield*, *Lee Marks* and *Mirabell*, *Crofton*, and *Newland*, in the County of *Southampton*; and for other Purpoſes therein mentioned.

52. An Act to enable *John Bowater* Eſquire, during his Life, and after his Death the Guardian or Guardians of his Iſſue Male by the Honourable *Frances Bowater* his Wife during their reſpective Infancies, to grant Building Leaſes of his Settled Eſtates at *Woolwich* and *Charlton*, in the County of *Kent*.

53. An Act to enable the Executors and Truſtees of the Will of *Charles Churchill* Eſquire, deceaſed, and in the Marriage Settlement of *Charles Churchill* Eſquire, and Lady *Maria* his Wife, to raiſe Money by Sale or Mortgage of ſome of the Truſt Securities for advancing to the Children, in their Father's Life-time, Part of their Portions provided for them by the Settlement, but thereby not made payable till after his Deceaſe.

54. An Act for veſting certain Eſtates in the Counties of *Carmarthen*, *Brecon*, and *Radnor* (deviſed by the Will of *Roderick Gwynne* Eſquire, deceaſed) in Truſtees, to be ſold; and for laying out the Money ariſing therefrom in the Purchaſe of other Lands and Hereditaments, to be ſettled to the ſame Uſes.

55. An Act for varying certain Proviſions contained in an Act, made in the thirteenth Year of the Reign of his preſent Majeſty, for dividing and incloſing certain Moors, Commons, or Tracts of Waſte Land, within the Pariſh and Manor of *Lancheſter*, in the County Palatine of *Durham*.

56. An Act for dividing and incloſing a certain Tract of Common or Waſte Ground, called *Lower Darwen Moor*, in the Pariſh of *Blackburn*, in the County Palatine of *Lancaſter*.

57. An Act for dividing, allotting, and incloſing, the ſeveral Open and Common Fields, Moors, Commons, and Waſte Grounds, in the Pariſh of *Irthington*, in the County of *Cumberland*.

58. An Act for dividing and incloſing the Open Fields, Meadows, Common Paſtures, and other Commonable Lands, within the Pariſh of *Claxton*, otherwiſe *Long Clawſon*, in the County of *Leiceſter*.

59. An Act for dividing and incloſing the Open and Common Fields, and Commonable Lands, within the Pariſh or Liberties of *Bucknell*, in the County of *Oxford*.

60. An Act for dividing and incloſing the Open and Common Fields, Meadows, Common Paſtures, Moors, and Waſte Lands and Grounds, within the Manor and Townſhip of *Amcotts*, in the Pariſh of *Althorpe*, in the County of *Lincoln*.

61. An Act for dividing and incloſing the Commons and Waſte Grounds in the Manor of *Aſhover* in the County of *Derby*.

62. An Act for dividing, allotting, and incloſing, the Open and Common Fields, Common Meadows, and other Commonable Lands, in the Manor and Hamlet of *Dean*, in the Pariſh of *Spelſbury*, in the County of *Oxford*.

63. An Act for dividing, incloſing, and allotting, certain Commonable and Waſte Lands, called *Acton Common*, *Marlepit Common*, and *Cock Shute*, within the Pariſh of *Iron Acton*, in the County of *Glouceſter*.

64. An Act for dividing and incloſing the Common and Open Fields of *Leire* in the County of *Leiceſter*.

65. An Act for dividing and incloſing that Part of the Common or Waſte Ground called *Kingſwood*, which lies in the Pariſh of *Stapleton*, in the County of *Glouceſter*.

66. An Act for dividing and incloſing the Open and Common Fields, Common Paſtures, Common Meadows, and Commonable Lands and Grounds, within the Pariſh of *Clifford Chambers*, in the County of *Glouceſter*.

67. An Act for dividing and incloſing the Open Common Fields, Common Meadows, Waſte Lands, and Commonable Places, within the Pariſhes and Liberties of *Bierton* and *Hulcot*, in the County of *Bucks*.

68. An Act for confirming and eſtabliſhing a Diviſion and Incloſure of the Common, or Open Fields and Waſte Grounds, within the Pariſh of *Mildenhall*, in the County of *Wilts*; and certain Exchanges of Lands and Eſtates within the ſaid Pariſh.

69. An Act for dividing and incloſing certain Open Fields, Lands, and Grounds, in the Pariſh of *Market Raiſin*, in the County of *Lincoln*.

70. An Act for dividing, allotting, and incloſing, the Open and Common Fields, Common Meadows, and Common Paſtures, lying and being within the Manors, Lordſhips, or Liberties, of *Kibworth Beauchamp*, *Kibworth Harcourt*, and *Smeeton Weſterby*, in the Pariſh of *Kibworth Beauchamp*, in the County of *Leiceſter*.

71. An Act for dividing, allotting, and incloſing, the Open and Common Fields, Common Meadows, Common Paſtures, and Waſte Lands, of and within the Manor, Lordſhip, or Liberties of *Little Bowden*, in the County of *Northampton*.

72. An Act for dividing, allotting, and incloſing, the Open and Common Fields, Common Meadows, Common Paſtures, Commons, and other Commonable Lands, within the Tithing of *Elcot*, in the Pariſh of *Kintbury*, in the County of *Berks*.

73. An Act for dividing, allotting, and incloſing, certain Open and Common Fields, Common Meadows, Common Paſtures, Commons, and Commonable Lands and Grounds, within the Pariſh of *Speen*, in the County of *Berks*.



74. An

74. An Act for dividing and inclosing a certain Common or Waste Ground called *Oulton Heath*, in the Parish of *Stone*, in the County of *Stafford*.
75. An Act for dividing and allotting the Open Common Fields, Common Meadows, Common Pastures, Waste Lands, and Commonable Places, in the Manor and Parish of *Wanborough*, in the County of *Wilts*.
76. An Act for dividing, allotting, and inclosing the Open and Common Fields, Common Pastures, Common Meadows, and other Commonable Lands and Grounds, of and within the Parish of *Kislingbury*, in the County of *Northampton*.
77. An Act for dividing and inclosing the Open and Common Fields, Common Pastures, Common Meadows, and other Commonable Lands and Grounds, of and within the Manors and Parishes of *Milton*, otherwise *Middleton*, *Malsor*, and *Collingtree*, otherwise *Collingtrough*, in the County of *Northampton*.
78. An Act for dividing and inclosing the Open and Common Fields, Common Pastures, Common Meadows, and other Commonable and Waste Lands, of *Idbury*, *Bowld*, and *Foscott*, within the Manor and Parish of *Idbury*, in the County of *Oxford*.
79. An Act for dividing and inclosing the Open Fields, Meadows, Pastures, Commons, Forest and Waste Grounds, in the Parish of *Calverton*, in the County of *Nottingham*.
80. An Act for making the Exemplification of the last Will and Testament of *Mary Edwards*, deceased, Evidence in all the Courts of Law and Equity in *Great Britain* and *Ireland*.
81. An Act for naturalizing *Peter Daillé Bonnevaux*.
82. An Act for naturalizing *John Sellon*.
83. An Act for naturalizing *James Charnaud*.
84. An Act for appointing new Trustees, in the Place of those deceased, for Sale of so much of the Estates late of Sir *William Dalston* Knight, as will be sufficient for the Payment of his Debts and Legacies by his Will charged thereon.
85. An Act for enabling the Trustees, named in the Will of *Richard Persehowse*, late of *Reynolds Hall*, in the County of *Stafford*, Esquire, deceased, to borrow and take up at Interest, on Mortgage of the Freehold Estates late of the said *Richard Persehowse*, any Sum or Sums of Money not exceeding the Sum of three thousand three hundred Pounds, to be applied in or towards the Purchase of the Copyhold Estates late of the said *Richard Persehowse*.
86. An Act for vesting in Trustees the Timber and Wood growing upon the Estate late belonging to *Thomas Rous* Esquire, deceased, in the County of *Worcester*, in Trust, to sell the same, and apply the Monies arising therefrom towards discharging certain Incumbrances affecting the said Estate, and for the other Purposes therein mentioned.
87. An Act for Sale of the Estates of the late *John Nicoll*, of *Bolton*, in the County of *York*, Esquire, for Payment of his Debts.
88. An Act for dividing and inclosing the several Open Commons, Moors, and Waste Grounds, within the Manor and Township of *Eccleshall*, in the Parish of *Sheffield*, in the West Riding of the County of *York*.
89. An Act for dividing and inclosing the Open Common Field, and Commonable Lands and Grounds, within the Manor and Parish of *Evenly*, otherwise *Bury Manor*, in the County of *Northampton*.
90. An Act to dissolve the Marriage of *Francis Osborne*, Baron *Osborne*, of *Kiveton*, in the County of *York*, commonly called Marquis of *Carmarthen*, with Lady *Amelia D'Arcy*, Baroness *Conyers*, his now Wife; and to enable him to marry again; and for other Purposes therein mentioned.
91. An Act for confirming and carrying into Execution, an Award touching certain Questions and Disputes between the Right Honourable *Edward* Lord *Beaulieu* and *Isabella* Lady *Beaulieu* his Wife, and the Most Noble *George* Duke of *Montagu*, *Henry* Duke of *Buccleugh*, and *Elizabeth* Duchess of *Buccleugh* his Wife, and the Right Honourable *Charles William*, eldest Son of the said Duke and Duchess of *Buccleugh*, commonly called Earl of *Dalkeith*.
92. An Act to enable the Trustees of certain Estates situate in the Parishes of *Saint Mary Redcliffe* and *Saint Thomas*, or one of them, in the City of *Bristol*, given by *Thomas Eden* the Elder, late of *Broadmarston*, in the Parish of *Pebworth*, in the County of *Gloucester*, Gentleman, for charitable Uses, to grant Building Leases thereof.
93. An Act for dividing, allotting, and inclosing, the several Whole Year Lands, Common Fields, Half Year Lands, Shack Meadows and Heaths, and other Commons, Waste and Commonable Lands, within the Parish of *Darsingham*, otherwise *Dersingham*, in the County of *Norfolk*.
94. An Act for dividing and inclosing the Commons or Moors, and Waste Grounds, within the Manor or Lordship of *Morland*, in the Parish of *Morland*, in the County of *Westmorland*.
95. An Act for dividing, allotting, and inclosing, certain Open and Common Fields, Common Pastures, and other Commonable Lands, Meadows, and Waste Lands, within the Parish of *Chisledon*, in the County of *Wilts*.
96. An Act for dividing, allotting, and inclosing the Whole Year Lands and Brecks, Common Fields, Half Year Lands and Heaths, and Commons, and Commonable and Waste Lands, within the Parish of *Grimston*, in the County of *Norfolk*.
97. An Act for dividing and inclosing the Commons or Waste Grounds within the Townships of *Cranage*, in the County Palatine of *Chester*.
98. An Act for dividing and inclosing the several Commons and Waste Grounds within the Manor of *Hasland*, in the County of *Derby*.
99. An Act to confirm and establish the Division and Allotment of certain Commons or Forest and Waste Lands within the Parish of *Elkesley*, in the County of *Nottingham*.
100. An Act for dividing and inclosing the Open and Common Fields, Common Meadows, Common Pastures, Commonable Lands, and Waste Grounds, within the Parish and Manor of *Taplow*, in the County of *Buckingham*.
101. An Act to dissolve the Marriage of *Henry Sealy*, with *Ann Woodroffe* his now Wife, and to enable him to marry again; and for other Purposes therein mentioned.
102. An Act to dissolve the Marriage of *Thomas Bailey Heath Sewell* Esquire, with the Right Honourable Lady *Elizabeth Birmingham*, his now Wife, and to enable him to marry again; and for other Purposes therein mentioned.
103. An Act to dissolve the Marriage of *Charles Bromfield* with *Ann Broom* his now Wife, and to enable him to marry again; and for other Purposes therein mentioned.
101. An Act to dissolve the Marriage of *Charles Francois Dumergue* with *Ann Catherine* his now Wife; and to enable him to marry again; and for other Purposes.
105. An Act for dividing and inclosing the Open Wastes and Commons, lying in the Manor of *Sleagill*, in the County of *Westmorland*.

THE

# Statutes at Large,

Anno vicesimo GEORGII III. Regis,

Being the SIXTH Session of the

FOURTEENTH Parliament of GREAT BRITAIN.

Vol. XIII. Part IV.

A

# TABLE

OF THE

# Public and Private Statutes,

CONTAINING

The TITLES of the ACTS of the twentieth Year of the Reign of GEORGE III.

## PUBLIC ACTS.

*Anno* 20 *Georgii* III.

1. AN Act for holding the enſuing Election of a Knight of the Shire for the County of *Southampton*, at the Town of *New Alresford*, in the ſaid County.
2. An Act for granting an Aid to his Majeſty by a Land Tax, to be raiſed in *Great Britain*, for the Service of the Year one thouſand ſeven hundred and eighty.
3. An Act for continuing and granting to his Majeſty certain Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year one thouſand ſeven hundred and eighty.
4. An Act for continuing an Act, made in the laſt Seſſion of Parliament, *for allowing the Importation of fine organzined* Italian *Thrown Silk in any Ships or Veſſels for a limited Time.*
5. An Act for further continuing an Act, made in the ſeventeenth Year of the Reign of his preſent Majeſty, intituled, *An Act to impower his Majeſty to ſecure and detain Perſons charged with, or ſuſpected of, the Crime of High Treaſon, committed in any of his Majeſty's Colonies or Plantations in* America, *or on the High Seas, or the Crime of Piracy.*
6. An Act to repeal certain Acts made in *Great Britain*, which reſtrain the Trade and Commerce of *Ireland* with Foreign Parts.
7. An Act to amend an Act, made in the eighteenth Year of the Reign of his preſent Majeſty, intituled, *An Act to explain and amend ſo much of an Act, made in the fourth Year of the Reign of his preſent Majeſty, as relates to the preventing the clandeſtine Conveyance of Sugar and Pancles from the* Britiſh *Colonies and Plantations in* America *into* Great Britain.
8. An Act to indemnify ſuch Officers of the Militia as have not tranſmitted to the Clerks of the Peace Deſcriptions of their Qualifications, and Certificates of their having taken the Oaths as required; and for allowing further Time for the Delivery of Deſcriptions of Qualifications by ſuch Officers of the Militia; and for obliging the Captain Lieutenant to deliver in a Deſcription of his Qualification.
9. An Act for extending the Proviſions of two Acts, made in the eighteenth Year of his preſent Majeſty's Reign, and in the laſt Seſſion of Parliament, with reſpect to bringing Prize Goods into this Kingdom, to *Spaniſh* Prize Goods; and for repealing ſo much of the ſaid laſt-mentioned Act as relates to the Certificates for Prize Tea and *Eaſt India* Goods exported from this Kingdom to *Ireland*; for the Removal of *Eaſt India* Goods condemned as Prize at any Out-port to *London* for Sale, and of Prize Goods for Exportation; and for reducing the Duty on Foreign Prize Tobacco.
10. An Act to allow the Trade between *Ireland* and the *Britiſh* Colonies and Plantations in *America* and the *Weſt Indies*, and the *Britiſh* Settlements on the Coaſt of *Africa*, to be carried on in like Manner as it is now carried on between *Great Britain* and the ſaid Colonies and Settlements.
11. An Act for continuing the Term and Powers of an Act, made in the thirty-ſecond Year of the Reign of his late Majeſty King *George* the Second, intituled, *An Act for laying a Duty of two Pennies* Scots, *or one ſixth Part of a Penny Sterling, upon every* Scots *Pint of Ale, Porter, and Beer, which ſhall be brewed for Sale, brought into, tapped, or ſold, within the Town of* Kelſo, *in the Shire of* Roxburgh, *for finiſhing a Bridge croſs the River* Tweed, *and for other Purpoſes therein mentioned.*
12. An Act for puniſhing Mutiny and Deſertion; and for the better Payment of the Army and their Quarters.
13. An Act for the Regulation of his Majeſty's Marine Forces while on Shore.
14. An Act for defraying the Charge of the Pay and Clothing of the Militia in that Part of *Great Britain* called

called *England*, for one Year, beginning the twenty-fifth Day of *March*, one thouſand ſeven hundred and eighty.

15. An Act for repealing ſo much of an Act, made in the twelfth Year of his preſent Majeſty, intituled, *An Act for amending and rendering more effectual an Act, made in the tenth Year of his Majeſty's Reign, intituled,* 'An Act 'for building a new Pariſh Church, and declaring the pre-'ſent Pariſh Church a Chapel; for making a Cœmetery, or 'Church-yard; and for building an Houſe for the Uſe of 'the Miniſter of the Pariſh of Saint Mary-le-bone, in 'the County of Middleſex;' as impowers the Veſtrymen of the ſaid Pariſh to build a Church upon a certain Parcel of Ground, in the ſaid Pariſh, belonging to *Henry William Portman* Eſquire, heretofore Parcel of a certain Cloſe, called *The Fifteen Acres*.

16. An Act for raiſing a certain Sum of Money by way of Annuities, and for eſtabliſhing a Lottery.

17. An Act to remove certain Difficulties relative to Voters at County Elections.

18. An Act to repeal ſo much of an Act made in the nineteenth Year of the Reign of *Henry* the Seventh, or of any other Acts which prohibit the exporting, carrying, or conveying, Coin out of this Realm into *Ireland*; and ſo much of certain Acts, made in *Great Britain*, which prohibit the Importation of Foreign Hops into *Ireland*, and which take off the Drawback upon Hops exported from *Great Britain* to *Ireland*; and to allow the Importation into, and Exportation from, *Ireland*, of ſuch Goods as may be imported into, or exported from, *Great Britain*, by the Merchants of *England* trading to the *Levant* Seas.

19. An Act to continue ſeveral Laws relating to the better ſecuring the lawful Trade of his Majeſty's Subjects to and from the *Eaſt Indies*, and for the more effectual preventing all his Majeſty's Subjects trading thither under Foreign Commiſſions; to the importing Salt from *Europe* into the Province of *Quebec* in *America*; to the permitting the free Importation of Raw Goat Skins into this Kingdom; to the allowing the Exportation of certain Quantities of Wheat, and other Articles, to his Majeſty's Sugar Colonies in *America*; and to the permitting the Exportation of Tobacco-pipe Clay from this Kingdom to the *Britiſh* Sugar Colonies or Plantations in the *Weſt Indies*.

20. An Act for the better Supply of Mariners and Seamen to ſerve in his Majeſty's Ships of War, and on Board Merchant Ships, and other trading Ships and Veſſels.

21. An Act for amending and rendering more effectual two Acts, paſſed in the tenth and eleventh Years of his preſent Majeſty's Reign, *for better ſupplying the City of* Worceſter, *and the Liberties thereof, with Water, and for the better paving and lighting the ſaid City, and for removing and preventing all Obſtructions and Annoyances therein.*

22. An Act for the better Government and Regulation of the Poor, in the Town and Pariſh of *Maidſtone*, in the County of *Kent*.

23. An Act to amend an Act made in the laſt Seſſion of Parliament, intituled, *An Act for the Encouragement of Seamen, and the more ſpeedy and effectual manning his Majeſty's Navy*; and for making further Proviſions for thoſe Purpoſes.

24. An Act for converting into Money the Statute Labour, in the Stewartry of *Kirkcudbright*, for the Purpoſe of repairing the Highways, Bridges, and Ferries, within the ſaid Stewartry.

25. An Act for repealing the Duties payable upon Pot and Pearl Aſhes, Wood and Weed Aſhes, imported into *Great Britain*, and for granting other Duties in lieu thereof, for a limited Time.

26. An Act for repairing, enlarging, and preſerving the Harbour of *Aberyſtwyth*, in the County of *Cardigan*.

27. An Act for building a Bridge acroſs the River *Wye*, between *Whitney* and *Glifford*, in the County of *Hereford*.

28. An Act for granting to his Majeſty ſeveral additional Duties on Advertiſements; and certain Duties on Receipts for Legacies, or for any Share of a Perſonal Eſtate divided by Force of the Statute of Diſtributions, or the Cuſtom of any Province or Place.

29. An Act to protect Goods or Merchandiſe, of the Growth, Produce, or Manufacture, of the Iſlands of *Grenada* and the *Grenadines*, on Board Neutral Veſſels bound to Neutral Ports, during the preſent Hoſtilities.

30. An Act for granting to his Majeſty ſeveral additional Duties upon Wines and Vinegar imported into this Kingdom.

31. An Act for allowing a Bounty on the Exportation of *Britiſh* Corn and Grain, in Ships the Property of Perſons of any Kingdom or State in Amity with his Majeſty.

32. An Act for enlarging the Powers of an Act, made in the twentieth Year of his late Majeſty King *George* the Second, *for building a Bridge croſs the River* Thames *from the Pariſh of* Walton upon Thames, *in the County of* Surrey, *to* Shepperton, *in the County of* Middleſex.

33. An Act to explain and amend an Act, made in the ſeventeenth Year of the Reign of his preſent Majeſty, intituled, *An Act to repeal an Act, made in the twelfth Year of the Reign of King* Charles *the Second, intituled,* 'The Maſter of the Rolls impowered to make Leaſes for 'Years, in order to new-build the old Houſes belonging to 'the Rolls;' *and for the better regulating the Method of granting Leaſes of the ſaid Rolls Eſtate for the future; and for making Compenſation to the Earl of* Macclesfield, *and Sir* Thomas Sewell, *for their beneficial Rights and Intereſts in certain Leaſes made of the Rolls Eſtate; and for regulating the Method of making Leaſes of the ſaid Eſtate for the future.*

34. An Act for granting to his Majeſty additional Duties upon Salt; and for regulating the Exportation of Salt to the *Iſle of Man*.

35. An Act for granting to his Majeſty additional Duties upon Malt, and upon Low Wines and Spirits made for home Conſumption, and upon foreign Spirits imported into *Great Britain*, and upon the Produce of the ſaid ſeveral Duties; and for granting a Duty on Licences to be taken out by all Perſons trading in, vending, or ſelling of, Coffee, Tea, or Chocolate.

36. An Act for obviating Doubts, touching the binding and receiving of poor Children Apprentices, in purſuance of ſeveral Acts of Parliament made for the Relief of the Poor within particular incorporated Hundreds or Diſtricts; and for aſcertaining the Settlement of Baſtard Children born in the Houſes of Induſtry within ſuch Hundreds or Diſtricts.

37. An Act to continue for a limited Time, ſo much of an Act, made in the laſt Seſſion of Parliament, *for the more eaſy and better recruiting his Majeſty's Land Forces and Marines*, as relates to the Encouragement of Volunteers.

38. An Act to veſt certain Meſſuages, Lands, Tenements, and Hereditaments, in Truſtees, for the better ſecuring his Majeſty's Docks, Ships, and Stores, at *Plymouth* and *Sheerneſs*; and for better defending the Paſſage of the River *Thames* at *Graveſend* and *Tilbury Fort*.

39. An Act to admit to an Entry in this Kingdom, under certain Reſtrictions, Tobacco imported not directly from the

the Place of its Growth or Produce, and for granting an additional Duty on such Tobacco, during the present Hostilities.

40. An Act to repeal so much of an Act made in the fifteenth Year of his Majesty's Reign, *for settling* Buckingham House *upon the Queen, in lieu of* Somerset House, *and for other Purposes*, as enables the Commissioners of his Majesty's Treasury to apply the Sums necessary for completing *Somerset House*, out of the Aids granted for Naval Services, or out of any of the Revenues arising from the Receipt of the several Offices to be erected and established by virtue of the said Act.

41. An Act to continue an Act, made in the twelfth Year of the Reign of his present Majesty, intituled, *An Act for rendering the Payment of the Creditors of Insolvent Debtors more equal and expeditious, and for regulating the Diligence of the Law by Arrestment and Poinding, and for extending the Privilege of Bills to Promissory Notes, and for limiting Actions upon Bills and Promissory Notes, in that Part of* Great Britain *called* Scotland.

42. An Act for granting to his Majesty several additional Duties upon certain Goods imported into the *Isle of Man*; and for better regulating the Trade and securing the Revenues of the said Island.

43. An Act for raising a certain Sum of Money by Loans or Exchequer Bills, for the Service of the Year one thousand seven hundred and eighty.

44. An Act to explain an Act of the last Session of Parliament, intituled, *An Act for augmenting the Militia*; and to declare valid and effectual the Swearing in and Inrolment of Militia Men, Substitutes, and Volunteers, in Cases where all the Provisions of the several Acts now in being, relative thereto, have not been observed; and to indemnify Deputy Lieutenants, Chief Magistrates, and Justices of the Peace, for their Proceedings therein respectively; to declare valid and effectual the Commissions granted by Deputy Lieutenants, in the Absence of the Lieutenant of any County out of the Kingdom, to Officers commanding Volunteer Companies; and to indemnify Deputy Lieutenants and Officers who have granted, or acted under, such Commissions; and to enlarge the Powers of Deputy Lieutenants in certain Cases.

45. An Act to permit Goods, the Product or Manufacture of certain Places within the *Levant* or *Mediterranean* Seas, to be imported into *Great Britain* or *Ireland* in *British* or Foreign Vessels from any Place whatsoever; and for laying a Duty on Cotton and Cotton Wool imported into this Kingdom in Foreign Ships or Vessels, for a limited Time.

46. An Act to allow the Exportation of Provisions, Goods, Wares, and Merchandise, from *Great Britain*, to certain Towns, Ports or Places, in *North America*, which are or may be under the Protection of his Majesty's Arms; and from such Towns, Ports or Places, to *Great Britain*, and other Parts of his Majesty's Dominions.

47. An Act to indemnify such Persons as have omitted to qualify themselves for Offices or Employments; and to indemnify Justices of the Peace, or others, who have omitted to register or deliver in their Qualifications within the Time limited by Law, and for giving further Time for those Purposes; and to indemnify Members and Officers, in Cities, Corporations, and Borough Towns, whose Admissions have been omitted to be stamped according to Law, or having been stamped, have been lost or mislaid; and for allowing them Time to provide Admissions duly stamped; and to give further Time to such Persons as have omitted to make and file Affidavits of the Execution of Indentures of Clerks to Attornies and Solicitors.

48. An Act for repairing, lighting, watching, and cleansing the High Street or Road, called *Gefwell-ftreet*, leading from *Alderfgate-bars*, without *Alderfgate*, *London*, to the House of *Woodhouſe Coker* Gentleman, near the Turnpike at the End of the said Street or Road, in the County of *Middlefex*; and also *Bull yard*, *Gl ſhouſe-yard*, the North Side of *Fan's-alley*, *Mount-mill*, and *Willow-court*, contiguous to the said Street or Road, on the East and West Sides thereof; and for removing Nuisances therefrom, and preventing the like for the future.

49. An Act to vest certain Messuages, Lands, Tenements, and Hereditaments, in Trustees, for the better securing his Majesty's Dock, Ships, and Stores, at *Chatham*.

50. An Act for exempting the City of *Winchester*, the County of *Southampton*, the Town of *Shrewsbury*, and the County of *Salop*, out of the Provisions of an Act made in the eighth Year of the Reign of his late Majesty King *George* the Second, intituled, *An Act for regulating the quartering of Soldiers during the Time of the Elections of Members to ſerve in Parliament*; so far as the same relates to the Removal of Troops during the Elections of Members to serve in Parliament, for a limited Time.

51. An Act for repealing an Act, made in the nineteenth Year of the Reign of his present Majesty, intituled, *An Act for granting to his Majeſty certain Duties on Licences to be taken out by all Perſons letting Horſes to Hire, for travelling in the Manner therein mentioned; and certain Duties on all Horſes lett to Hire for the Purpoſes of travelling Poſt, and by Time; and upon certain Carriages therein mentioned*; and for granting other Duties in lieu thereof.

52. An Act for granting to his Majesty additional Duties upon Starch and Hair Powder imported, and upon Starch made in *Great Britain*, and upon Sweets.

53. An Act for raising a further Sum of Money, by Loans or Exchequer Bills, for the Service of the Year one thousand seven hundred and eighty.

54. An Act for appointing and enabling Commissioners to examine, take, and state the public Accounts of the Kingdom; and to report what Balances are in the Hands of Accountants, which may be applied to the public Service; and what Defects there are in the present Mode of receiving, collecting, issuing, and accounting for public Money; and in what more expeditious and effectual, and less expensive Manner, the said Services can in future be regulated and carried on for the Benefit of the Public.

55. An Act to repeal so much of an Act, made in the thirteenth and fourteenth Years of the Reign of King *Charles* the Second, as restrains the Removal of Wool, and other Articles, to certain Times and Hours therein mentioned.

56. An Act for continuing in the Possession of the United Company of Merchants of *England* trading to the *East Indies*, for a further Time, and under certain Conditions, the Territorial Acquisitions and Revenues lately obtained in the *East Indies*; and for reviving, and continuing for a further Time, so much of an Act, made in the thirteenth Year of the Reign of his present Majesty, intituled, *An Act for eſtabliſhing certain Regulations for the better Management of the Affairs of the* East India *Company, as well in* India *as in* Europe, as hath expired in the Course of the present Year; and for indemnifying the said Company for any Money they have paid, or may pay, in or about the Building of three Ships of the Line for the Service of the Public.

57. An Act for enabling his Majesty to raise the Sum of One Million, for the Uses and Purposes therein mentioned.

58. An Act for granting further Time for allowing the

Drawback on the Exportation of Coffee imported by the *East India* Company, in the Ship *Europa*, in the Year one thouſand ſeven hundred and ſeventy-five.

59. An Act to impower his Majeſty to prohibit the Exportation, and to reſtrain the carrying Coaſtwiſe, of Copper in Bars, or Copper in Sheets, for a limited Time.

60. An Act to explain and amend two Acts made in the fifteenth and ſixteenth Years of the Reign of his preſent Majeſty, with reſpect to the Limits of the *Greenland* Seas and *Davis*'s Streights, and the Seas adjacent thereto; and to enlarge the Time for the Return of the Veſſels employed in the Whale Fiſheries.

61. An Act for continuing the Encouragement and Reward of Perſons making certain Diſcoveries for finding the Longitude at Sea, or making other uſeful Diſcoveries and Improvements in Navigation, and for making Experiments relating thereto.

62. An Act for granting to his Majeſty a certain Sum of Money out of the Sinking Fund; and for applying certain Monies therein mentioned for the Service of the Year one thouſand ſeven hundred and eighty; and for further appropriating the Supplies granted in this Seſſion of Parliament.

63. An Act to indemnify ſuch Perſons as have acted in the Suppreſſion of the late Riots and Tumults, in and about the Cities of *London* and *Weſtminſter*, and Borough of *Southwark*, and for the Preſervation of the public Peace.

64. An Act to prevent any Miſchief or Inconvenience which may ariſe to Sheriffs, Gaolers, Suitors, Priſoners, or others, by the Priſoners in ſeveral Gaols in the Counties of *Middleſex* and *Surrey*, and the City of *London*, having been ſet at Liberty during the late Tumults and Inſurrections.

65. An Act to repeal ſo much of an Act made in the ſeventeenth Year of his preſent Majeſty's Reign, as relates to *the more eaſy and ſpeedy Recovery of Small Debts within the Pariſhes of* Halifax, Bradford, Kighley, Bingley, Guiſeley, Calverley, Batley, Birſtal, Mirfield, Hartiſhead cum Clifton, Almondbury, Kirkheaton, Kirkburton, *and* Huddersfield, *and the Lordſhip or Liberty of* Tong, *in the Weſt Riding of the County of* York; and for granting other Powers for thoſe Purpoſes; and for extending the Juriſdiction of the Court Baron of the Manor of *Kighley*, in the ſaid County.

66. An Act for the better Relief and Employment of the Poor of the Hamlet of *Mile-end New Town*, in the Pariſh of *Stepney*, in the County of *Middleſex*; for paving, cleanſing, lighting, and watching the Streets, and other open Paſſages and Places, within the ſaid Hamlet, and removing Nuiſances and Annoyances therefrom, and preventing the like for the future; for conſolidating the Highway Rates with other Rates within the ſaid Hamlet; and for paving and regulating *Great Garden Street*, in the Pariſh of *Saint Mary Matfellon* otherwiſe *Whitechapel*, in the ſaid County, and removing a Bar now ſtanding acroſs the ſame, and other Nuiſances and Annoyances therefrom, and preventing the like for the future.

67. An Act for enlarging the Term and Powers of an Act, made in the twenty-ſixth Year of the Reign of his late Majeſty, intituled, *An Act to widen and repair the Road from the Guide-poſt, near the End of* Drayton Lane, *near* Banbury, *in the County of* Oxford, *to the Houſe called* The Sun Riſing, *at the Top of* Edge Hill, *in the County of* Warwick.

68. An Act for enlarging the Term and Powers granted by two Acts, made in the firſt and ſixteenth Years of the Reign of his late Majeſty King *George* the Second, *for the more effectual amending the Highway between* Hockliffe *and* Woburn, *in the County of* Bedford, *and for repairing the Road leading through* Woburn *to* Tickford Bridge, *in* Newport Pagnell, *in the County of* Bucks.

69. An Act for continuing the Term, and altering and enlarging the Powers of an Act, paſſed in the twenty-eighth Year of the Reign of his late Majeſty King *George* the Second, *for repairing and widening the Roads leading from the* Croſs of Hand, *near* Finford Bridge *in the County of* Warwick, *through the Town of* Southam *in the ſame County, to the Borough of* Banbury *in the County of* Oxford; *and from the Guide-poſt in the Village of* Adderbury *in the ſame County, through* Kidlington, *to the Mile-way leading towards the City of* Oxford; *and alſo the Road leading from a Place called* The Two Mile Tree *near the City of* Oxford, *over* Goſford *otherwiſe* Goſſard Bridge, *to a certain Gate entering upon* Weſton on the Green *in the ſaid County*; ſo far as the ſame relates to the Road leading from the *Croſs of Hand* near *Finford Bridge* in the County of *Warwick*, through the Town of *Southam* in the ſame County, to the Borough of *Banbury* in the County of *Oxford*.

70. An Act to enlarge the Term and Powers of an Act, paſſed in the thirty-firſt Year of the Reign of his late Majeſty, for repairing and widening the Roads from *Tetbury* to the Gates on the Weſt of *Simond's-hall Down*, and other Roads in the ſaid Act mentioned, ſo far as the ſame relates to the Road from the Market-houſe in *Tetbury* to the Turnpike Road on *Minchinhampton* Common; and from the ſaid Road in *Minchinhampton* Field unto the Turnpike Road from *Cirenceſter* to *Stroud*, near *Burnt-aſh*; and from the ſaid Turnpike Road to *Tayloe's-Mill-pond*, in *Chalford Bottom*, and through *Hide*, to the Bottom of the *Bourn-hill*, in the County of *Glouceſter*.

71. An Act for more effectually repairing the Roads from *Warwick* to *Paddle Brook*, and from *Warwick* to *Stratford upon Avon*, in the Counties of *Warwick and Worceſter*; and for repealing the Laws now in Force relating to the ſaid Roads.

72. An Act for enlarging the Term and Powers of an Act, made in the thirty-ſecond Year of the Reign of his Majeſty King *George* the Second, intituled, *An Act for repairing and widening the High Road, leading from the Town of* Mansfield, *in the County of* Nottingham, *through the Towns of* Pleaſley, Glapwell, Heath, *and* Normenton, *and the Liberty of* Haſland, *to the Turnpike Road leading from the Town of* Derby *to the Town of* Cheſterfield, *in the County of* Derby.

73. An Act for enlarging the Term and Powers of ſo much of an Act, made in the thirty-ſecond Year of the Reign of his late Majeſty King *George* the Second, intituled, *An Act for repairing and widening the Roads from* Grantham, *in the County of* Lincoln, *through* Bottesford *and* Bingham, *to* Nottingham Trent Bridge; *and from* Chappel Bar, *near the Weſt End of the Town of* Nottingham, *to* Saint Mary's Bridge, *in the Town of* Derby; *and from the Guide-poſt, in the Pariſh of* Lenton, *to* Sawley Ferry, as relates to the Road leading from *Chappel Bar*, near the Weſt End of the Town of *Nottingham*, to *Saint Mary's Bridge*, in the Town of *Derby*, and from the Guide-poſt, in the Pariſh of *Lenton*, to *Sawley Ferry*.

74. An Act for enlarging the Term and Powers of an Act, made in the thirty-ſecond Year of the Reign of his Majeſty King *George* the Second, intituled, *An Act for repairing and widening the Roads from* Chappel Bar, *near the Weſt End of the Town of* Nottingham, *to* New Haven, *and from* The Four Lane Ends *near* Oakerthorpe, *to* Aſhborne, *and from* The Croſs-poſt *on* Wirkſworth-moor, *to join the Road leading from* Cheſterfield *to* Chapel en le Frith, *at or near* Longſton, *in the County of* Derby,

*and*

*and from* Selſton *to* Anneſley Woodhouſe, *in the County of* Nottingham.

75. An Act to enlarge the Term and Powers of an Act, paſſed in the thirty-ſecond Year of the Reign of his late Majeſty King *George* the Second, intituled, *An Act to continue, amend, and make effectual, an Act, paſſed in the twelfth Year of the Reign of his preſent Majeſty, intituled, 'An Act for repairing the Roads from the North-weſt Parts 'of the County of* Lincoln, *through* Nettlam Fields, Wrag-'by Lane, *and* Baumber Fields, *to* The Wolds, *or 'North-Eaſt Part of the ſaid County;' and alſo for repairing and widening the Roads from* The Well, *in* Eaſt Gate, *in the City of* Lincoln, *and from the North-weſt End of* Horncaſtle, *and from* The Guide Poſt, *at the Eaſt End of* Hainton, *through* Barkwith, *to the Roads directed to be repaired by the ſaid Act.*

76. An Act to enlarge the Term and Powers of an Act, paſſed in the twenty-ſixth Year of the Reign of his late Majeſty, intituled, *An Act for repairing and widening the Road from* The Hand and Poſt *in* Upton Field, *in the Pariſh of* Burford, *in the County of* Oxford, *through the ſeveral Pariſhes within mentioned, to a Place in the Pariſh of* Preſton *in the County of* Glouceſter, *called* Dancy's Fancy.

77. An Act for repairing and widening the Roads from *Goſport*, in the County of *Southampton*, through *Fareham* and *Wickham*, to the Town of *Biſhops Waltham*; and from *Wickham* aforeſaid, through *Droxford*, *Exton*, *Warnford*, *Weſtmeon*, and *Rumſdean Bottom*, to *Chawton Pond* in the Pariſh of *Chawton*, in the ſaid County.

78. An Act to explain and amend ſo much of an Act, paſſed in the ſixteenth Year of his preſent Majeſty's Reign, *to continue and render more effectual ſeveral Acts of Parliament for repairing the Highways leading to* Highgate *Gatehouſe and* Hampſtead, and for ſeveral other Purpoſes in the ſaid firſt-mentioned Act contained, as gives Power to erect or remove Turnpikes or Toll-gates, ſo far as relates to erecting or continuing any Turnpike or Toll-gate in *Gray's-inn Lane*, or between the ſaid Lane and the new Road leading from *Iſlington* to *Paddington*.

79. An Act for more effectually repairing the Road leading from the End of the *Exeter* Turnpike Road, on the Weſt Side of Lord *Clifford*'s Park Gate, to *Biddaford*; and alſo ſeveral Roads leading from *Bridgetown Pomeroy*, and from *Teign Bridge*, in the County of *Devon*; and for repealing two Acts, of the thirty-ſecond of his late Majeſty, and the ſecond of his preſent Majeſty, made for repairing the ſaid Roads.

80. An Act to continue, enlarge, and render more effectual, the Term and Powers in three ſeveral Acts, made in the twelfth Year of the Reign of King *George* the Firſt, and in the eighteenth and thirty-firſt Years of the Reign of his late Majeſty, *for repairing the Roads from* Birmingham, *through* Warwick, *to* Warmington, *and from* Birmingham, *through* Stratford upon Avon, *to* Edge-hill, *in the County of* Warwick, ſo far as the ſame relate to the Road from *Birmingham*, through *Warwick*, to *Warmington* aforeſaid, and ſo on to the utmoſt Limits of the ſaid County, on *Edgehill* aforeſaid.

81. An Act to enlarge the Term and Powers of an Act, paſſed in the twenty-ſeventh Year of the Reign of his late Majeſty King *George* the Second, *for repairing and widening the Road from the North End of* Bridgeford Lane, *in the County of* Nottingham, *to and through ſeveral Towns and Places in the Counties of* Nottingham, Leiceſter, *and* Rutland, *and through* Rockingham, *to the* Bowling-green *at* Kettering, *in the County of* Northampton.

82. An Act for enlarging the Term and Powers of two Acts, of the firſt and ſecond Years of his preſent Majeſty, *for amending, widening, and keeping in Repair, the Road leading from* Fiſherton Bridge *to the Turnpike Road at* Willoughby Hedge, *in* Weſt Knoyle, *and from* Wilton Bridge *to the Turnpike Road at the Weſt End of* Heyteſbury; *and alſo the Road from the Turnpike Road at the Top of* Red Hone Hill, *in the Pariſh of* Urſhfont, *to the Mile-ſtone at the Weſtern End of* Fiſherton Street, *in the County of* Wilts.

83. An Act to continue the Term and enlarge the Powers of an Act made in the thirty-ſecond Year of the Reign of his late Majeſty King *George* the Second, *for repairing the Road from the South End of the* South Street, *in the Pariſh of* South Malling, *near the Town of* Lewes, *to* Glyndbridge; *and from thence, through* Firle Street under the Hill, *to* Longbridge, *in the Pariſh of* Alfriſton, *in the County of* Suſſex.

84. An Act for making and maintaining a Road from *Tilt-ups Inn*, in the Pariſh of *Horſley*, to join the Turnpike Road leading from *Cirenceſter* to *Dudbridge*, at or near *Dudbridge*, in the Pariſh of *Rodborough*; and from the Bridge at *Nailſworth*, in the Pariſh of *Avening*, to *Minchinhampton Common*; and ſeveral other Roads therein mentioned, all in the County of *Glouceſter*.

85. An Act for enlarging the Term and Powers of two Acts, of the twenty-ſixth of his late Majeſty, and the fifth of his preſent Majeſty, for repairing ſeveral Roads therein mentioned, leading to and from the Town of *Shepton Malet*, in the County of *Somerſet*; and for repairing the Road from *Steen Bow Bridge* to the Turnpike Road leading from *Glaſtonbury* to *Piper's Inn*, and from *Chilkwell* to *Glaſtonbury*, and from *Shepton Malet* to a Place called *The White Poſt*, in the Turnpike Road leading from *Bath* to *Wells*, in the ſaid County.

86. An Act for reviving and continuing the Term, and varying ſome of the Powers, of an Act, made in the twenty-ninth Year of the Reign of his late Majeſty King *George* the Second, intituled, *An Act for repairing and widening the High Road from the Borough of* Ripon, *by* Ingram Bank, *to the Town of* Pateley Bridge, *in the County of* York; and for making Compenſation to the Truſtees and Mortgagees under two Acts, made in the thirty-ſecond Year of his late Majeſty King *George* the Second, and in the fourteenth Year of his preſent Majeſty, for repairing and widening the High Road from *Wetherby* to *Graſſington*, in the County of *York*.

87. An Act for repealing two Acts, made in the eleventh and twenty-ſeventh Years of the Reign of King *George* the Second, *for repairing the Road from the* Trent Bridge *in the County of the Town of* Nottingham, *through* Coſtock *otherwiſe* Cortlingſtock Lane, *to* Cotes Bridge, *in the County of* Leiceſter; and for making more effectual Proviſion for the Repair of the ſaid Road.

88. An Act for enlarging the Term and Powers of an Act, made in the thirty-ſecond Year of the Reign of his Majeſty King *George* the Second, intituled, *An Act for repairing, amending, and widening, the Roads from the South-weſt End of* Nether Bridge, *in the County of* Weſtmorland, *by* Sizerghfellſide, *to* Leven's *Bridge, and from thence, through the Town of* Millthorp, *to* Dixes, *and from the Town of* Millthorp *aforeſaid to* Hangbridge, *and from thence to join the* Heron Syke *Turnpike Road at the Guide-poſt near* Clawthrop Hall, *in the County aforeſaid.*

89. An Act to enlarge the Term and Powers of an Act, made in the firſt Year of the Reign of his preſent Majeſty, intituled, *An Act for amending the Road from* Sacred Gate, *in the Pariſh of* Thorn Gumbald, *to* Pattrington Creek *or* Haven, *and from* The Guide-poſt, *in* Wine-ſtead, *to* Frodingham Gate, *in or near* Widow Branton's Farm, *in the County of* York; *and for ſcouring and cleanſing the ſaid Creek or Haven.*

90. An Act to continue the Term, and alter and enlarge the

the Powers, of an Act, made in the thirty-first Year of the Reign of his late Majesty King *George* the Second, *for repairing and widening the Roads from the Town of* Stockbridge *in the County of* Southampton *to the City of* Winchester, *and from the said City, through* Bellmour Lane, *to the Top of* Stephen's Castle Down, *near the Town of* Bishop's Waltham *in the said County, and from the said City of* Winchester, *through* Otterborne, *to* Bargate *in the Town and County of the Town of* Southampton.

91. An Act to enlarge the Term and Powers of an Act, passed in the thirty-second Year of King *George* the Second, *for repairing and widening the Road from the Cross, at* Broken-cross, *in* Macclesfield, *in the County of* Chester, *to the Turnpike Road at* Buxton, *in the County of* Derby; and for making and keeping in Repair certain Branches of Road, to communicate with the said *Macclesfield* Road.

92. An Act to enlarge the Term and Powers of two Acts, one made in the thirty-second Year of the Reign of his late Majesty, *for repairing and widening several Roads therein mentioned in the Counties of* Southampton *and* Dorset, and the other made in the Second Year of the Reign of his present Majesty, *to amend the said former Act, and for amending and widening the Road between* Ringwood Gate *in the County of* Southampton *to* Woolsbridge, *and from thence to the Great Western Road between a Place called* Thickthorn *and* Cashmore Inn, so far as the said two Acts relate to the fifth Division of Road directed to be repaired and widened by the said last mentioned Act.

93. An Act for enlarging the Term and Powers of an Act, passed in the thirty-first Year of the Reign of his late Majesty King *George* the Second, for repairing and widening several Roads from *Tetbury*, and other Places in the County of *Gloucester*, so far as the same relates to the Road from *Tetbury* to the Gates on the West of *Symonds Hall Down*, and from the House at the Top of *Frocester Hill*, where the Turnpike Gate lately stood, to the Turnpike Road from *Cirencester* towards *Bath*, and from the Field called *Bouldown Sleight* to the End of a Lane adjoining to the Road from *Horsley* to *Tetbury*, near *Tiltups Inn*; and for amending and keeping in Repair the Road from the said Turnpike Road near *Howells Down*, across *Owlpen Down*, to a Lane leading to *Lampern Hill*; and from another Part of the said Turnpike Road near the *Latterwood* Turnpike, across *Owlpen Down* aforesaid; all in the said County of *Gloucester*.

94. An Act for enlarging the Term and Powers of an Act, made in the tenth Year of the Reign of his present Majesty, intituled, *An Act for repairing and widening several Roads leading from the Town of* Louth, *in the County of* Lincoln.

95. An Act for making and maintaining a Road from *Sage Cross*, in the Town of *Melton Mowbray*, in the County of *Leicester*, to the Town of *Grantham*, in the County of *Lincoln*.

96. An Act for enlarging the Term and Powers of an Act, made in the thirty-first Year of the Reign of his Majesty King *George* the Second, intituled, *An Act for repairing and widening the Road from the Town of* Guildeford, *to* The Directing Post *near the Town of* Farnham, *in the County of* Surrey.

97. An Act for continuing the Term and Powers of so much of an Act made in the thirty-second Year of the Reign of his late Majesty, *for repairing the Roads from* Mold *to* Denbigh, *and from thence to* Tal y Cafn *and* Conway; *and from* Wrexham *to* Ruthin, Denbigh, *and* Rhyddlan, *in the Counties of* Denbigh, Flint, *and* Carnarvon, as relates to the Road from *Wrexham* to *Denbigh*.

98. An Act for amending the Road from the West End of *Seend Street*, to the *Horse and Jockey*, in the Parish of *Box*, in the County of *Wilts*, and certain other Roads leading out of the said Road; and for making an additional Road from the said Road, in the Chapelry of *Seend*, to communicate with the *Devizes* Turnpike Road, at or near *Somerham Brook*, in the same Chapelry; all in the said County.

99. An Act to enlarge the Term and Powers of an Act, passed in the thirty-second Year of King *George* the Second, *for repairing and widening the Road from a Place called* The Old Gallows, *in the Parish of* Sunning *in the County of* Berks, *through* Wokingham, New Bracknowl, *and* Sunning-hill, *to* Virginia Water, *in the Parish of* Egham, *in the County of* Surrey.

100. An Act for enlarging the Term and Powers of an Act, made in the twenty-eighth Year of the Reign of his late Majesty King *George* the Second, intituled, *An Act for amending, widening, and keeping in Repair, the Roads from* Epsom, *through* Ewell, *to* Tooting, *and from* Ewell *to* Kingston upon Thames, *and* Thames Ditton, *in the County of* Surrey; and for amending, widening, and keeping in Repair, the Road from the Turnpike Road at *Ewell*, across *Ewell* Common Fields, to the *Ryegate* Turnpike Road, on *Borough Heath*, in the said County.

## PRIVATE ACTS.

*Anno 20 Georgii* III.

1. AN Act for dividing and inclosing the Open Fields, Meadows, Common Pastures, and Waste Grounds, in the Townships of *Scarrington* and *Aslacton*, in the County of *Nottingham*.

2. An Act for dividing and inclosing the Open and Common Fields, Common Meadows, Common Pastures, and other Commonable Lands, in *Stonesby*, in the County of *Leicester*.

3. An Act to enable *Mary Ruck*, Spinster, notwithstanding her Minority, to convey, assign, and settle her Real and Personal Estate on her intended Marriage with *Benjamin Keene* Esquire.

4. An Act for dividing and inclosing the Open Common Fields, Common Downs, Common Meadows, Common Pastures, Waste Lands, and Commonable Places, within the Parish of *Leckford Abbotts*, and *Abbess*, in the County of *Southampton*.

5. An Act to enable *Richard Bourne* Esquire, his first and other Sons, and their Issue Male, and his and their respective Children, to assume and use the Name, and bear the Arms, of *Charlett*, pursuant to the Will of *Arthur Charlett* Esquire, deceased.

6. An Act for naturalizing *John Salomon Balthasar Sontag*.

7. An Act for inclosing the Open and Common Fields, Meadows, Commonable Lands, and Commons, within the Parish and Liberties of *Barham*, in the County of *Huntingdon*.

8. An Act for dividing and inclosing the several Commons and Waste Grounds within the Manor and Parish of *Staveley*, in the County of *Derby*.

9. An Act for dividing, allotting, and inclosing, the Lands and Grounds called *Whole Year Lands*, *Half Year Inclosures*, *Open Field Lands*, *Brecks*, *Commons*, and *Wastes*, within the Parish of *Heacham*, in the County of *Norfolk*.

10. An Act for dividing, allotting, and inclosing the Lands and Grounds called *Whole Year Lands*, *Half Year Inclosures*, *Open Field Lands*, *Shack Meadows*, and also certain *Commons*, *Severals*, and *Wastes*, within the Parish of *Tottenhill with West Briggs*, in the County of *Norfolk*.

11. An Act for dividing and inclosing certain Open Fields, Lands,

Lands, and Grounds, in the Parish of *Legburn*, in the County of *Lincoln*.

12. An Act for dividing and inclosing the several Open Fields, Arable Lands, Meadows, Commons, and Waste Grounds, within the Manors of *Kighley*, *Thwaites*, and *Newsholme*, in the Parish of *Kighley*, and County of *York*.

13. An Act for dividing and inclosing the several Commons and Waste Grounds within the Manor of *Matlock*, in the County of *Derby*.

14. An Act for dividing and allotting the Open Common Fields, Common Downs, Common Meadows, Common Pastures, Waste Lands, and Commonable Places, in the Parish of *Charlton*, in the County of *Wilts*.

15. An Act for dividing and inclosing all and every the Commons, Moors, and Waste Grounds, within the Township of *Heaton*, in the Parish of *Bradford*, in the West Riding of the County of *York*.

16. An Act for dividing, allotting, and exchanging, the Lands in the Common Fields and Common Pastures, and other Lands, within the Manor and Parish of *Salperton*, in the County of *Gloucester*.

17. An Act for naturalizing *Charles Henry Cazenove* and *David Duval*.

18. An Act for naturalizing *Bartholomew Huber*.

19. An Act to effect an Exchange between Sir *James Peachy* Baronet, and others, Trustees of an Almshouse, of Charity, at *Petworth*, in the County of *Sussex*, and *George Obrien* Earl of *Egremont*, of certain Lands and Tenements belonging to the said Charity, for other Lands and Tenements belonging to the said Earl of *Egremont*.

20. An Act for establishing and confirming an Agreement made between the Lord Bishop of *Norwich*, and *Robert Fellowes* Esquire, for the Exchange of certain Estates in the County of *Norfolk*.

21. An Act for vesting absolutely one third Part of three Crofts of Land, and the Erections and Buildings thereon, with the Appurtenances, in the Parish of *Layton*, otherwise *Low Layton*, in the County of *Essex* (devised by the Will of *John Smith* deceased, for the Benefit of the Poor of the Parishes of *Saint Swithin* and *Saint Peter* in *Eastgate*, in the City of *Lincoln*), in Trustees, to be sold to *Samuel Bosanquet* Esquire, and for laying out the Money thereby arising in the Purchase of other Estates, to be settled and assured for the Benefit of the Poor aforesaid, pursuant to the Directions of the said Will.

22. An Act for vesting Part of the Freehold Estates, late of *John Norris* Esquire, deceased, in Trustees, for raising Money to discharge the Legacies given by his Will, and the Codicils thereto, remaining unsatisfied; and for other Purposes.

23. An Act for dividing and inclosing the Open and Common Fields, Common Meadows, Common Pastures, and other Commonable Grounds, within the Manor and Parish of *Swinford*, in the County of *Leicester*.

24. An Act for dividing and inclosing the Open and Common Fields, Common Pastures, Common Meadows, and other Commonable Lands, within the Parish and Liberties of *East Farndon*, in the County of *Northampton*.

25. An Act for dividing and inclosing the Open and Common Fields, Common Pastures, Common Meadows, and other Commonable Lands, within the Manor, Parish, and Liberties of *Grendon*, in the County of *Northampton*.

26. An Act for dividing and inclosing the several Open Fields, Commons, Carrs, and Waste Grounds, within the Lordship or Manor of *Thornton*, in the North Riding of the County of *York*.

27. An Act for dividing and inclosing the Open and Common Fields, Common Pastures, Common Meadows, and other Commonable Lands and Grounds, of and within the Manor and Parish of *Tiffield* in the County of *Northampton*.

28. An Act for extinguishing all Rights of Sheepwalk, Common, and Shackage, in and over the Common Fields, and Half Year Lands, lying within the Parishes of *Salthouse* and *Kelling*, in the County of *Norfolk*, and for dividing and allotting certain Warrens, Heaths, Commons, Waste Lands, and Commonable Grounds, within the said Parishes; and for other Purposes therein mentioned.

29. An Act for dividing and inclosing several Open and Common Fields, Meadows, Commonable Lands, and Commons, in the Parishes of *Northill* and *Sandy*, in the County of *Bedford*.

30. An Act for dividing and inclosing a certain Common called *Northwood* or *Northwood Common*, in the Township of *Noke*, in the Parish of *Pembridge*, and County of *Hereford*.

31. An Act for dividing and inclosing certain Open Common and Waste Lands, within the Manor of *Teirtriff*, and also a certain Parcel of Open Common and Waste Lands called *Gwern-y-mynydd*, within the Manor of *Hopton*, in the County of *Montgomery*.

32. An Act for dividing and inclosing the Open Common Fields, within the Parish of *Ickenham*, in the County of *Middlesex*.

33. An Act to enable *James Bigot* Esquire, an Infant (lately called *James Godin*), and the Heirs Male of his Body, and all other Persons who shall become intitled to the Estates late of *Peter Bigot* Esquire, deceased, under the Limitations contained in his Will, to take and use the Surname of *Bigot*, pursuant to his said Will.

34. An Act for naturalizing *Anthony Henry Haldimand*.

35. An Act for dividing, allotting, and inclosing, the Commons, Open Fields, and Common Pastures, in the Liberty of *Findern*, in the Parish of *Mickleover*, and County of *Derby*.

36. An Act for dividing, allotting, and laying in Severalty, the Open and Common Fields, and Open Downs, within the Parishes of *Warminster* and *Corsley*, in the County of *Wilts*; and for dividing, allotting, and inclosing the Common Meadows, Common Pastures, and Waste Lands, within the said Parishes.

37. An Act for dividing and inclosing several Commons and Waste Lands, in the Parish of *Oldswinford*, in the County of *Worcester*.

38. An Act for dividing and inclosing several Open Common Fields, Common Meadows, Common Pastures, Commons and Waste Grounds, within the Manor and Hamlet of *Hilton*, in the Parish of *Marston upon Dove*, in the County of *Derby*.

39. An Act for naturalizing *Lewis Lochee*.

40. An Act for vesting the Fee Simple of Part of the Estates settled by the Will of the most Noble *Robert* late Duke of *Ancaster* and *Kesteven*, deceased, in Trustees, to be sold, for paying off Debts and Incumbrances affecting the said Estates; and for other Purposes therein mentioned.

41. An Act to enable *John Ord* Esquire, and *John Tyton* Esquire, Trustees named in the Settlement made previous to the Marriage of the Honourable *Thomas Onslow* with *Arabella* his now Wife, to sell the Rents, Services, Duties, Reliefs, Heriots and other Dues and Payments, payable, or to be performed or rendered, by the Tenants of the several Manors or Lordships comprised in the said Settlement, and to enfranchise the Copyhold Tenements held of such Manors or Lordships, and for laying out the Money which shall arise by such Sale and Enfranchisement

ment in the Purchaſe of other Lands to be ſettled to the Uſes to which the ſaid Manors or Lordſhips do now ſtand ſettled.

42. An Act for confirming and eſtabliſhing an Exchange agreed to be made between the Right Honourable *Horatio* Lord *Walpole*, and *Thomas William Coke* Eſquire, of divers Lands, in the County of *Norfolk*, compriſed in the Marriage Settlement of the ſaid *Horatio* Lord *Walpole*, and deviſed by the Will of *Thomas* Earl of *Leiceſter*, deceaſed; and for ſettling the Lands given in Exchange to each Party to ſuch and the ſame Uſes as the Lands for which the ſame are exchanged ſtood ſettled and limited.

43. An Act for veſting certain Meſſuages in the City of *London*, Part of the Eſtates late of *Charles* Lord Viſcount *Irwin*, deceaſed, in Truſtees, to be ſold, and for purchaſing other Eſtates, to be ſettled to the ſame Uſes.

44. An Act for veſting the Real Eſtates, late of *Roger Gee*, of *Biſhop Burton* in the County of *York*, Eſquire, deceaſed, in Truſtees, to raiſe Money, by Sale or Mortgage thereof, for diſcharging Incumbrances thereon, and the Debts and Legacies of the ſaid *Roger Gee*; and for other Purpoſes therein mentioned.

45. An Act for veſting Part of the Real Eſtates of *Thomas More Molyneux*, Eſquire, deceaſed, in Truſtees, to be ſold, for Payment of ſuch of his Debts and Legacies as now remain unſatisfied.

46. An Act for incorporating the Truſtees of the Charities eſtabliſhed by the Settlements and Will of *Henry Raine* Eſquire, deceaſed, and to enable them to take the Freehold and Leaſehold Eſtates, Monies, and Funds, granted, aſſigned, ſettled, and given, for and towards the Support and Maintenance of the ſaid Charities, to them and their Succeſſors, in Perpetuity, for the charitable Uſes and Purpoſes in the ſaid Settlements and Will expreſſed, and for the better Regulation and Management of the ſaid Charities.

47. An Act for veſting Part of the Freehold Eſtates of *Thomas Copley* Eſquire, in Truſtees, for a Term of one thouſand Years, in Truſt, to raiſe, by Way of Mortgage thereof, a Sum of Money, for the Purpoſes therein mentioned.

48. An Act for dividing and incloſing certain Heath Lands, called *The South Heaths* and *The North Heath*, in the Pariſh of *Wellbourn cum Sapperton*, in the County of *Lincoln*.

49. An Act for dividing and incloſing the Open and Common Field, and other Commonable Lands and Grounds lying within the Pariſh and Liberties of *Shennington*, in the County of *Glouceſter*.

50. An Act, for dividing and incloſing the Open and Common Fields, Common Paſtures, Common Meadows, and other Commonable Lands and Grounds, of and within the Manors and Pariſhes of *Stratton Audley* in the County of *Oxford*, and *Caverſfield*, in the County of *Bucks*.

51. An Act to enable *John Ingilby* Eſquire (lately called *John Wright*) to take, uſe, and bear the Surname and Arms of *Ingilby*, purſuant to the Will of Sir *John Ingilby* Baronet, deceaſed.

52. An Act to enable *Richard Gee* the younger, Eſquire, and his Iſſue Male, to take and uſe the Surname, and bear the Arms, of *Carew*, purſuant to the Will of Sir *Nicholas Hackett Carew* Baronet, deceaſed.

53. An Act for rendering effectual an Act made in the ſeventeenth Year of his preſent Majeſty, for dividing and incloſing the Commons or Waſte Lands within the Manor of *Whittington*, in the County of *Salop*.

54. An Act for dividing and incloſing the Common Fields, Half Year Lands, Fen Lands, Lammas Meadows, Heaths, Commons, and Waſte Lands, within the Pariſh of *Foulden*, in the County of *Norfolk*.

55. An Act for dividing the Park of *Pontefract*, in the County of *York*; and for other Purpoſes therein mentioned.

56. An Act for dividing and incloſing the Commons and Waſte Grounds, within the Townſhip of *Moſs*, otherwiſe *Moſeley*, in the Pariſh of *Campſall*, and alſo the Open Arable Fields, Meadows, Paſtures, Commons, and Waſte Grounds, within the Pariſh of *Kirk Bramwith*, in the Weſt Riding of the County of *York*.

57. An Act for veſting in Truſtees the Capital Meſſuage, with the Appurtenances, at *Croydon*, in the County of *Surrey*, known by the Name of the Palace of the Archbiſhop of *Canterbury*, and two Cloſes near thereto adjoining, in Truſt, to ſell the ſame, and for diſpoſing of, and applying the Money to ariſe thereby, and received on account of the Dilapidations thereof, and other Money, in the Manner, and for the Purpoſes therein mentioned.

58. An Act for veſting certain Manors and Hereditaments, ſituate in the County of *Lincoln* (which, by the Will of *Thomas Humberſton* Eſquire, deceaſed, were deviſed to *Thomas Frederick Mackenzie Humberſton* Eſquire, for his Life, with ſeveral Remainders over in ſtrict Settlement), in Truſtees, for the Purpoſe of ſelling the ſame, and laying out the Monies to ariſe from ſuch Sale in the Purchaſe of certain other Hereditaments, Part of the Eſtates of the Right Honourable *Kenneth Mackenzie*, Earl of *Seaforth* in the Kingdom of *Ireland*, to be ſettled to the Uſes to which the Eſtates intended to be ſold now ſtand limited.

59. An Act for dividing and incloſing the Open and Common Fields, Common Paſtures, Common Meadows, and other Commonable Lands and Grounds, of and within the Manor and Pariſh of *Thrapſton*, in the County of *Northampton*.

60. An Act for dividing, allotting, and incloſing, the Open and Common Fields, Common Paſtures, Common Meadows, and other Commonable Lands and Grounds, of and within the Pariſh of *Brixworth*, otherwiſe *Brickleſworth*, in the County of *Northampton*.

61. An Act for dividing and incloſing certain Moors, Commons, or Waſte Grounds, in the Manor or Townſhip of *Grewelthorp*, in the Weſt Riding of the County of *York*.

62. An Act for dividing and incloſing the Common and Open Fields, Meadows, Commonable Lands, and Waſte Grounds, in *Little Catworth*, in the County of *Huntingdon*.

THE

# STATUTES at Large, &c.

## Anno Regni GEORGII III. Decimo Septimo.

'AT the Parliament begun and holden at *Weſtminſter*, the twenty-ninth Day of *November*, *Anno Domini* one thouſand ſeven hundred and ſeventy-four, in the fifteenth Year of the Reign of our Sovereign Lord *GEORGE* the Third, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, *&c.*

'And from thence continued, by ſeveral Prorogations, to the thirty-firſt Day of *October*, one thouſand ſeven hundred and ſeventy-ſix; being the third Seſſion of the fourteenth Parliament of *Great Britain*.

### CAP. I.

An Act for granting an Aid to his Majeſty by a Land Tax, to be raiſed in *Great Britain*, for the Service of the Year one thouſand ſeven hundred and ſeventy-ſeven. 4 *s.*

### CAP. II.

An Act for continuing and granting to his Majeſty certain Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year one thouſand ſeven hundred and ſeventy-ſeven.

### CAP. III.

An Act for puniſhing Mutiny and Deſertion; and for the better Payment of the Army and their Quarters.

### CAP. IV.

An Act for the Regulation of his Majeſty's Marine Forces while on Shore.

### CAP. V.

An Act for the better Relief and Employment of the Poor of the Pariſh of *Saint Mary Iſlington*, in the County of *Middleſex*, and for building a Workhouſe for the ſaid Pariſh.

'WHEREAS the Poor of the Pariſh of *Saint Mary Iſlington*, in the County of *Middleſex*, are very numerous, and are maintained and ſupported at a great Expence by the ſaid Pariſh, and the Workhouſe of the ſaid Pariſh is too ſmall for the Reception of the Poor thereof: And whereas the granting proper Powers for the governing, maintaining, and regulating the ſaid Poor, and providing a proper Place for their Reception, will tend to the more effectual Relief of ſuch as by Age and Infirmities are rendered incapable of ſupporting themſelves by their Labour, to the better Employment of the able and induſtrious, to the proper Correction and Puniſhment of the profligate and idle, and to the Education of the poor Children in Religion and Induſtry; and thereby the ſaid Poor, inſtead of being wholly ſupported by the Inhabitants of the ſaid Pariſh, and being ſuffered to live in Idleneſs and Debauchery, may be brought to contribute to the Support and Relief mutually of each other, and be of ſome Advantage and Credit to the Community: And whereas the Churchwardens and Overſeers of the Poor of the ſaid Pariſh for the Time being are ſeiſed or poſſeſſed, in Truſt for the Poor of the ſaid Pariſh, of the Fee-ſimple and Inheritance of and in a certain Piece or Parcel of Ground commonly called or known by the Name of *The Hundred Acre Piece*, containing by Eſtimation one Acre and an Half, or thereabouts, adjoining to a certain Road or Lane in the ſaid Pariſh, called *The Back Road*, oppoſite to a Place called *Steward's-lane*, adjoining to the Land of *Nathaniel Biſhop*, Eſquire; upon which ſaid Piece of Ground a convenient and proper Workhouſe, with neceſſary Out-buildings, may be erected and built: But as the Purpoſes aforeſaid cannot be put in Execution without the Aid and Authority of an Act of Parliament,' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Vicar, Churchwardens, and Overſeers of the Poor of the Pariſh of *Saint Mary Iſlington* for the Time being, *Roger Altham* ſenior Eſquire, *Roger Altham*

Preamble.

Truſtees.

*Altham* junior Eſquire, *George Brown*, *Charles Brown*, *Nathaniel Biſhop* Eſquire, *Samuel Bolton*, *Daniel Baker*, *George Brownſworth*, *William Belch*, *John Brotherton*, *Edward Bull*, *Thomas Cogan* Eſquire, *Hammond Croſſe* Eſquire, *James Crane*, *James Crook*, *William Croſs*, *Nathaniel Clarkſon*, *Edmund Clutterbuck*, *John Church*, *William Curtis*, *Francis Carrick*, *John Dawes* Eſquire, *Francis Deakin*, *Thomas Eaton*, *Richard Faircloth*, *William Gerrard*, *William Hyde* Eſquire, *Matthias Holtis*, *William Hughes*, *John Hole*, *Joſeph Hodges*, *John Hallett*, *Arthur Hemming*, *William Kekewich*, *Iſaac Needham*, *Henry Penton* Eſquire, *William Pitcairn* M. D. *John Paſſall*, *Thomas Rowe*, *John Rivington* Eſquire, *Walter Sebbon*, *John Simes* Eſquire, *Richard Strong* Eſquire, *Thomas Skinner*, *Thomas Shirley*, *Daniel Sebbon*, *John Spiller*, *Bernard Frederick Taylor*, *Edward Thompſon*, and *William Welby* Eſquire, and their Succeſſors, to be appointed in Manner herein-after mentioned, ſhall be, and they are hereby appointed Truſtees for putting this Act in Execution.

On the Death, &c. of Truſtees, new ones to be choſen.

II. And be it further enacted, That when any of the Truſtees herein-before named, or their Succeſſors, ſhall die, remove out of the Pariſh, or refuſe to act, or ſhall neglect to act for the Space of ſix Months, it ſhall and may be lawful to and for the ſaid Truſtees, or any nine or more of them, upon three Days Notice at leaſt, to be given in the ſaid Pariſh Church after Morning and Evening Prayer, and before the Sermon (which Notice the Clerk of the ſaid Pariſh is hereby required to read and to give, or cauſe to be read and given), to aſſemble, as often as Occaſion ſhall require, in the Veſtry-room of the ſaid Pariſh; and the major Part of the ſaid Truſtees ſhall and may elect and appoint one other fit and able Inhabitant of the ſaid Pariſh in the Stead of every ſuch Truſtee ſo dying, removing, refuſing, or neglecting to act; and ſuch Perſon and Perſons, ſo from Time to Time elected and appointed, ſhall have the ſame Power and Authority to act in the Execution of this Act, as the Truſtee or Truſtees ſo dying, removing, refuſing, or neglecting to act as aforeſaid, were inveſted with.

Qualification of Truſtees.

III. And be it further enacted, That no Perſon ſhall be eligible or capable of acting as a Truſtee in the Execution of this Act (except the Vicar, Churchwardens, and Overſeers of the ſaid Pariſh), but for and during ſo long and ſuch Time only as he ſhall either pay or be liable to pay, as Landlord or Tenant, for Premiſes ſituate in the ſaid Pariſh, valued and rated at the Sum of thirty Pounds a Year at the leaſt, for and towards the Rates and Aſſeſſments herein-after directed to be made for the Purpoſes of this Act; or ſhall in his own Right, or in the Right of his Wife, be in the actual Poſſeſſion or Receipt of the Rents of Lands, Tenements, or Hereditaments, in the ſaid Pariſh, of the clear yearly Value of thirty Pounds, or ſhall be poſſeſſed of, or intitled unto, a perſonal Eſtate of the Value of one thouſand Pounds: And if any Perſon, not being ſo qualified as aforeſaid, ſhall preſume to act in the Execution of this Act, every ſuch Perſon ſhall, for every ſuch Offence, forfeit and pay the Sum of fifty Pounds, together with Coſts of Suit, to any Perſon who ſhall ſue for the ſame, to be recovered in any of his Majeſty's Courts of Record, by Action of Debt or on the Caſe, or by Bill, Plaint, or Information, wherein no Eſſoin, Protection, or Wager of Law, or more than one Imparlance, ſhall be allowed, and wherein the Proof of the Qualification ſhall be on the Perſon proſecuted; and it ſhall be ſufficient for the Proſecutor to prove that the Perſon ſo proſecuted had acted as a Truſtee in the Execution of this Act.

Perſons acting who are not qualified, to forfeit 50 l. each.

Truſtees, &c. not to hold any Place of Profit, or enter into any Contract relating to this Act.

IV. And be it further enacted, That no Churchwarden or Overſeer of the Poor for the Time being, or their or any of their Aſſiſtants, or any Truſtee appointed or to be appointed by virtue of this Act, ſhall provide, furniſh, or ſupply, any Goods, Materials, or Proviſions, that ſhall or may be provided, bought, or ſupplied, by virtue of this Act, or ſhall hold any Place of Profit, or enter into any Contract, or have any Share or Intereſt in any Contract, for the Uſe of the Workhouſe or Workhouſes erected or to be erected in the ſaid Pariſh for the Support or Maintenance of the Poor, during the Time of his being Churchwarden or Overſeer, or Aſſiſtant, or Truſtee, as aforeſaid; and that every ſuch Perſon ſo offending, and being thereof lawfully convicted, ſhall forfeit the Sum of fifty Pounds, one Moiety whereof ſhall go and be paid to ſuch Perſon as ſhall inform and ſue for the ſame, and the other Moiety ſhall be applied towards the Maintenance of the Poor of the ſaid Pariſh.

Firſt Meeting of the Truſtees.

How new Meetings to be appointed.

V. And be it further enacted, That the ſaid Truſtees, or any five or more of them, ſhall meet in the Veſtry-room of the ſaid Pariſh upon the ſecond *Wedneſday* next after the paſſing of this Act, and ſhall then and there proceed to the Execution of this Act; and they are hereby empowered to adjourn themſelves from Time to Time, to meet at the ſame Place, or at any other Place within the ſaid Pariſh: And if at any Meeting ſo appointed there ſhall not appear a ſufficient Number of Truſtees to act, or to adjourn to another Day, or in caſe the ſaid Truſtees ſo aſſembled ſhall omit, neglect, or refuſe to adjourn themſelves, then and in every ſuch Caſe any two of the ſaid Truſtees, or the Clerk to the ſaid Truſtees, ſhall appoint a Meeting of the ſaid Truſtees to be held at the Veſtry-room or Workhouſe of the ſaid Pariſh; publick Notice whereof ſhall be given in the ſaid Pariſh Church as aforeſaid, at leaſt three Days before ſuch Meeting; and that the Truſtees at all their Meetings ſhall defray their own Expences.

No Order valid except made at a publick Meeting.

VI. Provided always, and be it further enacted, That no Order or Determination of the ſaid Truſtees ſhall be valid, unleſs the ſame ſhall be made at a Meeting in purſuance of this Act; and that all the Powers and Authorities by this Act granted to or veſted in the ſaid Truſtees, ſhall and may, from Time to Time, be exerciſed by the major Part of them who ſhall attend at ſuch Meetings, a ſufficient Number of ſuch Truſtees, according to the Directions in this Act given, being preſent at each Meeting; and that, in caſe of Equality, the Chairman ſhall have the caſting Vote.

When the Poor ſhall be provided for by the Truſtees.

VII. And be it further enacted, That no Churchwarden or Overſeer of the Poor of the ſaid Pariſh ſhall, after the twenty-ſeventh Day of *April*, one thouſand ſeven hundred and ſeventy-ſeven, provide, ſupply, ſerve, or furniſh any Beds, Bedding, Clothes, Victuals, or other Thing, for the Uſe of the Poor of the ſaid Pariſh; but the ſame ſhall be bought and provided by the ſaid Truſtees, or any five or more of them.

Churchwardens or Overſeers may give immediate Relief to the Poor.

VIII. Provided alſo, That nothing herein contained ſhall extend to prevent the Churchwardens or Overſeers of the Poor, or any or either of them, from ordering the Perſon with whom ſuch Things ſhall be depoſited

poſited to deliver to any poor Perſon, not in the Workhouſe, Clothing or Victuals for their immediate Relief, and which Things ſuch Perſon is hereby required to deliver purſuant to every ſuch Order.

Officer to be appointed to pay Money for Relief of caſual Poor according to the Order of the Churchwardens or Overſeers.

IX. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees, or any five or more of them, to nominate and appoint, under their Hands, a fit Perſon (not being a Churchwarden or Overſeer of the Poor of the ſaid Pariſh) for the Purpoſe of paying all ſuch Sum and Sums of Money as ſhall be ordered to be paid for the Purpoſe of relieving the caſual Poor of the ſaid Pariſh, and ſhall take Security from ſuch Perſon, and ſhall and may remove him at their Pleaſure; and it ſhall and may be lawful to and for the Churchwardens and Overſeers of the Poor of the ſaid Pariſh, or any of them, to give an Order for the Relief of ſuch caſual Poor, ſigned with his or their Hand or Hands, ſpecifying therein the Sum or Sums of Money to be paid to ſuch poor Perſon or Perſons; which Money ſhall be immediately paid by the Perſon ſo to be appointed as aforeſaid for that Purpoſe, who ſhall, at the next Meeting of the Truſtees, produce and deliver to them the Vouchers for ſuch Sum and Sums of Money that ſhall have been ſo expended as aforeſaid.

Proviſo.

X. Provided always, That no Perſon who ſhall be a Churchwarden or Overſeer of the Poor of the ſaid Pariſh, ſhall act in the Execution of the Office of paying Money for the Relief of the caſual Poor, or Penſioners; and that no Churchwarden or Overſeer of the Poor of the ſaid Pariſh ſhall, from and after the twenty-ſeventh Day of *April*, one thouſand ſeven hundred and ſeventy-ſeven, pay or expend, or make any Charge or Demand for Money expended by him or them for the Relief of poor Perſons.

All Pariſh Monies to be paid by the Truſtees.

XI. And be it further enacted, That no Churchwarden or Overſeer of the Poor of the ſaid Pariſh ſhall, at any Time after the twenty-ſeventh Day of *April*, one thouſand ſeven hundred and ſeventy-ſeven, pay any Wages, Salary, or other Money, to any Servant or other Perſon employed or to be employed by the ſaid Pariſh; but all Monies which ſhall be neceſſary to be paid for thoſe Purpoſes ſhall be ordered and directed by the ſaid Truſtees, or any five or more of them, and paid out of the Monies ariſing by virtue of this Act.

Proviſo.

XII. Provided always, That nothing herein contained ſhall extend to prevent the Churchwardens of the ſaid Pariſh from paying Monies for the Repair of the ſaid Church, and otherwiſe relating to the Office of Churchwarden only.

Truſtees may appoint Officers,

XIII. And be it further enacted, That the ſaid Truſtees, or any nine or more of them, ſhall and may, from Time to Time, appoint a Collector or Collectors of the Rates or Aſſeſſments herein-after directed to be made, and alſo a Treaſurer or Treaſurers for the Purpoſes of this Act, and remove him or them at Pleaſure, and ſhall take Security from ſuch Collector and Treaſurer; and ſhall and may alſo, from Time to Time, by any Writing or Writings under their Hands, appoint one or more Clerk or Clerks, and ſuch other Officers and Servants for the ſaid Workhouſe and the Purpoſes of this Act, as they ſhall think neceſſary, and remove them at their Pleaſure: And the ſaid Truſtees, or any five or more of them, ſhall and may, from Time to Time, out of the Monies to be raiſed by virtue of this Act, pay ſuch Salaries and Allowances to ſuch Collector or Collectors, Clerk, Officers, and Servants, as they ſhall think reaſonable.

and allow them Salaries.

Ground veſted in Truſtees for the Purpoſes of this Act:

XIV. And be it further enacted, That all that Piece or Parcel of Ground, commonly called or known by the Name of *The Hundred Acre Piece*, containing by Eſtimation one Acre and an Half, or thereabouts, adjoining to a certain Road or Lane in the ſaid Pariſh called *The Back Road*, oppoſite to a Lane called *Steward's-lane*, adjoining to the Land of *Nathaniel Biſhop* Eſquire, together with all and ſingular the Hereditaments and Appurtenances thereunto belonging, ſhall, from and immediately after the paſſing of this Act, be, and the ſame is hereby veſted in the ſaid Truſtees and their Succeſſors for ever, to and for the Uſes and Purpoſes of this Act, and to and for no other Uſe, Intent, or Purpoſe whatſoever.

Who are impowered to erect a Workhouſe thereon; and to furniſh the ſame.

XV. And be it further enacted, That the ſaid Truſtees, or any nine or more of them, ſhall and may, and they are hereby authoriſed and required to erect, or cauſe to be erected, one or more Houſe or Houſes, and ſuch other Buildings as they ſhall think proper and neceſſary, upon the ſaid Piece or Parcel of Ground, or upon any Part thereof, for the Reſidence and Employment of the Poor of the ſaid Pariſh; and from Time to Time to furniſh and provide the ſame with Bedding, and all other neceſſary Furniture and Materials for the proper and comfortable Support, Maintenance, and Employment, of the Poor of the ſaid Pariſh; and to contract and agree with Artificers, Workmen, and other Perſons, for the building, furniſhing, and providing for the ſame; and, by and out of the Monies to ariſe by virtue of this Act, to pay and ſatisfy all Monies which ſhall be juſtly due and owing to ſuch Artificers, Workmen, or others, employed in or about the building or furniſhing the ſaid Houſe or Houſes, or any Matter or Thing relating thereto; Copies or Extracts of all which Contracts and Agreements made by or with ſuch Artificers or Workmen and others, and all Receipts, Payments, Debts, and Credits, and all other Matters and Proceedings concerning the ſame, ſhall be entered in a Book or Books to be kept for thoſe Purpoſes; which Book or Books ſhall, from Time to Time, and at all convenient Times, be open to the Inſpection and Peruſal of all Perſons paying to the Rates or Aſſeſſments to be made by virtue of this Act.

Copies of Contracts, &c. to be entered in a Book.

Truſtees may borrow 3 000l. upon Annuities;

XVI. And, for the more ſpeedy effecting the Purpoſes of this Act, be it further enacted, That it ſhall and may be lawful for any Perſon or Perſons to contribute, advance, and pay to the ſaid Truſtees, or any five or more of them, or to ſuch Perſon or Perſons as they ſhall appoint for that Purpoſe, any Sum or Sums of Money, not exceeding in the whole the Sum of three thouſand Pounds, for the abſolute Purchaſe of one or more Annuity or Annuities to be paid and payable during the natural Life of every ſuch Contributor, or the natural Life of ſuch Perſon as ſhall be nominated by or on the Behalf of ſuch reſpective Contributor at the Time of Payment of his or her reſpective Contribution Money, which Annuity or Annuities ſhall not exceed the Rate of eight Pounds *per Annum* for every one hundred Pounds advanced on the Life of any Perſon not under the Age of fifty Years; nor ſhall the ſame exceed the Rate of ten Pounds *per Annum* for every one hundred Pounds advanced on the Life of any Perſon not under the Age of ſixty Years; and ſo in proportion for any greater or leſſer Sum to be advanced as aforeſaid; but no Sum of Money ſhall be advanced on the Life of any Perſon under the Age of fifty Years; and ſhall be payable and paid in the Veſtry-

room of the ſaid Pariſh, or ſuch other Place in the ſaid Pariſh as the ſaid Truſtees, or any five or more of them, ſhall, from Time to Time, appoint, by four equal Quarterly Payments in the Year; the firſt of which Payments to begin and be made to the reſpective Purchaſers or their Aſſigns at the Expiration of the firſt three Calendar Months next after Payment of his or her reſpective Purchaſe Money; which Annuities ſhall be publickly ſold in the Veſtry-room belonging to the ſaid Pariſh to the beſt Bidder for the ſame, on fourteen Days Notice thereof being firſt given in the *London Gazette*, or ſome other publick Newſpaper; and a like Notice affixed upon the principal Door of the ſaid Pariſh Church ſignifying ſuch Intention; and the Money ariſing by the Sale of ſuch Annuities ſhall be applied for and towards the building ſuch Workhouſe or Workhouſes, and ſuch other Buildings as ſhall be neceſſary for the Relief and Employment of the Poor of the ſaid Pariſh, and for and towards furniſhing ſuch Workhouſe or Workhouſes, and other the Purpoſes of this Act, and to and for no other Uſe or Purpoſe whatſoever.

to be applied towards building a Workhouſe, &c.

Names, &c. of Annuitants to be entered in a Book;

XVII. And be it further enacted, That there ſhall be provided by the ſaid Truſtees one or more Book or Books, in which ſhall be fairly written in Words at Length the Names, proper Additions, and Places of Abode, of all ſuch Perſons as ſhall be Purchaſers of any of the ſaid reſpective Annuities, and of all Perſons by whoſe Hands the ſaid Purchaſers ſhall pay in any Sum or Sums of Money, and alſo the Sum and Sums ſo paid for the Purchaſe of ſuch Annuity or Annuities reſpectively, and the Days of Payment thereof, and alſo an Account of the Intereſt that ſhall be paid to the ſaid Annuitant or Annuitants from Time to Time, and by whom received; which Book or Books ſhall be lodged in the Hands of the Clerk to the ſaid Truſtees; and it ſhall and may be lawful for the ſaid reſpective Purchaſers, their Executors, Adminiſtrators, and Aſſigns (provided ſuch Purchaſer or Purchaſers ſhall purchaſe ſuch Annuity or Annuities in another Name or Names than his, her, or their own Name or Names), their Agent or Agents, and to and for any Perſon or Perſons paying to the Rates or Aſſeſſments to be made by virtue of this Act, from Time to Time, and at all ſeaſonable Times, to have Recourſe to, and inſpect the ſame, without Fee or Reward.

which may be inſpected gratis.

Annuities to be charged upon the Poors Rates, and exempt from all Taxes.

XVIII. And be it further enacted, That the Annuities ſo to be purchaſed ſhall be, and are hereby charged upon the Rates or Aſſeſſments to be made for maintaining and employing the Poor of the ſaid Pariſh by virtue of this Act; and the Contributor or Contributors duly paying the Conſideration or Purchaſe Money for any ſuch Annuity or Annuities, or ſuch Perſon or Perſons as he, ſhe, or they ſhall appoint, and his, her, or their reſpective Aſſigns, ſhall have, receive and enjoy, and by virtue of this Act be intitled to have, receive and enjoy, the ſaid Annuity or Annuities out of the ſaid Rates or Aſſeſſments, during the Term of the natural Life of the Perſon to be nominated by each ſuch Purchaſer or Contributor in Manner aforeſaid; and that all and every ſuch Purchaſer and Purchaſers, and his and their Aſſigns reſpectively, ſhall have a good, ſure, abſolute, and indefeazible perſonal Eſtate and Inheritance in the Annuities ſo by them reſpectively purchaſed, according to the true Meaning of this Act; and none of the aforeſaid Annuities ſhall be ſubject or liable to the Tax charged upon Lands by Authority of Parliament, or any other publick or parochial Tax.

Annuities may be transferred.

XIX. And be it further enacted, That it ſhall and may be lawful to and for the Purchaſer or Purchaſers of any ſuch reſpective Annuity or Annuities, his, her, and their Executors, Adminiſtrators, or Aſſigns, provided ſuch Purchaſer or Purchaſers ſhall purchaſe in any other Name or Names as aforeſaid, at any Time or Times, by Writing under his, her, or their Hand and Seal, or Hands and Seals (without any Stamp thereon), to aſſign ſuch Annuity or Annuities, or any Part thereof, or Intereſt therein, to any Perſons whatſoever, and ſo *toties quoties*; and a Memorandum or Entry of all ſuch Aſſignments, and the Days the ſame were brought to be ſo entered, ſhall be made in a Book hereby required to be kept for that Purpoſe by the ſaid Truſtees; and the ſaid Entry ſhall be made *gratis*, and ſhall and may at all ſeaſonable Times be inſpected by any Perſon intereſted therein; but no ſuch Aſſignment ſhall be deemed good and effectual until ſuch Memorandum or Entry ſhall be made.

Annuitants to have an Order for Payment ſigned by the Truſtees,

XX. And be it further enacted, That every Contributor upon this Act, for the Purchaſe of any ſuch Annuity or Annuities as aforeſaid, his, her, or their Aſſigns, upon Payment of the Contribution or Purchaſe Money for the ſame into the Hands of the Truſtees, or any five or more of them, or ſuch Perſon or Perſons as they ſhall for that Purpoſe appoint, ſhall have a Receipt or Receipts for the ſame, and an Order on Parchment or Vellum for the Payment of the ſaid Annuity or Annuities for and during the natural Life or Lives of ſuch Perſon or Perſons as ſhall be nominated therein; every ſuch Order to be ſigned by the ſaid Truſtees, or any five or more of them, which, being ſo ſigned, ſhall by the Authority of this Act be firm, good, valid, and effectual in the Law, according to the Purport and true Meaning thereof; and upon every Default of Payment of the ſaid Annuity by the Space of forty Days next after the Time or Times when the ſame ſhall become payable, the Aſſeſſment and Aſſeſſments to be made by Authority of this Act ſhall veſt in the Annuitants, until the ſame Annuities, together with the legal Intereſt and all Coſts and Charges occaſioned by the Nonpayment thereof, ſhall be fully paid and ſatisfied.

Inhabitants to nominate eight Perſons for Overſeers;

XXI. And be it further enacted, That the Pariſhioners of the ſaid Pariſh, paying to the Rates or Aſſeſſments to be made by virtue of this Act, are hereby authoriſed and required to aſſemble and meet together in the Veſtry-room belonging to the ſaid Pariſh, on *Tueſday* in *Eaſter* Week in every Year, or within ten Days after; and the major Part of the Inhabitants ſo aſſembled, ſhall then and there make out a Liſt of eight fit and proper Perſons, being Inhabitants of the ſaid Pariſh, to be Overſeers of the Poor of the ſaid Pariſh; and no Liſt ſhall be legal, but ſuch as ſhall be made as herein-before directed; which Liſt ſhall be returned to any two or more Juſtices of the Peace for the County of *Middleſex* acting in the Diviſion of *Finſbury*, at a Petty Seſſions to be held for that Purpoſe, whereof publick Notice ſhall be given in the ſaid Pariſh Church on the *Sunday* next preceding the Holding of ſuch Petty Seſſions, of the Time and Place of holding the ſame: Out of which Liſt the Juſtices of the Peace, or the major Part of them, ſo aſſembled at ſuch Petty Seſſions, ſhall nominate and appoint three Perſons, being Inhabitants as aforeſaid, to be Overſeers; and the Overſeers ſo nominated, together with the Churchwardens of the ſaid Pariſh, ſhall be Overſeers of the Poor of the ſaid Pariſh for the Year then next enſuing; and ſhall, within three Days after

out of whom the Juſtices to chuſe three, who are to ſerve that Office.

ſuch Nomination, and Notice thereof given or left at his or their Place or Places of Abode, take that Office or Duty upon him or them, upon Pain that every ſuch Perſon, refuſing or neglecting ſo to do, ſhall forfeit and pay the Sum of ten Pounds: And in caſe of any ſuch Refuſal or Neglect, any two Juſtices of the Peace for the ſaid County acting in the Diviſion of *Finſbury*, may and are hereby authoriſed and impowered to nominate ſome other fit Perſon or Perſons to the ſaid Office in the Place of him or them refuſing or neglecting as aforeſaid; and the Perſon or Perſons ſo nominated in the Room of ſuch Perſon or Perſons, ſhall take ſuch Office or Duty upon him or them, under Pain of forfeiting the like Sum of ten Pounds for every ſuch Refuſal or Neglect; to be recovered in Manner herein-after mentioned: All which ſaid Forfeitures ſhall be paid to the Treaſurer who ſhall be appointed to receive the Monies for the Relief of the Poor of the ſaid Pariſh, and ſhall be applied for and towards the Relief of ſuch Poor.

Penalty of 10 l.

XXII. And be it further enacted, That the Churchwardens and Overſeers of the Poor of the ſaid Pariſh, or the major Part of them, together with the Pariſhioners of the ſaid Pariſh paying to the Rates or Aſſeſſments to be made by virtue of this Act, are hereby authoriſed and required to aſſemble and meet together in the Veſtry-room of the ſaid Pariſh on *Tueſday* in *Eaſter* Week, or within ten Days after, or oftner, in every Year as Occaſion ſhall require, Notice whereof ſhall be given the *Sunday* next preceding ſuch Meeting in the Church of the ſaid Pariſh in Manner aforeſaid; and the ſaid Churchwardens, Overſeers of the Poor, and Pariſhioners, or the major Part of them, ſo aſſembled, ſhall aſcertain the Sum or Sums of Money neceſſary to be raiſed within the Limits of the ſaid Pariſh for the Relief of the Poor, and for the Payment of the Annuities, and other Ends and Purpoſes of this Act.

Pariſhioners to meet to aſcertain the Monies to be raiſed;

XXIII. And be it further enacted, That the ſaid Churchwardens, Overſeers of the Poor, and Pariſhioners of the ſaid Pariſh, ſhall aſſemble and meet together in the ſaid Pariſh Church within thirty Days next after the ſaid Sum or Sums of Money ſhall have been aſcertained as aforeſaid (due Notice having been given in the ſaid Pariſh Church on the preceding *Sunday* before ſuch Meeting in Manner aforeſaid); and at ſuch Meeting and Meetings ſhall and are hereby required to make and ſign one general equal Pound-rate or Aſſeſſment for and towards the Relief of the Poor, and for the Payment of the ſaid Annuities, and other the Ends and Purpoſes of this Act, upon all and every Perſon and Perſons who do or ſhall inhabit, hold, occupy, or enjoy any Land, Houſe, Shop, Warehouſe, Coach-houſe, Stable, Cellar, Vault, or any other Building, Tenement, or Hereditament, within the ſaid Pariſh, and on every other Perſon and Perſons who by Law is, are, or ſhall be chargeable or liable to be aſſeſſed for or towards the Relief of the Poor, as the ſaid Churchwardens, Overſeers of the Poor, and Inhabitants of the ſaid Pariſh, at ſuch Meeting and Meetings, ſhall think neceſſary and proper; which ſaid Rates or Aſſeſſments, ſo to be made, ſhall be made and laid according to the yearly Rent or yearly Value of the Premiſes, and as the ſame ſhall be aſcertained and rated to the Land Tax for the Time being; and ſhall be allowed by two of his Majeſty's Juſtices of the Peace for the County of *Middleſex*; and Notice thereof ſhall be given in the Church on the *Sunday* next after the ſame ſhall be allowed.

and to make an equal Pound-rate.

Rates to be allowed by two Juſtices,

and Notice thereof given in the Church.

XXIV. And be it further enacted, That if the ſaid Churchwardens, Overſeers of the Poor, and Pariſhioners of the ſaid Pariſh, ſhall refuſe or neglect to aſſemble and meet together, or, having ſo met, ſhall refuſe or neglect to aſcertain ſuch Sum or Sums of Money in Manner as aforeſaid, or ſhall refuſe or neglect, within fourteen Days after ſuch Meeting, to make ſuch Rates or Aſſeſſments as aforeſaid, or in caſe ſuch Rates or Aſſeſſments ſhall be deficient to anſwer the Purpoſes of this Act; that then, and in either of the ſaid Caſes, and as often as it ſhall happen, it ſhall and may be lawful for the ſaid Truſtees, or any ſeven or more of them, and they are hereby required to meet in the Veſtry-room, or at the Workhouſe of the ſaid Pariſh, as they ſhall appoint for that Purpoſe (Notice thereof having been firſt given on the *Sunday* next preceding ſuch Meeting in the Church of the ſaid Pariſh in Manner aforeſaid), and then and there make one or more general Pound-rate or Aſſeſſment in Manner aforeſaid, for and towards the Relief of the Poor, the Payment of the ſaid Annuities, and other the Purpoſes of this Act, and therein equitably and proportionably rate and aſſeſs all and every Perſon and Perſons who do or ſhall inhabit, hold, or occupy any Land, Houſe, Shop, Warehouſe, Tenement, Coach-houſe, Stable, Cellar, Vault, or any other Building or Hereditament within the ſaid Pariſh, and any other Perſon or Perſons who by Law or under this Act are chargeable or aſſeſſable for and towards the Relief of the Poor, as the ſaid Truſtees, or any ſeven or more of them, at ſuch Meeting or Meetings, ſhall think fit and proper to be rated and aſſeſſed; which ſaid Rates or Aſſeſſments ſo to be made and ſigned by the ſaid Truſtees, or any ſeven or more of them, ſhall be allowed by two of his Majeſty's Juſtices of the Peace for the ſaid County; and Notice thereof ſhall be given in the ſaid Pariſh Church ſome *Sunday* after Morning Prayers before ſuch Rate ſhall be collected.

Pariſhioners neglecting to make Aſſeſſments, Truſtees may make them;

which ſhall be allowed by two Juſtices.

XXV. And be it further enacted, That the Rate or Rates, Aſſeſſment or Aſſeſſments, ſo to be made by the ſaid Truſtees, or any ſeven or more of them, ſhall be deemed and taken to be good, valid, and effectual, and ſhall and may be collected and levied in like Manner as if the ſame had been aſcertained and made by the Churchwardens, Overſeers of the Poor, and Pariſhioners aſſembled as aforeſaid; any Law, Statute, or Uſage, to the contrary notwithſtanding.

Rates ſo to be made by the Truſtees ſhall be valid.

XXVI. And be it further enacted, That no Rate or Rates, Aſſeſſment or Aſſeſſments, for the Relief of the Poor, ſhall be made or aſſeſſed, other than is in and by this Act directed, after the *Tueſday* in *Eaſter* Week in the Year one thouſand ſeven hundred and ſeventy-ſeven, or within forty Days after.

No Rates to be made contrary to this Act.

'XXVII. And whereas there are divers Houſes in the ſaid Pariſh let out in ſeparate Lodgings or Apartments, and other Houſes let ready-furniſhed to Lodgers, by which Means the Payment of the ſaid Rates or Aſſeſſments may be evaded,' be it therefore further enacted, That the Landlord or Owner of each and every Houſe or Houſes ſo let in ſeparate Apartments or ready-furniſhed to a Lodger or Lodgers, ſhall be deemed and taken to be the Occupier or Occupiers of ſuch Houſe or Houſes, and may be rated or aſſeſſed accordingly, and ſhall be liable and ſubject to the Payment of the ſaid Rates or Aſſeſſments directed to be raiſed and levied by virtue of this Act.

Landlord to pay Rates for Houſes let out in Lodgings.

XXVIII. And

Lodgers liable to pay the Rates,

XXVIII. And be it further enacted, That each and every Perſon ſo renting and occupying any ſeparate Apartment in ſuch Houſe or Houſes, or ready-furniſhed Houſe, ſhall be liable and compellable to the Payment of the ſame.

and to be allowed the ſame out of their Rents.

XXIX. Provided always, That each and every ſuch Occupier or Occupiers, who ſhall pay ſuch Rates or Aſſeſſments, or from whom the ſame ſhall be recovered by virtue of this Act, ſhall and may deduct the ſame out of the next Rent due and payable from him, her, or them, to the Landlord or Owner thereof; and the Receipt for ſuch Payment ſhall be a ſufficient Diſcharge to ſuch Tenant or Tenants, Occupier or Occupiers, to his or her ſaid Landlord, for ſo much Money as he, ſhe, or they ſhall have paid, or ſhall have been levied on him, her, or them, by virtue of this Act, and ſhall be allowed by ſuch Landlord or Owner of ſuch Houſe, as if the ſame was paid to him in Specie.

Lodgers not to obtain any Settlement by Payment of the Rates.

XXX. Provided alſo, That no ſuch Tenant or Occupier of any ſeparate Apartment of any Houſe or Houſes, or ready-furniſhed Houſe, ſhall, by the Payment of ſuch Rate or Aſſeſſment in Manner aforeſaid, be deemed to acquire any Settlement in the ſaid Pariſh by ſuch Payment; but that the Landlord or Owner ſhall be deemed and conſtrued, to all Intents and Purpoſes, to have paid the ſame; any Law, Statute, or Uſage, to the contrary notwithſtanding.

In caſe of Diſtreſs, Expences may be levied.

XXXI. And it is hereby further enacted, That when and as often as any Diſtreſs ſhall be made, by Authority of this Act, for Nonpayment of any of the ſaid Rates hereby directed to be made, or any Part thereof, it ſhall and may be lawful to and for the Perſon or Perſons making ſuch Diſtreſs, to raiſe and levy the reaſonable Charges of making ſuch Diſtreſs, over and above the Sum of Money actually due upon the Rate or Rates for which ſuch Diſtreſs is or ſhall be taken.

Rates to be recovered as the Poor's Rates by Act of 43 Eliz.

XXXII. And be it further enacted, That all the ſaid Rates and Aſſeſſments, ſo to be made and aſſeſſed by virtue of this Act, ſhall be collected and recovered with all and every the Arrears thereof, which ſhall or may at any Time or Times hereafter remain unpaid, by ſuch Perſon and Perſons as ſhall by virtue of this Act be appointed to collect and receive the ſame, in ſuch and the ſame Manner as Rates and Aſſeſſments made for the Relief of the Poor, and the Arrears thereof, are directed to be collected, levied, and recovered, by virtue of an Act of Parliament made in the forty-third Year of the Reign of Queen *Elizabeth*, or by any other ſubſequent Act or Acts relating thereto; and that every Perſon aggrieved by any ſuch Rate or Aſſeſſment ſhall have the like Remedy by Appeal as in the ſaid Act, or by any other ſubſequent Act or Acts, is for that Purpoſe given and provided, and that as fully and effectually to all Intents and Purpoſes as if ſuch Remedies in the like Caſes were herein at large repeated and ſet forth.

Method of recovering the Rates from Perſons removing out of the Pariſh, &c.

'XXXIII. And, for the more effectual levying the Money, rated and aſſeſſed for the ſeveral Purpoſes 'of this Act,' be it further enacted, That the Goods and Chattels of any Perſon or Perſons rated and aſſeſſed as aforeſaid, who ſhall afterwards remove out of the ſaid Pariſh, or ſhall neglect or refuſe to pay the Sum or Sums by him, her, or them reſpectively payable as aforeſaid, ſhall and may be levied not only in the ſaid Pariſh, but in any other Pariſh or Place within the ſame County; and if ſufficient Diſtreſs cannot be found within the ſame County, then, upon Oath thereof made before any one or more Juſtice or Juſtices of any other County, City, Liberty, or Place (which Oath ſhall be certified under the Hand or Hands of the ſaid Juſtice or Juſtices on the Warrant made out for ſuch Diſtreſs), the Goods and Chattels of the ſaid Perſon or Perſons ſo removing out of the ſaid Pariſh, or neglecting or refuſing to pay, ſhall be ſubject and liable to ſuch Diſtreſs in any other County, City, Liberty, or Place, where the ſame ſhall be found; and may, by virtue of ſuch Warrant and Certificate, be levied in the ſame Manner as if the ſame had been found in the Pariſh of *Saint Mary Iſlington:* any Cuſtom or Law to the contrary thereof notwithſtanding.

Diſtreſs not to be deemed illegal for Want of Form.

'XXXIV. And, to prevent any vexatious Actions or Suits againſt the Collectors or other Perſons con-'cerned in the Execution of this Act,' be it enacted, That where any Diſtreſs ſhall be made for any Sum or Sums of Money, juſtly due for any of the Purpoſes of this Act, the Diſtreſs itſelf ſhall not be deemed unlawful, nor the Party or Parties concerned in or making the ſame be deemed a Treſpaſſer or Treſpaſſers, on account of any Defect or Want of Form in the Warrant of or for the Appointment of ſuch Collector or Collectors, or in the Rate or Aſſeſſment, or in the Warrant of Diſtreſs thereupon; nor ſhall the Party or Parties making or concerned in the ſame, be deemed a Treſpaſſer or Treſpaſſers *ab initio*, on account of any Irregularity which ſhall be afterwards done by the Party or Parties making or concerned in the ſame; but the Party or Parties aggrieved by ſuch Irregularity ſhall and may recover full Satisfaction for the ſpecial Damage he, ſhe, or they ſhall have ſuſtained thereby, and no more, in any Action of Treſpaſs or on the Caſe, at the Election of the Plaintiff or Plaintiffs.

Plaintiff not to recover after Tender of Amends.

XXXV. Provided always, That no Plaintiff or Plaintiffs ſhall recover in any ſuch Action or Actions for any Irregularity aforeſaid, if Tender of Amends hath been made by the Party or Parties making the Diſtreſs before ſuch Action or Actions was or were brought, nor if Tender of Amends ſhall be made at any Time after the ſaid Action or Actions ſhall have been brought and before the Trial thereof, together with Coſts of Suit to the Time of ſuch laſt-mentioned Tender.

Officers to account to Truſtees,

XXXVI. And be it further enacted, That the Collector or Collectors, and all other Perſons who ſhall collect or receive all or any of the Monies ariſing by virtue of, under, or in purſuance of this Act, ſhall, under their reſpective Hands, and in ſuch Manner, and at ſuch Times and Places, as the ſaid Truſtees, or any five or more of them, ſhall direct, deliver to the ſaid Truſtees, or any five or more of them, for the Time being, true and perfect Accounts in Writing, of all Matters and Things committed to their Charge, by virtue of their reſpective Offices or of this Act, and alſo of all Monies which ſhall have been by them reſpectively received, and how much thereof ſhall have been paid and diſburſed, and for what Purpoſes, together with the proper Vouchers for ſuch Payments; and alſo a true Liſt of the Names of all ſuch Perſons who ſhall have neglected or refuſed to pay their reſpective Rates or Aſſeſſments, and of the Monies due from them reſpectively; and ſhall pay all ſuch Monies as ſhall remain in their reſpective Hands to the

and pay the Balance.

ſaid

ſaid Truſtees, or any five or more of them, or to ſuch Perſon or Perſons as they ſhall appoint, at ſuch Times and Places as the ſaid Truſtees, or any five or more of them, ſhall direct; and all the ſaid Officers and Perſons ſo accounting as aforeſaid, ſhall, upon Oath, if thereunto required (which Oath the ſaid Truſtees, or any two or more of them, are hereby impowered to adminiſter), verify their ſaid Accounts: And if any Collector, Treaſurer, Officer, or Perſon, ſhall not make and render, or ſhall refuſe to verify upon Oath, any ſuch Accounts, or to produce the Vouchers relating to the ſame, or to make Payment as aforeſaid, or ſhall not deliver to the ſaid Truſtees, or any five or more of them, or to ſuch Perſon or Perſons as they ſhall appoint, within ten Days after being thereunto required by any five or more of the ſaid Truſtees, all Books, Papers, and Writings, in his or their Cuſtody or Power, relating to his Office or to the Execution of this Act, or ſhall refuſe or neglect to pay ſuch Monies as, upon the Balance of any Account or Accounts, ſhall appear to be in their Hands, to the ſaid Truſtees, or any five or more of them, or to ſuch Perſon or Perſons as they ſhall direct and appoint; then, and in any of the Caſes aforeſaid, the ſaid Truſtees, or any five or more of them, may and are hereby authoriſed and empowered to bring or cauſe to be brought any Action or Actions againſt the Officer, Perſon or Perſons, ſo neglecting or refuſing as aforeſaid, in order for the Recovery of the Monies that ſhall be in the Hands of ſuch Officer or Officers, Perſon or Perſons reſpectively, or for the Delivery of the ſaid Books, Papers, or Writings; or if Complaint ſhall be made by the ſaid Truſtees, or any five or more of them, or by ſuch Perſon or Perſons as they ſhall appoint for that Purpoſe, of any ſuch Refuſal or Neglect as aforeſaid, to any Juſtice of the Peace for the County of *Middleſex*, ſuch Juſtice may, and is hereby authoriſed and required, by a Warrant or Warrants under his Hand and Seal, to cauſe the Officer or Officers, Perſon or Perſons, ſo refuſing or neglecting, to be brought before him, and upon his or their appearing, or not being to be found, to hear and determine the Matter in a ſummary Way; and if, upon the Confeſſion of the Party or Parties, or by the Teſtimony of any credible Witneſs or Witneſſes upon Oath, it ſhall appear to ſuch Juſtice that any of the Monies that ſhall have been collected or raiſed by virtue of this Act ſhall be in the Hands of ſuch Officer or Officers, Perſon or Perſons, unaccounted for, ſuch Juſtice may, and is hereby authoriſed and required, by Warrant or Warrants under his Hand and Seal, to cauſe ſuch Money to be levied by Diſtreſs and Sale of the Goods and Chattels of ſuch Officer or Officers, Perſon or Perſons offending in the Premiſes reſpectively; and if no Goods or Chattels of ſuch Officer or Officers, Perſon or Perſons, can be found ſufficient to anſwer and ſatisfy ſuch Money, and the Charges of ſuch Diſtreſs and Sale, or in caſe it ſhall appear to ſuch Juſtice, by the Confeſſion of the Party ſo offending, or by the Teſtimony of any credible Witneſs upon Oath, that any Books, Papers, or Writings, relating to the Execution of this Act, ſhall be in the Cuſtody or Power of any ſuch Officer or Perſon, and he ſhall refuſe to deliver the ſame as aforeſaid, or in caſe ſuch Perſon or Perſons ſhall refuſe to account upon Oath, or ſhall not truly account, or ſhall not pay the Balance of the Account; then, and in either of the ſaid Caſes, ſuch Juſtices ſhall commit every ſuch Offender to the Common or other Gaol of the ſaid County, there to remain without Bail or Mainprize until he ſhall give and make a true and perfect Account and Payment as aforeſaid, or until he ſhall compound with the ſaid Truſtees, or any five or more of them, and ſhall have paid ſuch Compoſition in ſuch Manner as they ſhall appoint (which Compoſition the ſaid Truſtees, or any five or more of them, are hereby impowered to make); and until he ſhall deliver up ſuch Books, Papers, and Writings, as aforeſaid, or give Satisfaction in reſpect thereof to the ſaid Truſtees, or any five or more of them.

Penalty on Officers refuſing to account, or to deliver Writings, &c.

If Balance not paid, may be levied by Diſtreſs.

For want of ſufficient Diſtreſs, &c. Offender may be committed.

XXXVII. And be it further enacted, That in caſe any Perſon or Perſons ſhall be unable to pay the Rate or Rates to be made in purſuance of this Act, or ſhall be overcharged, he, ſhe, or they may, upon a Day to be fixed by two or more Juſtices of the Peace for the County of *Middleſex*, appear before them, and make their Objections thereto; which ſaid Juſtice and Juſtices are hereby impowered and required to hear and relieve them in ſuch Manner as to them ſhall ſeem juſt; Notice of the Time and Place of hearing the ſame being given in the ſaid Pariſh Church the *Sunday* preceding the ſame; and which Notice is hereby required to be given on an Order being ſigned by two of the ſaid Truſtees for the Time being for that Purpoſe.

Poor Perſons, or any overcharged, may appeal to the Juſtices.

XXXVIII. And be it further enacted, That the ſaid Truſtees, or any ſeven or more of them, ſhall and may, in purſuance of this Act, make ſuch Rules, Orders, and Regulations, for the better Diſpoſition of the Monies aforeſaid, and for the better relieving, maintaining, governing, employing, educating, and regulating the Poor of the ſaid Pariſh, as to them ſhall appear neceſſary or expedient, ſo as ſuch Rules and Regulations are not repugnant to the Laws of this Realm.

Truſtees may make Regulations.

XXXIX. And be it further enacted, That the ſaid Truſtees, or any five or more of them, ſhall and may, at any public Meeting, order and direct the Treaſurer or Treaſurers, from Time to Time, to pay ſuch Sum and Sums of Money as they ſhall think neceſſary for the Purpoſes of this Act, and the Uſe of the ſaid Pariſh; and the ſaid Treaſurer and Treaſurers are hereby authoriſed and required to pay the ſame, from Time to Time, accordingly; which Sum or Sums ſo paid ſhall be allowed him or them in his or their Accounts reſpectively.

Treaſurers to pay Monies to the Truſtees Order.

XL. And be it further enacted, That the ſaid Truſtees, or any five or more of them, ſhall, and are hereby impowered to keep, maintain, and employ, and to cauſe to be kept, maintained, and employed, all the Poor of the ſaid Pariſh in ſuch Workhouſe or Workhouſes to be erected by virtue of this Act, and to purchaſe Materials for that Purpoſe, and to take the Benefit of the Work, Labour, and Service of every ſuch Perſon or Perſons, to be applied towards the Purpoſes of this Act, and the Relief and Maintenance of the Poor of the ſaid Pariſh.

Poor to be ſet to Work, and the Pariſh to have the Benefit of their Labour.

XLI. And be it further enacted, That the ſaid Truſtees, or any five or more of them, ſhall, and they are hereby impowered to purchaſe or contract and agree, from Time to Time, as they ſhall think fit, with any Perſon or Perſons, for all Proviſions, Neceſſaries, and Materials of what Kind ſoever, which ſhall be uſed or brought into the ſaid Workhouſe, or for the Uſe of the Poor; and alſo to contract or agree for the lodging, keeping, maintaining, or employing, any or all ſuch Poor of the ſaid Pariſh, four Days previous

Truſtees may contract for Proviſions, &c. for the Workhouſe.

vious Notice being given in one of the public Daily Newſpapers, and alſo on the principal Door of the ſaid Pariſh Church, of the Time and Place of making ſuch Contract; and the ſaid Truſtees, or any five or more of them, ſhall pay or order the Payment of the Monies due or to become due upon ſuch Contracts and Agreements, to the Perſon or Perſons intitled to receive the ſame, out of the Monies to be raiſed and collected by Authority of this Act.

Expences of nurſing poor Children how to be paid.

XLII. And be it further enacted, That the Expences of any poor Child or Children of the ſaid Pariſh, which ſhall be neceſſary to be ſent into the Country or other Place to nurſe, or for their Clothes or Maintenance, together with the Expence of their Conveyance, ſhall be paid out of the Monies ariſing by virtue of this Act.

Truſtees may contract for nurſing Children.

XLIII. And be it further enacted, That the ſaid Truſtees, or any five or more of them, ſhall and may, and they are hereby impowered to contract and agree with any Perſon or Perſons for the nurſing, maintaining, and keeping ſuch Child and Children; and the ſaid Truſtees, or any five or more of them, ſhall put them out, or otherwiſe provide for them, and take ſuch Order for the Care of and providing for the ſaid Children, as they, or any five or more of them, ſhall think proper.

Monies, Furniture, &c. veſted in Truſtees.

XLIV. And be it further enacted, That all Monies raiſed and collected, and all Fixtures, Furniture, and other Things, bought or provided for the Uſe of the Poor of the ſaid Pariſh, ſhall be, and the ſame are hereby veſted in the ſaid Truſtees, and their Succeſſors, for the Purpoſes of this Act; who are hereby impowered to bring, or cauſe to be brought, any Action or Actions, or to prefer, or order the preferring of any Bills of Indictment againſt any Perſon or Perſons who ſhall ſteal or carry away any or any Part of ſuch Things; the Property of which ſaid Monies and Things ſhall be laid in every ſuch Action and Indictment to be the Property of *The Truſtees of Iſlington Poor*; and every Action and Indictment ſo laid ſhall be held good in Law to all Intents and Purpoſes.

Penalty on Perſons buying or receiving in Pawn any Clothes, &c. belonging to the Workhouſe.

XLV. And be it further enacted, That if any Perſon or Perſons ſhall knowingly buy or receive into Pawn any of the Clothes or Wearing Apparel, or any of the Victuals or Proviſions of any of the Poor who ſhall be maintained, clothed, or victualled in the Workhouſe of the ſaid Pariſh, or who ſhall knowingly buy or receive into Pawn any of the Goods or Materials carried into the ſaid Workhouſe, or any other Houſe or Place, in order to be wrought up, manufactured, or uſed by the Poor of the ſaid Pariſh, or any of the Goods and Furniture of the ſaid Workhouſe; the Perſon or Perſons ſo offending, and being thereof convicted by his, her, or their own Confeſſion, or by the Oath of any one or more credible Witneſs or Witneſſes, before any Juſtice or Juſtices of the Peace for the County of *Middleſex* (which Oath ſuch Juſtice and Juſtices is and are hereby authoriſed and required to adminiſter), ſhall, for every ſuch Offence, forfeit and pay the Sum of five Pounds, one Moiety whereof ſhall go to the Informer, and the other Moiety to the Uſe of the Poor of the ſaid Pariſh; and if any Offender ſhall not, upon ſuch Conviction, pay the ſame, the ſaid Juſtice or Juſtices ſhall cauſe the Money ſo forfeited, by Warrant under his or their Hand and Seal, or Hands and Seals, to be levied by Diſtreſs and Sale of the Offender's Goods and Chattels, and the Overplus (if any) after ſuch Forfeiture and Charges of the Diſtreſs and Sale are deducted and paid, ſhall be returned upon Demand to the Owners of ſuch Goods and Chattels; and in caſe ſufficient Diſtreſs cannot be found, it ſhall be lawful for ſuch Juſtice or Juſtices, and he and they is and are hereby authoriſed and required, by Warrant under his or their Hand and Seal, or Hands and Seals, to cauſe ſuch Offender or Offenders to be committed to the Common or other Gaol for the ſaid County, there to be detained, and kept to hard Labour, for any Time not exceeding one Calendar Month, unleſs ſuch Forfeiture, and all reaſonable Charges, ſhall be ſooner paid and ſatisfied.

If Penalty not paid, may be levied by Diſtreſs.

Penalty on Perſons conveying Spirituous Liquors into the Workhouſe.

XLVI. And be it further enacted, That if any Perſon or Perſons ſhall convey any Spirituous or Strong Liquors into the Houſe or Houſes to be erected by virtue of this Act, ſuch Perſon or Perſons ſhall be, and is and are hereby declared to be ſubject and liable to ſuch and the like Pains and Penalties as are, by an Act of the twenty-fourth Year of the Reign of his late Majeſty King *George* the Second, directed to be inflicted on Perſons conveying Spirituous Liquors into Priſons or Gaols.

How Juſtices to proceed for Conviction of Offenders.

'XLVII. And, for the more eaſy and ſpeedy Conviction of Offenders againſt this Act,' be it further enacted, That all and every Juſtice and Juſtices of the Peace, before whom any Perſon or Perſons ſhall be convicted of any Offence againſt this Act, ſhall and may cauſe the Conviction to be drawn up in the following Form, or in any other Words to the ſame Effect; (that is to ſay)

Form of Conviction.

'BE it remembered, That on the Day of in the
'Year of the Reign of King *George* the Third, is convicted before
'of his Majeſty's Juſtices of the Peace for the County of *Middleſex*,
'by virtue of an Act made in the ſeventeenth Year of the Reign of King *George* the Third, *for the better*
'*Relief and Employment of the Poor within the Pariſh of* Saint Mary Iſlington, *in the County of* Middleſex,
'*and for building a Workhouſe for the ſaid Pariſh*, of
'[*ſpecifying the Offence*].
'Given under our Hands and Seals (*or* Hand and Seal), the Day and Year aforeſaid.'

'XLVIII. And whereas many Perſons maintained in public Workhouſes refuſe to work, or are guilty 'of profane Curſing and Swearing, or other Miſbehaviour, and by the Laws now in being no Puniſh-'ment can be inflicted upon them without committing them to the Houſe of Correction, or County Gaol, 'which Commitments have been found not to anſwer the Purpoſes thereby intended;' for Remedy

Truſtees may puniſh ſuch Poor who ſhall refuſe to work, or ſhall ſwear, &c.

whereof, be it further enacted, That if any poor Perſon or Perſons, who ſhall be maintained in the Workhouſe or Workhouſes of the ſaid Pariſh, ſhall refuſe to work, or be guilty of profane Curſing and Swearing, or otherwiſe miſbehave him or herſelf, that then in ſuch Caſe it ſhall and may be lawful to and for the ſaid Truſtees, or any five or more of them, to cauſe ſuch Perſon or Perſons ſo offending to be puniſhed in ſuch Workhouſe, either by moderate Correction, Confinement, diſtinguiſhing them in Dreſs, Diet, or

ſuch

ſuch other Method as may beſt tend to remove ſuch Offences for the future, without committing ſuch Offender to the Houſe of Correction, or other Priſon; any Law, Statute, or Uſage, to the contrary notwithſtanding.

'XLIX. And whereas divers Children deſerted by their Parents are frequently found wandering and 'begging in the ſaid Pariſh, and not able to give an Account of themſelves, or the Place of their legal 'Settlement: And whereas if ſuch Children were properly employed and enured to a Habit of Induſtry, 'they might be furniſhed with Means for their future Maintenance, and inſtead of a Nuiſance be rendered 'uſeful to the Public: And whereas divers other Perſons are found wandering and begging in the ſaid 'Pariſh, and daily committing Acts of Vagrancy and miſbehaving themſelves, and if Power was given to 'apprehend ſuch Perſons, and ſend them to ſuch Workhouſe, there to be dealt with in Manner as herein 'directed, it would tend to enure them to a Habit of Induſtry, and make them uſeful to the Public;' be it therefore enacted, That it ſhall and may be lawful to and for the Churchwardens, Overſeers of the Poor, and the ſaid Truſtees, or any five or more of them, to cauſe ſuch Child or Children as he or they ſhall judge to be under the Age of fourteen Years, who ſhall be found wandering and begging in the ſaid Pariſh, if they think proper, to be taken, and to ſend them to the Workhouſe belonging to the ſaid Pariſh, there to be detained and employed until he or ſhe ſhall attain, or, in caſe his or her Age cannot be aſcertained, till he or ſhe ſhall be adjudged to have attained the Age of twenty-one Years, or Day of Marriage if a Female, or be diſcharged by due Courſe of Law: And it ſhall and may be lawful to and for the ſaid Churchwardens, Overſeers of the Poor, and Truſtees, or any five or more of them, to cauſe ſuch other Perſon or Perſons as ſhall be found wandering and begging, or miſbehaving themſelves in the ſaid Pariſh, if they think proper, to be ſent to the ſaid Workhouſe, there to be kept to Work for ſo long Time as the ſaid Churchwardens, Overſeers, and Truſtees, or any five of them, ſhall think proper, or until they ſhall be diſcharged by due Courſe of Law; and in caſe of any Miſbehaviour of any ſuch Perſons ſo ſent as aforeſaid, it ſhall and may be lawful to correct and otherwiſe puniſh ſuch Offenders in Manner as before mentioned.

Children, &c. found wandering or begging, may be ſent to the Workhouſe.

L. Provided always, That no ſuch Child or Children, or other Perſon, ſo taken and ſent to the ſaid Workhouſe, ſhall gain any Settlement by reſiding or being maintained there in Manner aforeſaid.

Proviſo.

LI. And be it further enacted, That the ſeveral Laws relating to the Office of Churchwardens and Overſeers of the Poor, and for the Relief and providing for the Poor, ſhall ſtill continue in Force within the ſaid Pariſh, except in thoſe Inſtances where the ſame are otherwiſe altered or directed by this preſent Act; any Thing herein contained to the contrary notwithſtanding.

Laws relating to Churchwardens, &c. to continue in Force where not altered by this Act.

LII. And be it further enacted, That any Inhabitant of the ſaid Pariſh ſhall, before any Juſtice or Juſtices of the Peace, or upon any Trial, Hearing, Examination, or otherwiſe, in, about, touching, or concerning this Act, or the Matters or Things herein contained, be and be deemed a competent Witneſs, notwithſtanding his or her being ſuch Inhabitant, or paying the Rates of the ſaid Pariſh; and that any Juſtice of the Peace for the ſaid County of *Middleſex* may act in the Execution of this Act at any Place within the ſaid Pariſh, or elſewhere within the ſaid County, notwithſtanding he ſhall be an Inhabitant of the ſaid Pariſh, or pay the Rates thereof; any Law, Statute, or Uſage, to the contrary notwithſtanding.

Inhabitants deemed competent Witneſſes, &c.

LIII. And be it further enacted, That in all Caſes where Cognizance is given to any Juſtice or Juſtices of the Peace by this Act, it ſhall be lawful for ſuch Juſtice or Juſtices to adminiſter an Oath to any Perſon or Perſons for his or their more certain Information in the Matters then depending; and in all Caſes where the ſaid Truſtees, or any five or more of them, are by this Act impowered to bring or inſtitute, or cauſe to be brought or inſtituted, any Action or Actions at Law, or any Indictment or Indictments, the ſame ſhall and may be brought and inſtituted in the Name or Names of the Clerk or Treaſurer to the ſaid Truſtees.

Juſtices may adminiſter an Oath, &c.

LIV. And be it further enacted, That it ſhall and may be lawful to and for the Churchwardens and Overſeers of the Poor of the ſaid Pariſh of *Saint Mary Iſlington*, in all Caſes in their reſpective Offices, or relating to the Poor, where, by any Law now in being or hereafter to be made, Appeal is or ſhall be given to them from the Paſs, Order, Conviction, or Determination of any Juſtice or Juſtices of the Peace for the ſaid County of *Middleſex*, to appeal to the next General or Quarter Seſſion of the Peace, or Adjournment thereof, to be held for the ſaid County, at their Election, giving eight clear Days Notice of ſuch Appeal to the Perſon or Perſons concerned therein; which Juſtices in their ſaid Seſſions may make ſuch Order therein, and give ſuch Coſts to either Party, as they ſhall think reaſonable; and the ſaid Juſtices in their ſaid Seſſion may, for want of due Notice, or for any other juſt Cauſe, adjourn ſuch Appeal from Time to Time as they ſhall think fit.

Overſeers, &c. may appeal to the Quarter Seſſions.

LV. Provided always, That the ſaid Truſtees, or any five or more of them, may, if they ſhall think proper, in the Name or Names of any two of them, or in the Name of their Collector, Treaſurer, or Clerk, bring or cauſe to be brought any Action or Actions of Debt, or ſpecial Action on the Caſe, in any of his Majeſty's Courts of Record at *Weſtminſter*, for all or any of the Penalties or Forfeitures againſt this Act, or for all or any of the Fines ſet or impoſed, and for and upon any Contracts or Agreements made and entered into by them by virtue of this Act, and for all or any of the Rates which ſhall be made, or be due or payable, under, by virtue of, or in purſuance of this Act, or any Part thereof; and if the Plaintiff ſhall recover in any ſuch Action, he ſhall have full Coſts, to be levied and recovered as other Monies upon Judgments are now by Law levied and recovered; in which Action and Actions no Eſſoin, Protection, or Wager of Law, or more than one Imparlance, ſhall be allowed.

Truſtees may bring Actions, &c.

LVI. And be it further enacted, That if any Perſon or Perſons ſhall think himſelf, herſelf, or themſelves aggrieved, by any Matter or Thing done in purſuance of this Act, or by any Juſtice or Juſtices acting therein, ſuch Perſon and Perſons ſhall and may appeal to the Juſtices of the Peace, at any General or Quarter Seſſions of the Peace to be holden for the County of *Middleſex*, or any Adjournment thereof,

Perſons aggrieved may appeal to the Quarter Seſſions;

within three Months next after the Cauſe of ſuch Complaint ſhall ariſe; ſuch Appellant firſt giving or cauſing to be given ten Days Notice in Writing to the Clerk or Treaſurer to the ſaid Truſtees for the Time being, or to the Juſtice or other Perſon by whoſe Act or Acts ſuch Perſon or Perſons ſhall think himſelf, herſelf, or themſelves aggrieved, of his, her, or their Intention to bring ſuch Appeal; and within two Days next after ſuch Notice entering into Recognizance before ſome Juſtice of the Peace for the ſaid County, with two ſufficient Sureties, conditioned to try ſuch Appeal at, and abide the Order of, and to pay ſuch Coſts as ſhall be awarded by, the Juſtices at ſuch General or Quarter Seſſions, or Adjournment thereof; which ſaid Juſtices at or in ſuch Seſſions, upon due Proof of Notice being given as aforeſaid, and of the entering into ſuch Recognizance, ſhall hear and examine the Cauſes and Matters of ſuch Appeal in a ſummary Way, and award ſuch Coſts to the Party appealing or appealed againſt as the ſaid Juſtices ſhall think proper; and the Determination of ſuch Juſtices ſhall be final, binding, and concluſive; and on all Appeals from Rates, the Juſtices ſhall amend the ſame in ſuch Manner only as ſhall be neceſſary for giving Relief, without altering ſuch Rates with reſpect to other Perſons mentioned in the ſame; but if, upon Appeal from the whole Rate, it ſhall be found neceſſary to ſet aſide the ſame, then they ſhall order a new Rate to be made.

Whoſe Determination ſhall be final.

Writings not liable to Stamp-duty.

LVII. And be it further enacted, That no Nomination, Contract, Bond, Warrant, Judgment, or other Writing whatſoever, under the Hand and Seal or Hands and Seals of, or only ſigned by, any Truſtee or Truſtees, or Juſtice or Juſtices of the Peace, or exhibited before them, or under the Hand and Seal or Hands and Seals of, or only ſigned by, any Perſon or Perſons whatſoever, relating to the Execution of this Act, ſhall be chargeable with any Stamp-duty whatſoever.

Proceedings to be entered in a Book, &c.

LVIII. And be it further enacted, That all Orders and Proceedings of the ſaid Truſtees at their Meetings ſhall be entered in a Book or Books to be kept for that Purpoſe; and ſuch Orders and Proceedings ſo entered ſhall be ſigned by the Clerk or Clerks to the ſaid Truſtees, and ſuch Orders ſhall be deemed and taken to be original Orders; which ſaid Book or Books ſhall and may be produced and read in Evidence in all Courts whatſoever.

Limitation of Actions.

LIX. And be it further enacted, That no Action or Suit ſhall be commenced againſt any Perſon or Perſons for any Thing done in purſuance of this Act, until twenty Days Notice ſhall be thereof given in Writing to the Clerk to the ſaid Truſtees, or after ſufficient Satisfaction or Tender thereof hath been made to the Party or Parties aggrieved, or after three Calendar Months next after the Fact committed for which ſuch Action or Actions, Suit or Suits, ſhall be ſo brought; and every ſuch Action ſhall be brought, laid, and tried in the County of *Middleſex*, and not in any other County or Place; and the Defendant and Defendants in ſuch Actions and Suits, and every of them, may plead the General Iſſue, and give this Act, and the ſpecial Matter, in Evidence at any Trial or Trials which ſhall be had thereupon, and that the Matter or Thing for which ſuch Action or Actions, Suit or Suits, ſhall be brought, was done in purſuance and by Authority of this Act: And if ſuch Matter or Thing ſhall appear to have been ſo done, or if it ſhall appear that ſuch Action or Suit was brought before twenty Days Notice thereof given as aforeſaid, or that ſufficient Satisfaction was made or tendered as aforeſaid, or if any ſuch Action or Suit ſhall not be commenced within the Time before for that Purpoſe limited, or ſhall be laid in any other County or Place than as aforeſaid, then the Jury or Juries ſhall find for the Defendant or Defendants therein; and if a Verdict ſhall be found for ſuch Defendant or Defendants, or if the Plaintiff or Plaintiffs in ſuch Action or Actions, Suit or Suits, ſhall become nonſuited, or ſuffer a Diſcontinuance of ſuch Action or Actions, or if, upon any Demurrer or Demurrers in ſuch Action or Actions, Judgment ſhall be given for the Defendant or Defendants therein, then in any of the Caſes aforeſaid ſuch Defendant or Defendants ſhall have Treble Coſts, and ſhall have ſuch Remedy for recovering the ſame as any Defendant or Defendants may have for his, her, or their Coſts, in any other Caſes by Law.

General Iſſue.

Treble Coſts.

Expences of this Act how to be paid.

LX. And be it further enacted, That the Charges and Expences of obtaining and paſſing this Act, and other Charges incident thereto, ſhall, in the firſt place, be paid out of the Monies remaining in or coming to the Hands of the Churchwardens or Overſeers of the Poor of the ſaid Pariſh, or out of the firſt Monies that ſhall be raiſed by virtue of this Act.

Public Act.

LXI. And be it further enacted, That this Act ſhall be taken and allowed in all Courts whatſoever as a Public Act; and all Judges, Juſtices, and other Perſons, are hereby required to take Notice thereof as ſuch, without ſpecially pleading the ſame.

## CAP. VI.

An Act for veſting in *David Hartley* Eſquire, his Executors, Adminiſtrators, and Aſſigns, the ſole Uſe and Property of a certain Method by him invented of ſecuring Buildings againſt the Calamities of Fire, throughout his Majeſty's Dominions, for a limited Time.

Preamble; reciting his Majeſty's Letters Patent to David Hartley, Eſq.

'WHEREAS his moſt Excellent Majeſty King *George* the Third, by his Letters Patent, under the 'Great Seal of *Great Britain*, bearing Date the firſt Day of *April*, in the thirteenth Year of his 'Reign, did give and grant unto *David Hartley*, of *Golden Square*, in the Pariſh of *Saint James*, in the 'County of *Middleſex*, Eſquire, his Executors, Adminiſtrators, and Aſſigns, the full Power, ſole Pri- 'vilege, and Authority, of making, uſing, exerciſing, and vending, a certain particular Method by him 'invented, of ſecuring Buildings and Ships againſt the Calamities of Fire, within that Part of his Ma- 'jeſty's Kingdom of *Great Britain* called *England*, the Dominion of *Wales*, and the Town of *Berwick 'upon Tweed*, and alſo in his Majeſty's Colonies and Plantations abroad, for the Term of fourteen Years; 'with a Proviſo, obliging the ſaid *David Hartley*, by Writing under his Hand and Seal, to cauſe a par- 'ticular Deſcription of the Nature of the ſaid Invention to be inrolled in his Majeſty's High Court of 'Chancery, within four Months after the Date of the ſaid recited Letters Patent: And whereas the ſaid

'*David*

'*David Hartley* did, in purſuance of the ſaid Proviſo, cauſe a particular Deſcription of the ſaid Invention 'to be inrolled in the ſaid High Court of *Chancery*, upon the twenty-fourth Day of *July*, in the Year of 'our Lord one thouſand ſeven hundred and ſeventy-three; which Deſcription is in the Words and Form, 'or to the Effect following; that is to ſay,

Deſcription of the Nature of the Invention, &c.

'MY Invention of a particular Method of ſecuring Buildings and Ships againſt the Calamities of Fire, 'is deſcribed in the Manner following; that is to ſay, "By the Application of Plates of Metal and "Wire varniſhed or unvarniſhed, to the ſeveral Parts of Buildings and Ships, ſo as to prevent the Acceſs "of Fire, and the Current of Air, ſecuring the ſeveral Joints by doubling-in, overlapping, ſoldering, "rivetting, or in any other Manner cloſing them up, nailing, ſcrewing, ſewing, or in any other Manner "faſtening the ſaid Plates of Metal, into and about the ſeveral Parts of Buildings and Ships, as the Caſe "may require."

'And whereas the ſaid *David Hartley* hath, with great Attention and Labour, proſecuted, and is ſtill 'proſecuting, a Variety of Experiments in order to perfect the ſaid Invention: And whereas the ſaid '*David Hartley* hath employed great Sums of Money out of his own private Fortune, and muſt neceſſarily 'advance ſtill larger Sums before the ſaid Invention can be completed, and rendered of general public 'Utility as well by Sea as Land: And whereas it will not be in the Power of the ſaid *David Hartley* to 'carry his Invention into complete Execution, ſo as to render the ſame of the higheſt Utility to the Public 'of which it is capable, nor will there be any reaſonable Proſpect to the ſaid *David Hartley* of being 'reimburſed the Sums of Money already by him expended and advanced, and the further Sums neceſſarily 'to be by him expended and advanced, or of obtaining a proper Return and Recompence for ſo important 'an Invention, unleſs the Term granted by the ſaid Letters Patent be prolonged, and his Property in the 'ſaid Invention ſecured not only within that Part of *Great Britain* called *England*, the Dominion of *Wales*, 'the Town of *Berwick upon Tweed*, and his Majeſty's Colonies and Plantations abroad, but alſo within 'that Part of *Great Britain* called *Scotland*, for ſuch Time as may enable him to obtain an adequate Re-'compence for his Labour, Time, and Expence: To the End therefore that the ſaid *David Hartley* may 'be enabled and encouraged to proſecute and complete his ſaid Invention, ſo that the Public may reap all 'the Advantages to be derived therefrom in their fulleſt Extent;' may it pleaſe your moſt Excellent Majeſty (at the humble Petition and Requeſt of the ſaid *David Hartley*) that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That, from and after the paſſing of this Act, the ſole Privilege, and Authority of making, uſing, exerciſing, and vending the ſaid Invention herein-before particularly deſcribed, except as to Ships within the Kingdom of *Great Britain*, and his Majeſty's Colonies and Plantations abroad, ſhall be, and are hereby declared to be, veſted in the ſaid *David Hartley*, his Executors, Adminiſtrators, and Aſſigns, for and during the Term of thirty-one Years; and that he the ſaid *David Hartley*, his Executors, Adminiſtrators, and Aſſigns, and every of them, by himſelf and themſelves, or by his and their Deputy or Deputies, Servants or Agents, or ſuch others as he the ſaid *David Hartley*, his Executors, Adminiſtrators, and Aſſigns, ſhall at any Time agree with, and no others, from Time to Time, and at all Times, during the Term of Years herein-before mentioned, ſhall and lawfully may make, uſe, exerciſe, and vend the ſaid Invention, within the Kingdom of *Great Britain*, and in his Majeſty's Colonies and Plantations abroad, in ſuch Manner as to him the ſaid *David Hartley*, his Executors, Adminiſtrators, and Aſſigns, ſhall in their Diſcretions ſeem meet: And that the ſaid *David Hartley*, his Executors, Adminiſtrators, and Aſſigns, ſhall and lawfully may have and enjoy the whole Profit, Benefit, Commodity, and Advantage, from Time to Time coming, growing, accruing, and ariſing, by reaſon of his ſaid Invention, for and during the ſaid Term of thirty-one Years, to have, hold, receive, and enjoy the ſame, for and during, and to the full End and Term of thirty-one Years, as aforeſaid; and that no other Perſon or Perſons within the Kingdom of *Great Britain*, or any of his Majeſty's Colonies or Plantations abroad, ſhall at any Time, during the ſaid Term of thirty-one Years, either directly or indirectly, make or uſe, or put in Practice the ſaid Invention, or any Part of the ſame ſo attained unto by the ſaid *David Hartley*, nor in any-wiſe counterfeit, imitate, or reſemble the ſame, nor ſhall make, or cauſe to be made, any Addition thereunto, or Subſtraction from the ſame, without the Licence, Conſent, and Agreement, of the ſaid *David Hartley*, his Executors, Adminiſtrators, or Aſſigns, in Writing, under his or their Hand and Seal, or Hands and Seals, firſt had and obtained in that Behalf; upon ſuch Pains and Penalties as can or may be juſtly inflicted on ſuch Offenders for their Contempt of this Act, and further to be anſwerable to the ſaid *David Hartley*, his Executors, Adminiſtrators, and Aſſigns, according to Law, for his and their Damages thereby occaſioned.

The ſole Privilege of making and vending the aforeſaid Invention veſted in David Hartley, &c. for thirty-one Years.

Penalty on Perſons making or imitating the ſame.

II. Provided always, That it ſhall and may be lawful for the Lord High Admiral for the Time being, or the Lords Commiſſioners of the Admiralty, or any three or more of them for the Time being, to make Uſe of the ſaid Invention, in any of his Majeſty's Dock-yards, Rope-houſes, Brew-houſes, and Victualling-offices, and all other Houſes or Buildings which ſhall be uſed in fitting or equipping his Majeſty's Ships of War, or in victualling and ſupplying the ſame, for ſecuring them againſt Fire, in any ſuch Manner as they ſhall think proper, without Licence obtained from the aforeſaid *David Hartley*, his Executors, Adminiſtrators, or Aſſigns.

Exception, in favour of his Majeſty's Dock-yards, &c.

III. Provided always, That if the ſaid *David Hartley*, his Executors, Adminiſtrators, or Aſſigns, or any other Perſon or Perſons who ſhall, at any Time during the ſaid Term of thirty-one Years, have or claim any Right, Title, or Intereſt, in Law or Equity, of, in, or to the Power, Privilege, or Authority, of the ſole Uſe and Benefit of the ſaid Invention, ſhall make any Tranſfer or Aſſignment, or pretended Tranſfer or Aſſignment, of the ſaid Liberty or Privilege hereby granted, or any Share or Shares of

Certain Reſtrictions laid on David Hartley, &c. on the Breach whereof this Act to become void.

of the Benefit or Profits thereof, or ſhall declare any Truſt thereof, to or for any Number of Perſons, exceeding the Number of five; or ſhall open, or cauſe to be opened, any Book or Books for public Subſcriptions to be made by any Number of Perſons, exceeding the Number of five, in order to the raiſing any Sum or Sums of Money, under Pretence of carrying on the ſaid Liberty or Privilege hereby granted; or ſhall by him or themſelves, or his or their Agents or Servants, receive any Sum or Sums of Money whatſoever, of any Number of Perſons, exceeding in the Whole the Number of five, for ſuch or the like Intents or Purpoſes; or ſhall preſume to act as a Corporate Body, or ſhall divide the Benefit of the Liberty or Privileges hereby granted into any Number of Shares, exceeding the Number of five; or ſhall commit or do, or procure to be committed or done, any Act, Matter, or Thing whatſoever, during ſuch Time as ſuch Perſon or Perſons ſhall have any Right or Title, either in Law or Equity, which ſhall be contrary to the true Intent and Meaning of an Act of Parliament, made in the ſixth Year of the Reign of his late Majeſty King *George* the Firſt, intituled, *An Act for the better ſecuring certain Powers and Privileges intended to be granted by his Majeſty, by two Charters, for Aſſurance of Ships and Merchandizes at Sea, and for lending Money upon Bottomry, and for reſtraining ſeveral extravagant and unwarrantable Practices therein mentioned*; or in caſe the ſaid Power, Privilege, or Authority, ſhall at any Time become veſted in, or in Truſt for, more than the Number of five Perſons, or their Repreſentatives, at any one Time, otherwiſe than by Demiſe or Succeſſion (reckoning Executors and Adminiſtrators as and for the ſingle Perſons whom they repreſent, as to ſuch Intereſt as they are or ſhall be intitled to in Right of ſuch their Teſtator or Inteſtate); that then, and in every of the ſaid Caſes, all Liberties and Advantages whatſoever hereby granted, ſhall utterly ceaſe, determine, and become void; any Thing herein-before contained to the contrary thereof in any-wiſe notwithſtanding.

IV. And be it hereby enacted, That any Objection which might have been made to the ſaid Invention not being a new Invention, within the true Intent and Meaning of an Act of the twenty-firſt of *James* the Firſt, ſufficient to invalidate Letters Patent, may be made in Bar to any Action brought by virtue or in conſequence of this Act.

Clauſe for regulating the Price of the Fire Plates.

V. Provided always, That it ſhall not be lawful for the aforeſaid *David Hartley*, his Executors, Adminiſtrators, or Aſſigns, to aſk, demand, or take, any greater Price than Sixpence by the Foot Square for the Plates of Metal, mentioned in the above-recited Specification, commonly called *Fire Plates*, unleſs the ſaid Plates of Metal ſhall be made of Copper, or of any other Metal except Iron, or unleſs they ſhall exceed in Weight ten Ounces Avoirdupoiſe to the Foot Square.

Public Act.

VI. And be it further enacted by the Authority aforeſaid, That this Act ſhall be adjudged, deemed, and taken to be a Public Act; and ſhall be judicially taken Notice of as ſuch by all Judges, Juſtices, and other Perſons whomſoever, without ſpecially pleading the ſame.

## CAP. VII.

### An Act for enabling the Commiſſioners for executing the Office of Lord High Admiral of *Great Britain*, to grant Commiſſions to the Commanders of Private Ships and Veſſels, employed in Trade, or retained in his Majeſty's Service, to take and make Prize of all ſuch Ships and Veſſels, and their Cargoes, as are therein mentioned, for a limited Time.

Preamble; reciting 16 Geo. III. Cap. 5.

'WHEREAS by an Act, made in the laſt Seſſion of this preſent Parliament, intituled, *An Act to prohibit all Trade and Intercourſe with the Colonies of* New Hampſhire, Maſſachuſet's Bay, Rhode Iſland, Connecticut, New York, New Jerſey, Penſylvania, *the Three Lower Counties on* Delaware, Maryland, Virginia, North Carolina, South Carolina, *and* Georgia, *during the Continuance of the preſent Rebellion within the ſaid Colonies reſpectively; for repealing an Act, made in the fourteenth Year of the Reign of his preſent Majeſty,* " to diſcontinue the landing and diſcharging, lading or ſhipping, of Goods, " Wares, and Merchandize, at the Town and within the Harbour of *Boſton*, in the Province of *Maſſachuſet's Bay*;" *and alſo two Acts, made in the laſt Seſſion of Parliament, for reſtraining the Trade and Commerce of the Colonies in the ſaid Acts reſpectively mentioned; and to enable any Perſon or Perſons, appointed and authoriſed by his Majeſty to grant Pardons, to iſſue Proclamations, in the Caſes, and for the Purpoſes therein mentioned*; it is (amongſt other Things) enacted, That all Ships and Veſſels of or belonging to the Inhabitants of the Colonies therein mentioned, and all other Ships and Veſſels which ſhall be found trading in any Port or Place of the ſaid Colonies, or going to trade, or coming from trading, in any ſuch Port or Place, ſhall become forfeited to his Majeſty, together with their Cargoes, Apparel, and Furniture, as if the ſame were the Ships and Effects of open Enemies; and that the Flag Officers, Captains, Commanders, and other Commiſſioned Officers in his Majeſty's Pay, and alſo the Seamen, Marines, and Soldiers on board, ſhall have the ſole Intereſt and Property of and in all and every ſuch Ship, Veſſel, Goods, and Merchandize which they ſhall ſeize and take (being firſt adjudged lawful Prize in any of his Majeſty's Courts of Admiralty), to be divided in ſuch Proportions, and after ſuch Manner, as therein preſcribed: And whereas many Ships and Veſſels belonging to his Majeſty's loyal and well-affected Subjects have been armed and equipped by the Owners thereof for their own Security, againſt the rebellious and piratical Attacks of the Inhabitants of the aforeſaid Colonies, and ſeveral Veſſels belonging to, and fitted out by, the Rebels, have been taken without any Commiſſion from his Majeſty, the Property of which Ships, and their Cargoes, though forfeited to his Majeſty, is not by Law veſted in the Captors: And whereas it is juſt and expedient to veſt, under proper Regulations, the Property of all ſuch Ships and Veſſels ſo taken in the Captors, and to provide ſome Encouragement for the Defence of the Property of his Majeſty's loyal Subjects, as well as for taking and deſtroying Ships fitted out in an hoſtile Manner by the Inhabitants of the rebellious Colonies;' be it therefore enacted by the King's moſt Excellent

Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Lord High Admiral of *Great Britain*, or the Commiſſioners for executing the Office of Lord High Admiral of *Great Britain* for the Time being, or any three or more of them, or any Perſon or Perſons by him or them impowered and appointed, ſhall and may, from and after the twentieth Day of *February*, one thouſand ſeven hundred and ſeventy-ſeven, at the Requeſt of any Merchant or Merchants, being Owner or Owners of any Ship or Veſſel employed in Trade, or retained in his Majeſty's Service, giving ſuch Bail and Security as is hereinafter mentioned and expreſſed, cauſe to be iſſued forth one or more Commiſſion or Commiſſions, to any Perſon or Perſons whom ſuch Merchant or Merchants ſhall nominate to be Commander, or in caſe of Death ſucceſſively Commanders of ſuch Ship or Veſſel, for the attacking, ſurpriſing, ſeizing, and taking, by and with ſuch Ship or Veſſel, or with the Crew thereof, all Ships and Veſſels, Goods, Wares, and Merchandizes, Chattels and Effects whatſoever, belonging to the Inhabitants of the ſaid Colonies now in Rebellion; and all Ships and Veſſels, with their Cargoes, Apparel, and Furniture, belonging to his Majeſty's Subjects in *Great Britain* or *Ireland*, which ſhall be found trading to or from the ſaid Colonies, contrary to the Proviſions of the ſaid Act of Parliament; and that ſuch Ships and Veſſels, Goods, Wares, Merchandizes, Chattels and Effects, ſo to be taken by or with ſuch Ship or Veſſel, according to ſuch laſt-mentioned Commiſſion or Commiſſions (being firſt adjudged lawful Prize in any of his Majeſty's Courts of Admiralty), ſhall wholly and intirely belong to, and be divided between and among, ſuch Owner and Owners of ſuch Ship and Veſſel, and the ſeveral Perſons who ſhall be on Board the ſame, and be aiding and aſſiſting to the taking thereof, in ſuch Shares and Proportions as ſhall be agreed on with ſuch Owner or Owners of ſuch Ship or Veſſel as ſhall be the Captor thereof, their Agents or Factors, as the proper Goods and Chattels of ſuch Owner or Owners, and the Perſons that ſhall be intitled thereto by virtue of ſuch Agreements among themſelves; and that neither his Majeſty, his Heirs or Succeſſors, or any Admiral, Vice-admiral, Governor, or other Perſon commiſſioned by, or claiming under, his Majeſty, his Heirs or Succeſſors, or any Perſon or Perſons whatſoever, other than the Owner of ſuch Ship or Veſſel being the Captor of ſuch Prize, Ship or Veſſel, Cargo, Apparel, and Furniture, and the Perſons claiming under him or them, ſhall be intitled to any Part or Share thereof (except as to the Cuſtoms and Duties), any Cuſtom, Statute, or other Law to the contrary notwithſtanding.

Commiſſioners of the Admiralty, &c. may iſſue forth Commiſſions to Commanders of Veſſels, for taking Ships, &c. belonging to the rebellious Colonies, &c.

All Prizes to belong to the Captors:

II. Provided always, That nothing in this Act contained ſhall intitle any Ship having a Commiſſion, and which ſhall receive Orders from, and put herſelf under the Convoy of any of his Majeſty's Ships or Veſſels, to ſhare in any Prize or Prizes taken by ſuch Convoy, or by ſuch Ship having a Commiſſion, whilſt the ſaid commiſſioned Ship ſhall remain under the Care and Protection of ſuch Convoy.

Except when ſuch commiſſioned Ships are under Convoy.

III. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Lord High Admiral of *Great Britain*, or the Commiſſioners for executing the Office of Lord High Admiral of *Great Britain* for the Time being, or any three or more of them, at any Time or Times hereafter, to revoke and make void, by any Order or Orders in Writing, under his or their Hand or Hands, any Commiſſion or Commiſſions which ſhall be iſſued forth to any Perſon or Perſons who ſhall be nominated Commander or Commanders of any Ship or Veſſel, by virtue of this Act.

Commiſſioners of the Admiralty may revoke any Commiſſion, &c.

IV. Provided nevertheleſs, That the Secretary of the Admiralty for the Time being ſhall, with all convenient Speed, after any and every ſuch Commiſſion ſhall be ſo revoked, cauſe Notice thereof in Writing to be forthwith ſent to the Owner or Owners, or Agent or Agents, Surety or Sureties, or ſome one of them, of the Ship or Veſſel named or deſcribed in ſuch Order of Revocation; and in caſe ſuch Ship or Veſſel ſhall be in the Channel, the ſaid Order of Revocation ſhall be effectual to ſuperſede and annul the ſaid Commiſſion at the Expiration of twenty Days from and after ſuch Notice given as aforeſaid, or ſooner, if Notice ſhall be actually given in Writing, by the Secretary of the Admiralty, to the Captain or Commander thereof; and in caſe ſuch Ship or Veſſel ſhall be to the Southward of *Cape Finiſterre*, at the Expiration of ſix Weeks; and in caſe ſuch Ship or Veſſel ſhall be in *North America*, or the *Weſt Indies*, at the Expiration of three Months: And any Commander or Commanders, Owner or Owners, Agent or Agents, Surety or Sureties, of any ſuch Ship or Veſſel, whereof ſuch Commiſſion or Commiſſions, iſſued or to be iſſued forth as aforeſaid, ſhall be ſo revoked, may complain thereof to his Majeſty in Council, within thirty Days next after the Secretary of the Admiralty for the Time being ſhall cauſe Notice thereof to be given as aforeſaid; and the Determination of his Majeſty in Council, touching every ſuch Complaint, ſhall be final.

Secretary of the Admiralty to give Notice of ſuch Revocation to the Owners, &c.

who may complain thereof to his Majeſty in Council.

V. Provided always, That in caſe any ſuch Order of Revocation ſhall be ſuperſeded, ſuch Commiſſion ſhall be deemed and taken to have continued in Force, and all Prizes taken by virtue thereof ſhall belong to, and be the Property of, ſuch Owners and Captors, in ſuch Manner as the ſame would have been, in caſe ſuch Order of Revocation had not been made.

When any Order of Revocation ſhall be ſuperſeded, Commiſſion ſhall be deemed to have continued in Force.

VI. Provided alſo, That no Perſon ſhall be liable to be puniſhed for doing, before he ſhall have received perſonal Notice of ſuch Order of Revocation, any Matter or Thing which he might have lawfully done under the Authority of ſuch Commiſſion, in caſe ſuch Order of Revocation had not been made.

Proviſo.

VII. And be it further enacted by the Authority aforeſaid, That before the granting or iſſuing of any Commiſſion in purſuance of this Act, ſuch Bail and Security ſhall be taken as have been uſual upon the granting or iſſuing of Commiſſions for private Ships of War; and that, previous to the taking of ſuch Bail and Security, the Perſons who propoſe to be bound and give ſuch Security, ſhall ſeverally make Oath, before the Judge of the High Court of Admiralty of *England*, or his Surrogate, or other Perſon or Perſons by ſuch Judge or Surrogate lawfully commiſſioned, that, at the Time of their being ſworn, they are reſpectively worth more Money than the Sum for which they are then to be bound, over and above all their juſt Debts; and moreover, the Marſhal of the ſaid High Court of Admiralty for the Time being, or his Deputy, or the Perſon or Perſons ſo commiſſioned as aforeſaid, is or are hereby required and directed to make

Bail, &c. to be taken before granting any Commiſſion.

make diligent Enquiry into, and ſatisfy himſelf or themſelves of the Sufficiency of ſuch Bail and Security, and make a Report thereof to the ſaid Judge, or his Surrogate, before any ſuch Commiſſion ſhall be granted or iſſued.

All Perſons applying for any Commiſſion, to ſet forth in Writing an exact Deſcription of the Veſſel, its Cargo, Number of Guns, &c.

VIII And be it further enacted by the Authority aforeſaid, That, from and after the ſaid twentieth Day of *February*, one thouſand ſeven hundred and ſeventy-ſeven, all and every Perſon and Perſons who ſhall apply to the Lord High Admiral, or the Commiſſioners for executing the Office of Lord High Admiral for the Time being, in order to obtain any Commiſſion to be granted or iſſued forth in purſuance of this Act, ſhall make every ſuch Application in Writing; and therein ſet forth a particular, true, and exact Deſcription of the Ship or Veſſel employed in Trade, or retained in his Majeſty's Service, for which ſuch Commiſſion is requeſted, ſpecifying the Cargo thereof, the Burthen of ſuch Ship or Veſſel, and the Number and Nature of the Guns on board the ſame, to what Place belonging, and on what Voyage bound, and the Name or Names of the principal Owner or Owners of ſuch Ship or Veſſel, and the Number of Men intended to be put on board the ſame (all which Particulars ſhall reſpectively be inſerted in every Commiſſion to be granted or iſſued in purſuance of this Act); and that every Commander of a Merchant Ship, or a Ship retained in his Majeſty's Service, for which a Commiſſion ſhall be granted or iſſued in purſuance of this Act, ſhall produce ſuch Commiſſion to the Collector, Cuſtomer, or Searcher, for the Time being, of his Majeſty's Cuſtoms, reſiding at or belonging to the Port from whence ſuch Ship or Veſſel ſhall be firſt fitted out, or to the lawful Deputy or Deputies of ſuch Collector, Cuſtomer or Searcher; and the ſaid Collector, Cuſtomer or Searcher, or his or their lawful Deputy or Deputies, ſhall, as ſoon thereafter as conveniently may be, without Fee or Reward, inſpect and examine ſuch Ship or Veſſel; and if the ſame ſhall thereupon be found to be according to the Tenor of the Deſcription inſerted in ſuch Commiſſion as aforeſaid, or be of a greater Burthen or Force than ſhall be mentioned in ſuch Commiſſion, then ſuch Collector, Cuſtomer or Searcher, or his or their lawful Deputy or Deputies, ſhall, and he or they is and are hereby required immediately, upon the Requeſt of the Commander of ſuch Ship or Veſſel, to give a Certificate thereof in Writing, under his or their Hand or Hands, *gratis*, to ſuch Commander; which Certificate ſhall be deemed a neceſſary Clearance before ſuch Merchant Ship or Veſſel ſhall be permitted to ſail from that Port: And if the Commander of any Ship or Veſſel, for which any Commiſſion ſhall have been granted or iſſued in purſuance of this Act, ſhall depart with ſuch Ship or Veſſel from ſuch Port of Clearance, before he hath received ſuch Certificate, or ſhall depart from any ſuch Port, or proceed upon a Voyage with a Force inferior to the Force ſpecified in ſuch Commiſſion, or required by this Act, in every ſuch Caſe, the Commiſſion for ſuch Ship or Veſſel ſhall from thenceforth be abſolutely null and void, and the Commander ſo offending, being convicted thereof before any Court of Admiralty, ſhall be impriſoned, without Bail or Mainprize, for ſuch Space of Time as the ſaid Court ſhall direct, not exceeding one Year for any one Offence.

Commanders of commiſſioned Ships to produce their Commiſſions to the Collector, &c. of the Cuſtoms; who are to examine ſuch Ships; and if found agreeable to the Deſcription, to grant a Certificate thereof.

Penalty on Commander leaving Port without a Certificate, &c.

Penalty on Collector, Cuſtomer, &c. for granting a falſe Certificate.

IX. And be it further enacted by the Authority aforeſaid, That if any Collector, Cuſtomer, or Searcher of his Majeſty's Cuſtoms, or his or their lawful Deputy or Deputies, ſhall grant a Certificate for any Ship or Veſſel which ſhall not be of the Burthen and Force ſpecified in the Commiſſion granted to the Commander or Commanders thereof, or of greater Burthen and Force than ſhall be mentioned in ſuch Commiſſion, he ſhall, for ſuch Offence, forfeit his ſaid Office, and be for ever after incapable of holding any Office in the Cuſtoms, and ſhall alſo forfeit the Sum of one hundred Pounds, to be recovered by any Perſon or Perſons who will ſue for the ſame, by Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, or in the Courts of Seſſion or Exchequer in *Scotland*, in which no Eſſoin, Protection, Wager of Law, or more than one Imparlance, ſhall be allowed; and one Moiety of the ſaid Penalty of one hundred Pounds, when recovered, ſhall be paid to the Informer or Informers, and the other Moiety to the Treaſurer for the Time being to the Corporation for the Relief and Support of ſick, maimed, and diſabled Seamen, and of the Widows and Children of ſuch as ſhall be killed, ſlain, or drowned, in the Merchants Service, for the Uſe of ſuch Corporation; or where ſuch Forfeitures ſhall be incurred in any of the Out-ports in which a Corporation is eſtabliſhed, or ſhall hereafter be eſtabliſhed, for the Purpoſes aforeſaid, then a Moiety of ſuch Penalty ſhall be paid to the Truſtees for the Uſe of the Corporation ſo eſtabliſhed.

Proviſo for aſcertaining the Tonnage.

X. Provided always, That the Number of Tons ſo to be certified, be aſcertained according to the Rules laid down by an Act, paſſed in the eighth Year of the Reign of her late Majeſty Queen *Anne* (intituled, *An Act for making a convenient Dock or Baſon at* Liverpool, *for the Security of all Ships trading to and from the ſaid Port of* Liverpool).

If the Commander of any commiſſioned Ship ſhall agree with any Perſon belonging to any Prize taken, for the Ranſom thereof, &c.

He ſhall be deemed a Pirate, and ſuffer accordingly.

XI. And be it further enacted by the Authority aforeſaid, That in caſe, at any Time or Times after the ſaid twentieth Day of *February*, one thouſand ſeven hundred and ſeventy-ſeven, any Commander or Commanders of any Merchant Ship or Ships, or Veſſel or Veſſels, duly commiſſioned by virtue of this Act, ſhall agree with the Commander or Commanders, or other Perſon or Perſons, of or belonging to any Ship or Ships, Veſſel or Veſſels, for the Ranſom of any ſuch Ship or Ships, Veſſel or Veſſels, or the reſpective Cargo or Cargoes thereof, or any Part thereof, after the ſame ſhall have been taken as Prize, and ſhall, in purſuance of ſuch Agreement or Agreements, actually quit, ſet at Liberty, or diſcharge any ſuch Prize or Prizes, inſtead of bringing the ſame into ſome Port or Ports belonging to his Majeſty's Dominions not in Rebellion; that then all and every of the Commander and Commanders of ſuch commiſſioned Ship or Ships, or Veſſel or Veſſels, who ſhall agree for any ſuch Ranſom, and ſhall quit, ſet at Liberty, or diſcharge, any ſuch Prize or Prizes in Manner aforeſaid, ſhall be deemed, adjudged, and taken to be guilty of Piracy, Felony, and Robbery, and he, they, and every of them, being duly convicted thereof, ſhall have and ſuffer ſuch Pains of Death, Loſs of Lands, Goods and Chattels, as Pirates, Felons, and Robbers upon the Seas, ought to have and ſuffer according to the Laws now in being.

XII. And

Agents ſhall regiſter their Letters of Attorney within ſix Months after Sentence of Condemnation,

XII. And be it further enacted by the Authority aforeſaid, That all and every Perſon or Perſons, who ſhall be nominated and appointed Agent or Agents for any Prize or Prizes which ſhall be taken by virtue of this Act, and which Prize or Prizes ſhall be condemned in the High Court of Admiralty in *Great Britain*, or in any other of the Courts of Admiralty in any of his Majeſty's Dominions where the ſaid Prize and Prizes, and every of them, ſhall be condemned, ſhall exhibit, and cauſe to be regiſtered, in the ſaid High Court of Admiralty in *Great Britain*, or in the reſpective Courts of Admiralty in any other of his Majeſty's Dominions, or elſewhere, where the ſaid Prize and Prizes, and every of them, ſhall be condemned, his or their reſpective Letter or Letters of Attorney, appointing him or them Agent or Agents for the Purpoſes aforeſaid: And if any Perſon or Perſons ſo appointed Agent or Agents, as aforeſaid, ſhall refuſe or neglect ſo to do, for the Space of ſix Calendar Months next after Sentence of Condemnation of any Prize ſhall be given in the ſaid High Court of Admiralty in *Great Britain*, or other Admiralty Court in any of his Majeſty's Dominions, for the Care and Diſtribution of which he or they ſhall be appointed Agent or Agents; ſuch Perſon or Perſons ſo refuſing or neglecting, ſhall forfeit the Sum of five hundred Pounds, to be recovered by him or them who will ſue for the ſame, by Action of Debt, Bill, Plaint, or Information, in any Court of Record in *Great Britain*, or elſewhere; in which no Eſſoin, Protection, Wager of Law, or more than one Imparlance, ſhall be allowed.

or forfeit 500l.

Proviſo.

XIII. Provided always, and it is hereby enacted by the Authority aforeſaid, That if any Agent or Agents ſhall be appointed after the Time any Sentence of Condemnation, in any of the ſaid Courts of Admiralty, ſhall be given, ſuch Agent or Agents ſhall, under the aforeſaid Penalty, regiſter, or cauſe to be regiſtered, in Manner aforeſaid, his or their reſpective Letter or Letters of Attorney, appointing him or them Agent or Agents, as aforeſaid, within the Space of ſix Calendar Months after the Date of the ſaid Letter or Letters of Attorney.

Ships and Merchandize taken as Prize, not to be exempted from Payment of Cuſtoms, &c.

XIV. Provided always, and be it declared and enacted by the Authority aforeſaid, That nothing herein contained ſhall extend, or be conſtrued to extend, or exempt any Ships, Goods, Wares, or Merchandize, which ſhall be taken as Prize, and brought or imported into this Kingdom, or any of his Majeſty's Dominions, from the Payment of any Cuſtoms or Duties, or from being ſubject to ſuch Reſtrictions and Regulations to which the ſame now are, or ſhall hereafter be liable by virtue of the Laws and Statutes of this Realm.

Certain Clauſes in 16 Geo. III. Cap. 5. to be applied in executing this Act.

XV. And be it further enacted by the Authority aforeſaid, That the ſeveral Regulations and Proviſions expreſſed and contained in the above-recited Act of the laſt Seſſion of Parliament, and all Clauſes, Proviſoes, Matters, and Things therein expreſſed and contained, ſhall be applied, and made uſe of, for effectually carrying this preſent Act into Execution, ſo far as the ſaid Regulations and Proviſions, Clauſes, Proviſoes, Matters, and Things contained in the ſaid Act of the laſt Seſſion of Parliament, relate to, or in anywiſe concern, the Condemnation, or other Determination of Prizes, and the Proceedings thereupon, and alſo the Appraiſements and Sales of Prizes, and Payment of Prize-money, and likewiſe the Penalties and Forfeitures to which the Judges and Officers of the Admiralty Courts, and alſo the Agents for Prizes, and Embezellers of any Part or Parts of Prizes, and all Officers of his Majeſty's Cuſtoms, are thereby reſpectively made ſubject and liable, and ſhall (ſo far as the Nature and Circumſtances of their reſpective Caſes will admit of) extend to, and be conſtrued, deemed, and taken, in all Courts of Admiralty, and all other Courts whatſoever, to be in Force, with reſpect to all ſuch Prize and Prizes as ſhall be ſeized and taken by virtue and in purſuance of this Act, as fully, amply, and effectually, to all Intents and Purpoſes, as if the like Regulations, Proviſions, Clauſes, Proviſoes, Matters, and Things, were herein particularly repeated and enacted.

Treaſurer of the Navy to pay to the Officers, Seamen, &c. on board any of his Majeſty's Ships of War, or any commiſſioned Ships, who ſhall take any Ship of War, &c. from the Rebels, 5l. for every Man on board ſuch Ship, &c.

'XVI. And, as a further Encouragement to the Officers, Seamen, Marines, Soldiers, and others, on 'Board his Majeſty's Ships of War, as alſo of Ships to be commiſſioned under the Regulations of this Act, 'to attack, take, and deſtroy, any Ships of Force belonging to the ſaid Colonies,' be it enacted by the Authority aforeſaid, That there ſhall be paid by the Treaſurer of his Majeſty's Navy, upon Bills to be made forth by the Commiſſioners of the Navy, to be paid according to the Courſe thereof, without Fee or Reward, unto the Officers, Seamen, Marines, Soldiers, or others, that ſhall be actually on Board any of his Majeſty's Ships of War, or Merchant Ship or Ships retained in his Majeſty's Service, to be commiſſioned as aforeſaid, in any Action where any Ship or Ships of War, or Privateer or Privateers, ſhall be taken from the Rebels, ſunk, burnt, or otherwiſe deſtroyed, by virtue and in purſuance of this Act, five Pounds for every Man who was living on Board any Ship or Ships ſo taken, ſunk, burnt, or otherwiſe deſtroyed, at the Beginning of the Engagement between them; the Numbers of ſuch Men to be proved by the Oaths of three or more of the chief Officers or Men who were belonging to the ſaid Ship or Ships of War, or Privateers of the Rebels, or belonging to any of them, at the Time of her or their being taken as Prize, ſunk, burnt, or otherwiſe deſtroyed, before the Mayor or other Chief Magiſtrate of the Port, within any of his Majeſty's Dominions, whereunto any Prize, or Officers, or Men, of ſuch Ships as were ſunk, burnt, or otherwiſe deſtroyed, ſhall be brought; or before the *Britiſh* Conſul or Vice-conſul, reſiding at any Port abroad to which ſuch Prize, or Officers, or Men, ſhall be brought; which Oaths the ſaid Mayor, or other Chief Magiſtrate of any ſuch Port, or Conſul or Vice-conſul, are hereby reſpectively impowered and required to adminiſter; and ſhall forthwith grant a Certificate thereof, without Fee or Reward, directed to the Commiſſioners of his Majeſty's Navy, together with an authentick Copy of the Condemnation of ſuch Ship ſo taken; or if ſuch Ship be ſunk, burnt, or otherwiſe deſtroyed, on producing only a Certificate from the Mayor, or other Chief Magiſtrate, or Conſul or Vice-conſul, as aforeſaid, the ſaid Commiſſioners of his Majeſty's Navy, or ſuch Perſon or Perſons as they ſhall appoint for that Purpoſe, ſhall, according to the Courſe of the Navy, within fifteen Days, make out Bills for the Amount of ſuch Bounty, directed to the Treaſurer of the Navy, payable to, and to be divided amongſt, the Officers, Seamen, Marines, and Soldiers, on Board his Majeſty's Ships of War, in Manner, Form, and Proportion, as, by his Majeſty's Proclamation, the Payment of Prize-money is directed and appointed to be divided;

Manner of dividing the Bounty.

vided; and amongſt the Owners, Officers and Seamen of any Merchant Ship or Veſſel, or Ship or Veſſel retained in his Majeſty's Service, to be commiſſioned by virtue of this Act, in ſuch Manner and Proportion as by any Agreement in Writing, they ſhall have entered into for that Purpoſe, ſhall be directed.

Proviſo relating to adminiſtering the Oath, and granting Certificate.

XVII. Provided nevertheleſs, That in all Caſes where any ſuch Oath and Certificate cannot be adminiſtered and granted at the firſt Port where any Prize, or Officers, or Men, of ſuch Ships as ſhall be taken, ſunk, burnt, or otherwiſe deſtroyed, ſhall be brought, ſuch Oath or Oaths, relating to any Prize or Prizes that ſhall be taken, ſunk, burnt, or otherwiſe deſtroyed, as aforeſaid, ſhall and may be adminiſtered and taken, by and before the Mayor, or other Chief Magiſtrate of any Port within any of his Majeſty's Dominions, or by or before the *Britiſh* Conſul or Vice-conſul reſiding at any Port abroad, whereunto any Prize or Prizes, or Officers, or Men, of any Ships belonging to the Rebels, as ſhall be taken, ſunk, burnt, or otherwiſe deſtroyed, ſhall at any Time afterwards be brought (Proof being firſt made, by Affidavit, before ſuch Perſon or Perſons, of the Inability of making ſuch Oath or Oaths, and obtaining ſuch Certificate at the ſaid firſt Port); and the Mayor, or other Chief Magiſtrate, Conſul or Vice-conſul, ſhall thereupon grant ſuch Certificate and Certificates as are herein-before directed; which Certificate and Certificates ſhall be good and effectual to all Intents and Purpoſes, as if the ſame were granted by the Mayor, or other Chief Magiſtrate, Conſul or Vice-conſul, of the Port to which ſuch Prize or Prizes, Officers or Men, as aforeſaid, ſhall be firſt brought; any Thing herein contained to the contrary thereof in anywiſe notwithſtanding.

To what Perſons the Bills, to be made out for the Bounty, are to be payable.

XVIII. And be it further enacted by the Authority aforeſaid, That the Bill or Bills, to be made out for the Bounty hereby granted to the Commanders and Officers, Seamen, Marines, Soldiers, and others of his Majeſty's Ships of War, for taking, ſinking, burning, or otherwiſe deſtroying, any Ships of War or Privateers, belonging to any of the ſaid rebellious Colonies, ſhall be made payable to ſuch Perſon or Perſons as ſhall be authoriſed and appointed by the Flag Officers or Flag Officer, Captains or Captain, Officers or Officer, Ships Companies or Ship's Company, and others intitled thereunto, in like Manner as directed by the ſaid in part recited Act of the laſt Seſſion of Parliament, for the nominating and appointing Agents for Appraiſements and Sales, to be made as aforeſaid, the ſame to be diſtributed and divided by the ſaid Perſon or Perſons ſo authoriſed and appointed amongſt the Captors, in ſuch Manner, Form, and Proportion, as aforeſaid; the ſeveral Shares of which Captors, if not legally demanded within three Years after public Notification, and alſo of ſuch as ſhall run from his Majeſty's Service, ſhall be applied to the Uſe of *Greenwich* Hoſpital: And that the Bill or Bills to be made out for the Bounty hereby granted to Merchant Ships to be commiſſioned by virtue of this Act, for taking, burning, ſinking, or otherwiſe deſtroying, any Ships of War or Privateers belonging to any of the ſaid rebellious Colonies, ſhall be made payable to ſuch Perſon or Perſons as ſhall be nominated and appointed by the Owner or Owners, Officers or Seamen of ſuch Merchant Ship or Veſſel, or Ship or Veſſel retained in his Majeſty's Service, to be commiſſioned as aforeſaid, who ſhall have taken, ſunk, burnt, or otherwiſe deſtroyed the ſame, or the major Part of them, to be divided in ſuch Manner and Proportions as ſhall have been agreed on by them as aforeſaid.

Prizes which had been taken from his Majeſty's Subjects not in Rebellion, to be reſtored to them,

XIX. Provided always, and be it further enacted, That if any Ship, Veſſel, or Boat, taken as Prize, or any Goods, therein ſhall appear, and be proved in the High Court of Admiralty, or any Vice-admiralty Court, to have belonged to any of his Majeſty's Subjects of *Great Britain*, or *Ireland*, or any of the Dominions and Territories remaining and continuing in their Allegiance to the King, and under his Majeſty's Protection, which were before taken or ſurprized by any of his Majeſty's rebellious Colonies or Plantations before-mentioned, and at any Time afterwards again ſurprized and retaken from his Majeſty's ſaid rebellious Colonies or Plantations, by any Ship or Veſſel having ſuch Commiſſion as aforeſaid; that then ſuch Ships, Veſſels, Boats, and Goods, and every ſuch Part and Parts thereof as aforeſaid, formerly belonging to ſuch his Majeſty's Subjects remaining and continuing under his Protection, ſhall in all Caſes be adjudged to be reſtored, and ſhall be, by Decree of the ſaid High Court of Admiralty or Vice-admiralty Court, accordingly reſtored to ſuch former Owner or Owners, or Proprietors, he or they paying for and in lieu of Salvage (if retaken from the Rebels by a Merchant Ship or Veſſel commiſſioned as aforeſaid), one-eighth Part of the true Value of the Ships, Veſſels, Boats, and Goods, reſpectively ſo to be reſtored; which Salvage ſhall be anſwered and paid to the Commander, Officers, and Crews of ſuch commiſſioned Ship or Veſſel, to be divided in ſuch and the ſame Manner as before in this Act is directed, touching the Share of Prizes to the Owners, Commanders and Crews of Merchant Ships, or Ships retained in his Majeſty's Service, having Commiſſions as aforeſaid.

on Payment of one-eighth Part of the Value thereof.

Offences on board commiſſioned Ships puniſhable in the ſame Manner as on board Ships of War.

'XX. And whereas in all Ships or Veſſels which ſhall be commiſſioned in purſuance of this Act, it is 'expedient for the better Diſcipline and Government of ſuch Ships, that all Perſons who ſhall enter themſelves on board the ſaid Ships or Veſſels ſhould be under proper Regulations to pay Obedience to the lawful Commands of the Captains and Chief Commanders of the ſaid Ships and Veſſels;' be it therefore enacted by the Authority aforeſaid, That all Offences committed by any Officer or Seaman on board any Ship or Veſſel, which ſhall be commiſſioned by virtue or in purſuance of this Act, during the Continuance thereof, ſhall be puniſhed in ſuch Manner as the like Offences are puniſhable on board his Majeſty's Ships of War.

Offenders accuſed of Crimes cognizable only by a Court Martial, to be confined on board, &c.

XXI. Provided always, That all Offenders who ſhall be accuſed of ſuch Crimes as are cognizable only by a Court-martial, ſhall be confined on board ſuch Ship or Veſſel in which ſuch Offence ſhall be committed, until they ſhall arrive in ſome Port in *Great Britain* or *Ireland*, or can meet with a Number of his Majeſty's Ships of War abroad as are ſufficient to make a Court-martial: And upon Application made by the Commander of ſuch Ship or Veſſel, which ſhall be ſo commiſſioned as aforeſaid, to the Lord High Admiral of *Great Britain*, or Commiſſioners for executing the Office of Lord High Admiral of *Great Britain*, for the Time being, or the Commander in Chief of his Majeſty's ſaid Ships of War abroad, the ſaid Lord High Admiral, or Commiſſioners for executing the Office of Lord High Admiral of *Great Britain* for the Time being, or any three or more of them, or ſuch Commander in Chief abroad, are hereby authorized and required to call a Court-martial for trying and puniſhing the ſaid Offence.

XXII. And

XXII. And be it further enacted by the Authority aforeſaid, That if any Action or Suit ſhall be commenced or proſecuted againſt any Perſon or Perſons, for or by reaſon of any Thing done or acted in purſuance of this Act; then, and in every ſuch Caſe, ſuch Action or Suit ſhall be commenced within ſix Calendar Months next after the Fact committed, and not afterwards; and the Defendant or Defendants ſhall and may plead the General Iſſue, and give this Act and the ſpecial Matter in Evidence: And if the Act ſhall appear to have been done in purſuance of and by the Authority of this Act, or if any ſuch Action or Suit ſhall be brought after the Time herein-before limited for bringing the ſame, then the Jury ſhall find for the Defendant or Defendants; and upon ſuch finding, or if the Plaintiff or Plaintiffs ſhall be nonſuited, or diſcontinue his or their Action after the Defendant or Defendants ſhall have appeared, or if, upon Demurrer, Judgement ſhall be given againſt the Plaintiff or Plaintiffs, the Defendant or Defendants ſhall and may recover Treble Coſts. Limitation of Actions. General Iſſue. Treble Coſts.

XXIII. And be it further enacted by the Authority aforeſaid, That this Act, and every Clauſe, Proviſo, Matter and Thing herein contained, ſhall remain, continue, and be in Force, for, during, and until the Expiration, or other ſooner Determination of the aforeſaid Act of the laſt Seſſion of Parliament. Continuance of this Act.

## CAP. VIII.

An Act to amend ſo much of an Act, made in the thirteenth Year of the Reign of his preſent Majeſty (intituled, *An Act for eſtabliſhing certain Regulations for the better Management of the Affairs of the* Eaſt India *Company, as well in* India *as in* Europe), as relates to the Day on which the annual Election of Directors of the ſaid Company is to be made.

'WHEREAS by an Act, made in the thirteenth Year of the Reign of his preſent Majeſty (intituled, *An Act for eſtabliſhing certain Regulations for the better Management of the Affairs of the* Eaſt India *Company, as well in* India *as in* Europe); it is, among other Things, enacted, That at the then next enſuing General Election of Directors of the ſaid United Company, inſtead of an Election of twenty-four Directors to ſerve for the Space of one Year only, there ſhould be choſen, in ſuch Manner and Order as the Directors of the ſaid United Company for the Time being ſhould appoint, ſix Directors expreſsly for the Term of one Year, and ſix other Directors for the Term of two Years, and ſix other Directors for the Term of three Years, and the remaining ſix Directors for the Term of four Years, and not otherwiſe; and from thenceforth yearly and every Year, and at the Expiration of each and every of the ſaid Terms reſpectively, ſix new Directors, and no more, ſhould be choſen, from Time to Time, in the Place of ſuch Directors whoſe Term ſhould have expired, and who were thereby declared incapable of being then rechoſen; and at every ſubſequent Election, during the Continuance of the Charter of the ſaid United Company, ſix new Directors ſhould be choſen, and ſhould continue to be Directors for the Term of four Years, and no longer, to be accounted from the Day on which the Election of ſuch Directors was reſpectively made; and in caſe the Office and Authority of any ſuch Director ſhould become void, by Death, Removal, or otherwiſe, another ſhould be choſen, from Time to Time, in his Place, to ſerve as a Director during the Remainder of ſuch Term for which the Perſon whoſe Office ſhould have become void was choſen, and no longer: And whereas the firſt General Election of Directors of the ſaid United Company, after the paſſing the ſaid recited Act, was made on the thirteenth Day of *April*, which was in the Year of our Lord one thouſand ſeven hundred and ſeventy-four, at which Time ſix Directors were choſen for the Term of one Year, ſix other Directors for the Term of two Years, ſix other Directors for the Term of three Years, and ſix other Directors for the Term of four Years, according to the Directions of the ſaid recited Act; and afterwards on the thirteenth Day of *April*, which was in the Year of our Lord one thouſand ſeven hundred and ſeventy-five, ſix other Directors were choſen for the Term of four Years, in the Room of thoſe Directors who were elected for one Year, as aforeſaid; and on the thirteenth Day of *April*, one thouſand ſeven hundred and ſeventy-ſix, ſix other Directors were choſen for the Term of four Years, in the Room of thoſe Directors who were elected for two Years, as aforeſaid: And whereas there is not any Proviſion in the ſaid Act, for the making an Election of Directors of the ſaid United Company at any other Time than on the exact Day when the Term of the former Elections expire: And whereas the Day of Election of Directors in the Year one thouſand ſeven hundred and ſeventy-ſeven, according to the ſaid recited Act, will happen on *Sunday*, the thirteenth Day of *April*, one thouſand ſeven hundred and ſeventy-ſeven; but it is highly improper that ſuch Election ſhould be made on a *Sunday*, and it is expedient that the like Impropriety ſhould be prevented in future;' be it therefore enacted by the King's moſt excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That, inſtead of the ſaid General Election of ſix Directors of the ſaid United Company, in the ſaid Year one thouſand ſeven hundred and ſeventy-ſeven, for the Term of four Years, being made on *Sunday*, the ſaid thirteenth Day of *April*, one thouſand ſeven hundred and ſeventy-ſeven, the ſame Election ſhall be made on *Wedneſday*, the ſixteenth Day of the ſame Month of *April*; and in reſpect to all future annual Elections of Directors of the ſaid United Company, inſtead of the ſame being made on the exact Day of the Expiration of the Term for which the former Directors were elected, in purſuance of the ſaid recited Act, ſuch future annual General Elections of Directors of the ſaid United Company, ſhall be made on the ſecond *Wedneſday* in the Month of *April* in every Year. Preamble. Act 13 Geo. III. recited. General Election of Directors for 1777, to be on Wedneſday, April 16; and all future annual Elections on the ſecond Wedneſday in April.

II. And be it further enacted by the Authority aforeſaid, That the Term of three Years, for which ſix Directors of the ſaid Company were elected, in the ſaid Year one thouſand ſeven hundred and ſeventy-four, and which will expire on the thirteenth Day of *April*, one thouſand ſeven hundred and ſeventy-ſeven, ſhall be enlarged; and ſuch Directors ſo elected for the Term of three Years, ſhall continue Directors of the ſaid Clauſe relating to the Determination of the Terms for which the Directors are elected.

United Company until the ſaid ſixteenth Day of *April*, one thouſand ſeven hundred and ſeventy-ſeven, and during the whole of that Day; and in reſpect to the ſaid Directors elected in the ſaid Years, one thouſand ſeven hundred and ſeventy-four, one thouſand ſeven hundred and ſeventy-five, and one thouſand ſeven hundred and ſeventy-ſix, for the reſpective Terms of four Years; and as to all future Directors of the ſaid United Company to be elected for the Term of four Years, in caſe the ſaid reſpective Terms of four Years ſhall happen to expire before the ſecond *Wedneſday* in the Month of *April* in that Year in which the ſaid reſpective Terms of four Years ſhall expire, yet ſuch Directors ſhall continue to be Directors of the ſaid Company until the ſecond *Wedneſday* in the Month of *April* in which the ſaid reſpective Terms of four Years ſhall end, and during the whole of that Day; and in caſe the ſaid reſpective Terms of four Years ſhall not have fully run out on the ſaid ſecond *Wedneſday* of the ſaid Month of *April*, in any ſubſequent Year, in which the ſaid Terms ſhall reſpectively expire; in ſuch caſe the ſame Terms reſpectively ſhall end and expire at the End of the Day on the ſaid ſecond *Wedneſday* of the ſaid Month of *April* in ſuch Year in which the ſaid reſpective Terms of four Years ſhall end and expire, in the ſame Manner as if the whole Term of four Years was fully run out; any Thing in the ſaid recited Act of Parliament contained to the contrary in anywiſe notwithſtanding.

Directors to give Notice in the London Gazette of the Day of Election by his Act appointed.

'III. And whereas Notice hath been duly given, that the Election of Directors in the Year one thou-'ſand ſeven hundred and ſeventy-ſeven, will be on the thirteenth Day of *April*, one thouſand ſeven hun-'dred and ſeventy-ſeven;' be it further enacted by the Authority aforeſaid, That the Directors of the ſaid United Company ſhall, within ſeven Days after the paſſing of this Act, cauſe Notice to be given in the *London Gazette*, that inſtead of the General Election of ſix Directors of the ſaid United Company, in the Year one thouſand ſeven hundred and ſeventy-ſeven, for the Term of four Years, being made on *Sunday*, the thirteenth Day of *April*, one thouſand ſeven hundred and ſeventy-ſeven, the ſame Election will be made on *Wedneſday*, the ſixteenth Day of the ſame Month of *April*; which Notice (together with the ſaid former Notice) ſhall be deemed and taken to be good and ſufficient Notice of the ſaid Election; any other Law or Statute in anywiſe notwithſtanding.

## CAP. IX.

An Act to impower his Majeſty to ſecure and detain Perſons charged with, or ſuſpected of, the Crime of High Treaſon, committed in any of his Majeſty's Colonies or Plantations in *America*, or on the High Seas, or the Crime of Piracy.

Preamble.

'WHEREAS a Rebellion and War have been openly and traiterouſly levied and carried on in cer-'tain of his Majeſty's Colonies and Plantations in *America*, and Acts of Treaſon and Piracy have 'been committed on the High Seas, and upon the Ships and Goods of his Majeſty's Subjects, and many 'Perſons have been ſeiſed and taken, who are expreſsly charged or ſtrongly ſuſpected of ſuch Treaſons and 'Felonies, and many more ſuch Perſons may be hereafter ſo ſeiſed and taken: And whereas ſuch Perſons 'have been, or may be brought into this Kingdom, and into other Parts of his Majeſty's Dominions, and 'it may be inconvenient in many ſuch Caſes to proceed forthwith to the Trial of ſuch Criminals, and at 'the ſame Time of evil Example to ſuffer them to go at large;' be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That all and every Perſon or Perſons who have been, or ſhall hereafter be ſeiſed or taken in the Act of High Treaſon committed in any of his Majeſty's Colonies or Plantations in *America*, or on the High Seas, or in the Act of Piracy, or who are or ſhall be charged with or ſuſpected of the Crime of High Treaſon, committed in any of the ſaid Colonies, or on the High Seas, or of Piracy, and who have been, or ſhall be committed, in any Part of his Majeſty's Dominions, for ſuch Crimes, or any of them, or for Suſpicion of ſuch Crimes, or any of them, by any Magiſtrate having competent Authority in that Behalf, to the Common Gaol, or other Place of Confinement as is herein-after provided for that Purpoſe, ſhall and may be thereupon ſecured and detained in ſafe Cuſtody, without Bail or Mainprize, until the firſt Day of *January*, one thouſand ſeven hundred and ſeventy-eight; and that no Judge or Juſtice of Peace ſhall bail or try any ſuch Perſon or Perſons without Order from his Majeſty's moſt honourable Privy Council, ſigned by ſix of the ſaid Privy Council, until the ſaid firſt Day of *January*, one thouſand ſeven hundred and ſeventy-eight; any Law, Statute, or Uſage, to the contrary in anywiſe notwithſtanding.

Perſons guilty of High Treaſon in America, or at Sea, or of Piracy, or ſuſpected thereof, may be kept in Cuſtody till Jan. 1, 1778.

His Majeſty may appoint Places of Confinement for ſuch Priſoners.

'II. And whereas it may be neceſſary to provide for ſuch Priſoners within this Realm ſome other Places 'of Confinement beſides the Common Gaols;' be it enacted by the Authority aforeſaid, That it ſhall and may be lawful for his Majeſty, by Warrant under his Sign Manual, to appoint one or more Place or Places of Confinement within the Realm, for the Cuſtody of ſuch Priſoners; and all and every Magiſtrate and Magiſtrates, having competent Authority in that Behalf, are hereby authoriſed to commit ſuch Perſons as aforeſaid to ſuch Place or Places of Confinement, ſo to be appointed, inſtead of the Common Gaol.

What Offences ſhall be deemed Piracy.

III. Provided always, and be it enacted, That no Offences ſhall be conſtrued to be Piracy within the Meaning of this Act, except Acts of Felony committed on the Ships and Goods of his Majeſty's Subjects by Perſons on the High Seas.

No Perſon puniſhable by this Act for any Offence committed within this Realm.

IV. Provided alſo, and it is hereby declared, That nothing herein contained, is intended, or ſhall be conſtrued to extend to the Caſe of any other Priſoner or Priſoners than ſuch as ſhall have been out of the Realm at the Time or Times of the Offence or Offences wherewith he or they ſhall be charged, or of which he or they ſhall be ſuſpected.

This Act to continue in Force till Jan. 1, 1778.

V. And be it further enacted by the Authority aforeſaid, That this Act ſhall continue and be in Force until the ſaid firſt Day of *January*, one thouſand ſeven hundred and ſeventy-eight, and no longer.

CAP.

## CAP. X.

An Act for defraying the Charge of the Pay and Cloathing of the Militia in that Part of *Great Britain* called *England*, for one Year, beginning the twenty-fifth Day of *March*, one thouſand ſeven hundred and ſeventy-ſeven.

## CAP. XI.

An Act for more effectually preventing Frauds and Abuſes committed by Perſons employed in the Manufactures of Combing Wool, Worſted Yarn, and Goods made from Worſted, in the Counties of *York*, *Lancaſter*, and *Cheſter*.

Preamble. Acts 22 Geo. II.

'WHEREAS by an Act, made in the twenty-ſecond Year of the Reign of his late Majeſty King 'George the Second, intituled, *An Act for the more effectual preventing of Frauds and Abuſes committed 'by Perſons employed in the Manufacture of Hats, and in the Woollen, Linen, Fuſtian, Cotton, Iron, Leather, 'Fur, Hemp, Flax, Mohair, and Silk Manufactures; and for preventing unlawful Combinations of Journey-'men Dyers and Journeymen Hot-preſſers, and of all Perſons employed in the ſaid ſeveral Manufactures; and for 'the better Payment of their Wages:* And by another Act, made in the fourteenth Year of the Reign of his 14 Geo. III. 'preſent Majeſty King *George* the Third, intituled, *An Act to amend an Act, made in the twenty-ſecond Year of 'the Reign of his late Majeſty King* George *the Second, intituled*, "An Act for the more effectual preventing "of Frauds and Abuſes committed by Perſons employed in the Manufacture of Hats, and in the Woollen, "Linen, Fuſtian, Cotton, Iron, Leather, Fur, Hemp, Flax, Mohair, and Silk Manufactures; and for "preventing unlawful Combinations of Journeymen Dyers and Journeymen Hot-preſſers, and of all Per-"ſons employed in the ſaid ſeveral Manufactures; and for the better Payment of their Wages:" And by and 15 Geo. 'another Act, made in the fifteenth Year of the Reign of his ſaid preſent Majeſty, intituled, *An Act to ex-* III. recited. *'plain and amend an Act, made in the fourteenth Year of his preſent Majeſty, intituled*, "An Act to amend an "Act, made in the twenty-ſecond Year of the Reign of his late Majeſty King *George* the Second, intituled, "An Act for the more effectual preventing of Frauds and Abuſes committed by Perſons employed in the "Manufacture of Hats, and in the Woollen, Linen, Fuſtian, Cotton, Iron, Leather, Fur, Hemp, "Flax, Mohair, and Silk Manufactures; and for preventing unlawful Combinations of Journeymen "Dyers and Journeymen Hot-preſſers, and of all Perſons employed in the ſaid ſeveral Manufactures; and "for the better Payment of their Wages: Certain Penalties and Puniſhments, in the ſaid Acts reſpectively 'mentioned, are inflicted upon all Perſons who ſhall reel falſe or ſhort Yarn, and on Perſons embezzling 'the Materials uſed in the ſaid Manufactures: And whereas the good Purpoſes of the ſaid Laws have been 'greatly fruſtrated, from the Manufacturers of Combing Wool, Worſted Yarn, and Goods made from 'Worſted, being unwilling to expoſe themſelves ſingly to the Loſs attending the Reſentment of the Spin-'ners and Work People, by proſecuting them for Offences againſt the ſaid Acts: And whereas this im-'portant Branch of the Woollen Manufactory will be greatly prejudiced thereby, unleſs the Manufacturers 'are enabled jointly to carry theſe Laws into effectual Execution; which cannot be done without the Aid 'of Parliament:' May it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That a General Meeting of the Manufacturers of Combing Wool, Worſted Yarn, and Goods made from Worſted, in the Counties of *York*, *Lancaſter*, and *Cheſter*, ſhall be held at *Halifax*, in the County of *York*, on the ſecond *Monday* in the Month of *June* next enſuing after the paſſing of this Act, at the Hour of Eleven of the Clock in the Forenoon of the ſame Day, Notice of which ſhall be given in the *Leeds* and *Mancheſter* Newſpapers, at leaſt twenty-one Days before the ſaid Meeting, by the Clerk of the Peace for the Weſt Riding of the County of *York*; at which ſaid General Meeting the ſaid Manufacturers preſent, by themſelves, or Proxies appointed by Writing under the Hand of any of ſuch Manufacturers, ſhall have Votes; and having firſt choſen a Chairman, the *Yorkſhire* Manufacturers ſhall elect, nominate, and appoint eighteen Perſons from amongſt themſelves, and the *Lancaſhire* and *Cheſhire* Manufacturers ſhall elect, nominate, and appoint nine Perſons from amongſt themſelves; which ſaid eighteen and nine Perſons ſo to be elected, ſhall be a Committee of the ſaid Manufacturers for the Time being, and until another Committee ſhall be choſen and appointed in the Manner herein-after provided, and ſo often as there ſhall be Occaſion; which Committee are hereby authoriſed and impowered to nominate and recommend two or more proper Perſons, to be licenſed by the Juſtices of the Peace of the Weſt Riding of the County of *York*, at any of their Quarter Seſſions for the ſaid Riding, or any Adjournment thereof, to be Inſpectors for the Purpoſes herein-after mentioned, and alſo to have the Direction of all Proſecutions of Offenders againſt this and the ſaid before-mentioned Acts, and the Management of the Fund herein-after to be created, and to do all other Matters and Things which may be deemed neceſſary and proper for the carrying this Act into Execution, in ſuch Manner as the ſaid Committee of the Manufacturers for the Time being, or any ſeven or more of them, at a publick Meeting to be aſſembled, ſhall judge and think beſt for the Intereſt and Advantage of all the ſaid Manufacturers.

General Meeting of Manufacturers appointed:

Thoſe of Yorkſhire to elect eighteen, and thoſe of Lancaſhire and Cheſhire nine Perſons, to be a Committee.

II. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Committee, or the greater Part of them, at any General Meeting aſſembled (and they are hereby authoriſed and required), from Time to Time to nominate and appoint, by Writing under their Hands, a proper Perſon to be their Clerk; which ſaid Clerk ſhall attend the Meetings of the ſaid Committee, and ſhall, in proper Books to be provided for that Purpoſe, enter and keep true and perfect Accounts of all the Acts, Proceedings, and Tranſactions of the ſaid Committee; and that each and every of the ſaid Manufacturers ſhall and may at all convenient Times have recourſe to, and peruſe and inſpect, all ſuch Books *gratis*, and may demand and

Committee to appoint a Clerk:

His Duty.

have Copies thereof, or of any Part thereof, paying Twopence for every one hundred Words ſo to be copied; and if the Clerk ſhall refuſe to permit any ſuch Manufacturer to inſpect ſuch Books, or refuſe to make Copies or Extracts thereof, at the Rate or Times aforeſaid, he ſhall, for every ſuch Offence, forfeit the Sum of five Pounds, to be recovered in ſuch Manner as any other Penalty inflicted by this Act is directed to be recovered.

Quarterly Meetings appointed.

III. And be it further enacted, That, for the Purpoſes aforeſaid, a Meeting of the ſaid Committee, for the Time being, ſhall be held four Times in every Year; (that is to ſay) on the *Monday* before *Midſummer-day*, on the *Monday* before *Michaelmas-day*, on the *Monday* before the *Epiphany*, and on the *Monday* before *Eaſter-day*, at Eleven of the Clock in the Forenoon of each and every of the ſaid Days, who ſhall have Power to adjourn themſelves from Time to Time, as Occaſion may require; three of which ſaid Quarterly Meetings of ſuch Committee ſhall be held at ſome Place or Places within the County of *York*, and the other Quarterly Meeting ſhall be held at ſome Place within the County of *Lancaſter*; the firſt of which ſaid Quarterly Meetings ſhall be held on the firſt of the ſaid Days on which the ſaid Quarterly Meetings are herein-before appointed to be held, which ſhall firſt happen after the Election of ſuch Committee as aforeſaid, and at ſuch Place as ſhall be fixed and agreed upon by ſuch Committee after their Election; and at ſuch firſt Quarterly Meeting, and every ſubſequent Quarterly Meeting of ſuch Committee for the Time being, a Chairman for each of ſuch ſaid Quarterly Meetings being choſen, the Place at which the then next following Quarterly Meeting ſhall be held, ſhall be fixed upon and appointed by the Majority of ſuch Committee then aſſembled; and the Chairman of ſuch Committee is hereby required to cauſe fourteen Days Notice to be given, of the Time and Place where the next following Quarterly Meeting of ſuch Committee is appointed to be held, in the *Leeds* and *Mancheſter* weekly Newſpapers: And all Matters or Things which ſhall come before ſuch Committee for their Determination, ſhall be determined by a Majority of Votes of the Members of ſuch Committee then preſent; and if there ſhall be an Equality of Votes upon any Queſtion which ſhall come before the ſaid Committee, then the Chairman ſhall have a caſting Vote, by which Vote ſuch Queſtion in Diſpute ſhall be determined.

Chairman to be choſen.

Queſtions to be determined by a Majority.

No Buſineſs to be done at Quarterly Meetings, unleſs ſeven Members are preſent.

IV. Provided nevertheleſs, That in caſe there ſhall not at any of ſuch Quarterly Meetings be there preſent and aſſembled ſeven of the Perſons conſtituting ſuch Committee, then and in ſuch Caſe it is hereby declared, that no Buſineſs whatſoever ſhall be done at ſuch Meeting; and the Majority of the Perſons then preſent ſhall appoint at what Place the next Quarterly Meeting ſhall be held, and give fourteen Days Notice thereof in the *Leeds* and *Mancheſter* weekly Newſpapers, in Manner above-mentioned.

Three Committee-men may call a Special Meeting.

V. And be it further enacted, That if at any Time it ſhall appear to any three or more of ſuch Committee for the Time being, that for the more effectual putting any of the Powers granted by this Act into Execution, or for ſettling or diſcuſſing any Matters or Things whatſoever relative to the ſame, a Special Meeting of ſuch Committee is neceſſary or expedient to be held, it ſhall and may be lawful for the ſaid three or more of the ſaid Committee for the Time being, to direct the Clerk to give Notice of ſuch Special Meeting of the Committee, to every Member thereof, ſetting forth the Place where, and the Time when, ſuch Special Meeting ſhall be appointed to be held; and in caſe there ſhall be then preſent at ſuch Special Meeting ſeven of the ſaid Committee, it ſhall and may be lawful to and for the ſaid Committee ſo preſent, to proceed in the Execution of the Powers given by this Act to ſuch Committee.

New Committee-men to be choſen in caſe of Death, &c.

VI. And be it further enacted, That in caſe any one or more of the ſaid Committee for the Time being ſhall die, or ſhall decline Buſineſs as a Manufacturer, or ſhall go to reſide in any diſtant Part of the Kingdom, or ſhall wilfully abſent himſelf or themſelves from the ſaid Quarterly Meetings for the Space of one Year, or refuſe to act, then and in ſuch Caſe it ſhall and may be lawful to and for the ſaid Committee for the Time being, at any of their ſaid Quarterly Meetings, there being ſeven of ſuch Committee then preſent, to chooſe another or other proper Perſon or Perſons, being Manufacturers of Combing Wool, Worſted Yarn, or Goods made from Worſted, in his or their Place or Places, who ſhall have the ſame Power and Authority as if appointed at a General Meeting.

If Committee neglect their Duty,

Juſtices may, on Complaint thereof, call a General Meeting, &c.

VII. And be it enacted by the Authority aforeſaid, That if at any Time hereafter it ſhall appear to any fifty or more of the ſaid Manufacturers of Combing Wool, Worſted Yarn, or Goods made from Worſted, within the ſaid Counties of *York*, *Lancaſter*, and *Cheſter*, that the ſaid Committee for the Time being neglect to diſcharge their Duty, to the Ends, Intents, and Purpoſes for which ſuch Committee was appointed; and in caſe ſuch fifty or more of ſuch Manufacturers ſo diſſatisfied ſhall, in Writing under their Hands, make Complaint thereof to the Juſtices of the Peace for the ſaid Weſt Riding of the County of *York*, in any of the General or Quarter Seſſions of the Peace for the ſaid Weſt Riding to be held and aſſembled, then and in ſuch Caſe it ſhall and may be lawful to and for ſuch Juſtices in ſuch Seſſions aſſembled, and they are hereby required (if they ſhall think proper, after hearing the Nature of ſuch Complaint) to call and appoint a General Meeting of the Manufacturers of Combing Wool, Worſted Yarn, and Goods made from Worſted, within the ſaid Counties of *York*, *Lancaſter*, and *Cheſter*, at ſuch Time and Place as ſuch Juſtices ſhall think proper, and ſhall alſo cauſe Notice to be given of ſuch General Meeting of ſuch Manufacturers as aforeſaid, in the *Leeds* and *Mancheſter* weekly Newſpapers, ſetting forth the Place where, and Time when, ſuch General Meeting ſhall be held, the ſame not being leſs than twenty-one Days after ſuch Notice given in the ſaid Papers, and which Notice ſhall be continued in the ſaid Papers until ſuch Meeting ſhall be held; and it ſhall and may be lawful to and for ſuch Manufacturers then preſent at ſuch General Meeting called and held in Manner as aforeſaid, to elect, nominate, and appoint a Committee, conſiſting of the ſame Number of Perſons, and in the like Manner, and under and ſubject to the like Orders, Regulations, and Directions, herein-before laid down and ordered for the Election of the firſt Committee; and the Perſons ſo elected, nominated, and appointed to be a new Committee, in Manner aforeſaid, ſhall thereupon be inveſted with the ſame Powers and Authorities as the former Committee were inveſted with.

VIII. And,

'VIII. And, for preventing Frauds and Abuſes for the future by Perſons employed in the ſaid Manufactures of Combing Wool, Worſted Yarn, and Goods made from Worſted, and for the more effectual carrying this Act into Execution;' be it further enacted, That the Juſtices of the Peace for the ſaid Weſt Riding of the County of *York*, at their next Quarter Seſſions of the Peace to be holden for the ſaid Riding, or any Adjournment thereof, after *Midſummer* next after the paſſing of this Act, ſhall and may, and they are hereby authoriſed and required to appoint ſuch Perſons, of good Character and Repute, within the ſaid Counties of *York*, *Lancaſter*, and *Cheſter*, as ſhall be recommended to the ſaid Juſtices by the ſaid Committee of Manufacturers, or any ſeven of ſuch Committee, in Writing under their Hands, to be Inſpectors of Worſted Yarn, within the ſaid Counties of *York*, *Lancaſter*, and *Cheſter*. Juſtices to appoint Inſpectors of Worſted Yarn.

IX. And be it further enacted, That the ſaid Committee of Manufacturers for the Time being, or any ſeven of them, ſhall and may, and they are hereby authoriſed to ſtation ſuch Inſpectors for ſuch Diſtricts in the ſaid Counties of *York*, *Lancaſter*, and *Cheſter*, as the ſaid Committee, or any ſeven of them, ſhall think proper; and ſhall and may aſſign, allow, and pay to the ſaid Inſpectors ſo appointed, ſuch yearly Salaries as the ſaid Committee, or any ſeven of them, ſhall think proper, to be paid out of the Fund herein after mentioned to be raiſed for that and the other Purpoſes of this Act; and alſo ſhall and may remove, diſmiſs, and diſplace any of ſuch Inſpectors, who, by Sickneſs, or any other Accident, ſhall be rendered incapable of ſerving the ſaid Office, or ſhall miſbehave, or not conduct himſelf or themſelves to the Satisfaction of ſuch Committee. Committee to ſtation Inſpectors, and allow them Salaries, &c.

X. And be it further enacted, That the ſaid Inſpectors for the Time being, ſo appointed, ſhall ſeverally and reſpectively, in the ſeveral Diſtricts allotted to them by the ſaid Committee, uſe all due Diligence and Induſtry for the convicting and bringing to Juſtice all Offenders againſt this and the ſaid former Acts; and alſo ſhall and do from Time to Time, and as often as they ſhall be thereto required by the ſaid Committee, inſpect the ſeveral Reels of all and every the Spinners of Worſted Yarn, in their ſeveral and reſpective Diſtricts within the ſaid Counties of *York*, *Lancaſter*, and *Cheſter*, and alſo the Hanks of Worſted Yarn, in order to ſee that the Directions herein-after laid down for reeling ſuch Yarn be complied with; and alſo ſhall and do from Time to Time, when and as they or any of them ſhall detect any Perſon or Perſons offending againſt this or the ſaid former Acts, lodge Informations againſt ſuch Offender or Offenders before the proper Juſtice or Juſtices of the Peace, and proſecute ſuch Offender or Offenders to Conviction: And, for the eaſier Detection of all Offenders againſt this and the ſaid former Acts, it ſhall and may be lawful to and for every ſuch Inſpector or Inſpectors, from Time to Time, as Occaſion ſhall require, to demand Entrance, at all ſeaſonable Hours, into the Dwelling-houſe or Dwelling-houſes, Shop or Shops, Outhouſe or Outhouſes, of any Agents, or Perſons hired or employed to put out Wool to be ſpun, within the ſaid Counties of *York*, *Lancaſter*, and *Cheſter*, to inſpect the Yarn in the Cuſtody of any ſuch Agent, or Perſon hired or employed as aforeſaid, within the ſaid Counties of *York*, *Lancaſter*, and *Cheſter*, where he has any Information of, or ſuſpects any falſe or ſhort reeled Yarn; and in caſe of Refuſal by any ſuch Agent, or Perſon hired or employed to put out Wool to be ſpun into Worſted Yarn, to permit and ſuffer ſuch Inſpection, he, ſhe, or they ſo refuſing ſhall forfeit and pay ſuch Sum of Money, not exceeding ten Pounds, nor leſs than five Pounds, as ſuch Juſtice or Juſtices, before whom he, ſhe, or they ſhall be convicted, ſhall think proper, to be recovered and applied as hereafter mentioned. Inſpectors to uſe Diligence in convicting and bringing Offenders to Juſtice; Their Powers;

XI. And be it further enacted, That every Perſon or Perſons employed, or undertaking to ſpin or reel Worſted Yarn for Hire, in the Counties of *York*, *Lancaſter*, and *Cheſter*, or any of them, ſhall reel, or cauſe or procure the ſame to be reeled, either upon a Yard Reel of thirty-ſix Inches, or a Two Yard Reel of ſeventy-two Inches, round; and when ſuch Worſted Yarn ſhall be ſo reeled, that each and every ſeveral Hank of ſuch Worſted Yarn ſhall conſiſt of, or contain, ſeven Raps or Leas, and that each and every ſuch Rap or Lea ſhall conſiſt of, or contain, eighty Threads of ſuch Worſted Yarn. Directions how Worſted Yarn ſhall be reeled.

XII. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons, hired or employed in the combing of Wool, or in the ſpinning, reeling, winding, or weaving of Worſted Yarn, or in the preparing or working up any of the Materials uſed in the ſaid Manufactures, in the ſaid Counties of *York*, *Lancaſter*, and *Cheſter*, or any of them, ſhall reel or cauſe to be reeled any Worſted Yarn contrary to the Directions herein-before ſpecified and laid down for the reeling ſuch Yarn, or ſhall conceal, keep back, embezzle, ſell, or otherwiſe diſpoſe of, any Wool, or other Materials, entruſted with him, her, or them, to ſpin, or other Purpoſes, and ſhall of all or any of ſuch ſeveral Offences be lawfully convicted, before any one or more Juſtice or Juſtices of the Peace of the County, Riding, Diviſion, City, Liberty, Town, or Place, where ſuch Offence or Offences ſhall be committed, or where ſuch Offender ſo charged ſhall reſide or inhabit, upon the Oath of the Owner of ſuch Yarn or Wool, or upon the Oath of the Inſpector or Inſpectors appointed as aforeſaid, or of any one or more credible Witneſs or Witneſſes (which Oath ſuch Juſtice or Juſtices is and are hereby impowered and required to adminiſter), or by the Confeſſion of the Perſon or Perſons charged with all or any of ſuch Offences, ſhall, for each and every ſuch Offence, be ſubject and liable to the ſame Penalties and Puniſhments as are ſeverally inflicted by the ſaid former Acts, ſo far as the ſaid former Acts, or any of them, are unrepealed; all which Penalties ſhall be recovered, and Puniſhments inflicted, in the Manner directed by the ſaid Acts, or any of them; and which ſaid Penalties ſhall be publickly diſtributed by the Conſtable of ſuch Townſhip, Pariſh, or Place, where ſuch Offence or Offences ſhall be committed, in the Preſence and under the Direction of the ſaid Inſpector or Inſpectors, amongſt the Poor of ſuch Townſhip, Pariſh, or Place, laſt above-mentioned. Penalties on falſe reeling of Worſted Yarn, &c.

XIII. Provided nevertheleſs, That no Part or Share of ſuch Penalties or Forfeitures be given to ſuch Offender or Offenders, his, her, or their Family or Families. Proviſo.

XIV. And be it further enacted by the Authority aforeſaid, That if any Agents, or Perſons hired or employed to put out Wool to be ſpun into Worſted Yarn, ſhall have in his, her, or their Cuſtody or Poſſeſſion, any Worſted Yarn not reeled according to the Directions herein-before ſpecified and laid down for the reeling thereof, and ſhall refuſe, or not ſet forth and give in Evidence, before any of his Majeſty's Juſtices Penalty on Agents refuſing to diſcover Perſons guilty of falſe reeling Yarn.

Juſtices of the Peace for the ſaid Counties of *York*, *Lancaſter*, and *Cheſter*, or any Riding, Diviſion, City, Liberty, Town, or Place, within the ſame reſpectively, being thereto required, what Perſon or Perſons was or were the Reeler or Reelers of ſuch falſe or ſhort reeled Yarn, or who was or were hired or employed to reel the ſame, ſo that the Perſon or Perſons who reeled, or cauſed to be reeled, ſuch falſe or ſhort Yarn may be lawfully convicted thereof in Manner aforeſaid, he, ſhe, or they ſo refuſing, and being thereof lawfully convicted, upon the Oath of any Perſon or Perſons, before ſuch Juſtice or Juſtices of the Peace as are herein-before mentioned, ſhall forfeit and pay the Sum of five Shillings for every Parcel of Yarn made up as and for a Pound, ſo falſe or ſhort reeled, which ſhall be found in his, her, or their Cuſtody; all which Penalties inflicted by this Act ſhall be recovered in the ſame Manner as the Penalties inflicted by the ſaid former Acts are directed to be recovered, and ſhall go, be paid, and applied, by ſuch Perſon or Perſons, and in ſuch Manner and Form, to the Poor of the Townſhip, as the Penalties herein-before mentioned are directed to be paid and applied.

Upon the Death, &c. of Inſpectors, others to be appointed.

XV. Provided always, and be it further enacted, That if any Perſon who ſhall be ſo appointed an Inſpector of Worſted Yarn, ſhall happen to die, or ſhall be removed or diſplaced from his ſaid Office, it ſhall and may be lawful for the ſaid Juſtices of the Peace of the ſaid Weſt Riding of the County of *York*, in Quarter Seſſions aſſembled as aforeſaid, to licenſe ſome other proper Perſon or Perſons to be an Inſpector or Inſpectors of Worſted Yarn, within the ſaid Counties of *York*, *Lancaſter*, and *Cheſter*, upon the like Recommendation, and in ſuch Manner as is herein-before mentioned; which ſaid Perſon or Perſons ſhall be inveſted with all the Powers, and ſubject to the like Removal, and liable to the like Penalties, for any Breach or Neglect of Duty, as the Inſpector or Inſpectors, in whoſe Place or Places he or they ſhall be appointed to ſucceed, was inveſted with or ſubject and liable to.

Puniſhment of Inſpectors ſcreening Offenders from Juſtice.

XVI. And be it further enacted, That in caſe any Inſpector or Inſpectors, ſo appointed as aforeſaid, ſhall at any Time or Times hereafter take or receive, from any Perſon or Perſons offending againſt this or the ſaid former Acts, any Sum or Sums of Money, or any other Thing whatſoever, to ſcreen from Juſtice, or otherwiſe to hinder or prevent ſuch Perſon or Perſons ſo offending as aforeſaid from being convicted for ſuch Offence or Offences, and being thereof convicted upon the Oath of two or more credible Witneſſes, before any one or more Juſtice or Juſtices of the Peace of the County, Riding, Diviſion, City, Liberty, Town, or Place, where ſuch Offence or Offences ſhall be committed, or where the Perſon or Perſons ſo charged ſhall reſide or inhabit (which Oath ſuch Juſtice or Juſtices is and are hereby impowered to adminiſter), then, and in ſuch Caſe, it ſhall and may be lawful to and for ſuch Juſtice or Juſtices of the Peace to commit ſuch Inſpector or Inſpectors ſo offending to the Houſe of Correction, or other public Priſon, in the County, Riding, Diviſion, City, Liberty, Town, or Place, where ſuch Offence ſhall be committed, for the Space of one Month.

Fund to be eſtabliſhed for defraying the Expences of the Execution of this Act.

'XVII. And whereas by ſeveral Acts of Parliament, made in the tenth and twelfth Years of the Reign 'of Queen *Anne*, and ſeveral ſubſequent Acts, the Collectors of the Duties upon Sope, by the ſaid Acts 'granted, are directed to pay out of the Monies in their Hands, by way of Drawback, unto any Perſon 'or Perſons who ſhould employ any Quantity of Sope in the making of any Manufactures whereof the 'greateſt Part of the Value of the Materials ſhould be Wool, or in preparing the Wool for the ſame, the 'Duties upon the Sope ſo ſpent and conſumed as aforeſaid; and to the End that a ſufficient Fund may 'be raiſed for defraying the Expences in and about the obtaining this Act, and for paying the Salaries of 'the Inſpectors and Clerk to be appointed under, and by virtue, and for the Purpoſes, of this Act, and 'all other neceſſary Expences attending the carrying this Act into Execution, under the Direction of the 'ſaid Committee;' be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for all and every the Collector or Collectors, Supervifor or Supervifors, or other Perſon or Perſons employed in the Collection of the Duties on Sope, within the ſaid Counties of *York*, *Lancaſter*, and *Cheſter*, and who by the ſaid Acts are thereby directed to pay ſuch Drawback of the Duties on Sope to ſuch Manufacturers as aforeſaid, and ſuch Collector or Collectors, Supervifor or Supervifors, or other Perſon or Perſons, are hereby required, from Time to Time, to deduct and retain the Sum of Two-pence out of every Shilling, to which any Perſon, being a Maſter Manufacturer of Combing Wool, Worſted Yarn, or Goods made from Worſted, reſiding within the Counties of *York*, *Lancaſter*, and *Cheſter*, ſhall from Time to Time hereafter be entitled, and of which he, ſhe, or they ſhall demand Payment of, under and by virtue of the ſaid Acts, or any other Act or Acts of Parliament whatſoever, as and for the Duties of and for all Sope ſpent, employed, and conſumed in the Combing of Wool, making of Worſted Yarn, or any kind of Goods made from Worſted, or preparing the Wool for the ſame, in the ſaid Counties of *York*, *Lancaſter*, and *Cheſter*; and ſuch Collector or Collectors, Supervifor or Supervifors, or other Perſon or Perſons, and each and every of them, ſhall ſeverally and reſpectively pay, or cauſe to be paid, unto the Treaſurer of the Weſt Riding of the County of *York* for the Time being (Demand being made thereof), all and every the Sum or Sums of Money by him, them, or any of them, ſo deducted, retained, had, or received, under and by virtue and for the Purpoſes of this Act.

Treaſurer for the Weſt Riding of Yorkſhire to pay the Charges of this Act out of the Monies to be received by him.

XVIII. And be it further enacted, That the ſaid Treaſurer for the ſaid Weſt Riding of the County of *York*, for the Time being, ſhall, out of the Money hereafter to be received by him in Manner aforeſaid, pay the Charges and Expences of obtaining and paſſing this Act, and the Expences relative thereto, together with Intereſt for all or any Part of ſuch Expences, the Salaries of the Inſpectors and Clerk herein-before directed to be appointed, the Expences of all Proſecutions in Support of this and the ſaid former Acts, and ſuch other Charges and Expences as may be hereafter incurred or expended for the Support and Encouragement of the ſaid Manufactory, as the ſaid Committee, or any four of them, in Committee aſſembled, ſhall, by Writing under their Hands, direct or appoint; and the ſaid Treaſurer is alſo hereby required not to pay any Sum or Sums of Money, ſo to be hereafter received by him for the Purpoſes of this Act in Manner aforeſaid, to any Perſon or Perſons whomſoever, or for any Purpoſes whatſoever, without ſuch Order, Direction, or Appointment, in Writing, under the Hands of ſuch Committee for the

the Time being, or any four of them, in Committee aſſembled; and ſuch Treaſurer ſhall, and he is hereby required, yearly and every Year, at the Quarterly Meeting of the ſaid Committee herein-before appointed to be held on the *Monday* before *Michaelmas-day*, in every Year, for the future, to return and tranſmit to ſuch Committee, at ſuch Quarterly Meeting, a true and perfect Account of all and every the Sum or Sums of Money which ſhall have come to his Hands, or been paid by him, ſince the then laſt yearly Account; which ſaid Account ſhall be laid before the Juſtices of the Peace for the ſaid Weſt Riding of the County of *York*, at their General Quarter Seſſions of the Peace yearly to be held next after *Michaelmas*, by Adjournment, at *Leeds*, in the ſaid Weſt Riding, for their Inſpection and Allowance.

The Rate of 2 d. in the Shilling may be reduced, &c.

XIX. And it is hereby further enacted, That in caſe at any Time hereafter the Monies herein-before directed and ordered to be paid into the Hands of the Treaſurer for the ſaid Weſt Riding of the County of *York*, for the Purpoſes aforeſaid, ſhall, after Payment of all and every the Charges and Expences herein-before ordered and directed to be paid thereout, amount to the Sum of ſix hundred Pounds; then, and in ſuch Caſe, it ſhall and may be lawful to and for the ſaid Juſtices of the Peace for the ſaid Weſt Riding of the County of *York*, at their General Quarter Seſſions to be holden at *Leeds*, as aforeſaid, upon Application made to them by the ſaid Committee, or any ſeven of them, by Writing under their Hands, or upon Application made to them the ſaid Juſtices by fifty or more Maſter Manufacturers of Combing Wool, Worſted Yarn, or Goods made from Worſted, within the ſaid Counties of *York*, *Lancaſter*, and *Cheſter*, by Writing alſo under their Hands, to make Orders for reducing the aforeſaid Twopence *per* Shilling, which the Collectors and Superviſors of Exciſe are herein-before directed to retain in their Hands, to Three-halfpence, One Penny, or a Halfpenny *per* Shilling, as they may think neceſſary, until ſuch Fund ſhall be reduced to three hundred Pounds; and from Time to Time, upon like Application, to advance or reduce the ſame, ſo as the Fund in the Treaſurer's Hands ſhall not exceed ſix hundred Pounds, nor be reduced to leſs than three hundred Pounds, and ſo as the ſame ſhall never exceed the Rate, Proportion, or Sum of Twopence *per* Shilling, herein-before directed to be deducted and retained as aforeſaid.

How Juſtices are to proceed on Conviction of Offenders.

XX. And be it further enacted, That the Juſtice or Juſtices before whom any Offender ſhall be convicted as aforeſaid, ſhall cauſe the ſaid Conviction to be made out in the Manner and Form following; (that is to ſay)

Form of Conviction.

'BE it remembered, That on the Day of in the Year of our Lord A. B. is convicted before me [*or* us] of his Majeſty's Juſtices of the Peace for [*ſpecifying the Offence, and the Place where the ſame was committed; and alſo ſpecifying that it was the firſt, ſecond, or third Offence, againſt this Act, as the Caſe ſhall be*].

'Given under my Hand and Seal [*or* our Hands and Seals] the Day and Year aforeſaid.'

Which Conviction the ſaid Juſtice or Juſtices ſhall cauſe to be fairly wrote on Parchment, and returned to the next General Quarter Seſſion of the Peace for the County, Riding, Diviſion, City, Liberty, Town, or Place, where ſuch Conviction was made, to be filed by the Clerk of the Peace, and remain and be kept among the Records of ſuch County, Riding, Diviſion, City, Liberty, Town, or Place.

Perſons aggrieved may appeal to the Quarter Seſſions.

XXI. And it is hereby further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall find him, her, or themſelves aggrieved by any Order or Warrant made by any Juſtice or Juſtices, or upon any Conviction before him or them in purſuance of this Act, ſuch Perſon or Perſons may appeal to the next General Quarter Seſſions to be held for the County, Riding, Diviſion, City, Liberty, Town, or Place, where the Offence ſhall be committed, which ſhall not be held within fourteen Days next after the Cauſe of Appeal ſhall ariſe, giving ten Days Notice of ſuch Appeal to the Perſon or Perſons diſcovering the Offence on which the Conviction was made; and if the Juſtices at the ſaid Quarter Seſſions either confirm or diſannul the Orders or Proceedings of the ſaid Juſtice or Juſtices, they ſhall allow ſuch Coſts and Charges to the Party aggrieved thereby, as they ſhall think reaſonable, to be levied and paid in ſuch Manner as is uſual in Caſes of Appeal from any Order of the Juſtices of the Peace to the Seſſions, whoſe Order therein ſhall be final.

Perſons appealing to give Security to proſecute, &c.

XXII. Provided nevertheleſs, That the Perſon or Perſons appealing to the next General or Quarter Seſſions of the Peace as aforeſaid, ſhall give Security, to the Satisfaction of the ſaid Juſtice or Juſtices, to proſecute ſuch Appeal with Effect, and to pay the Coſts which ſhall be aſcertained by the ſaid General or Quarter Seſſions, in caſe ſuch Order or Judgment be affirmed; and the Juſtices in the ſaid General or Quarter Seſſions are hereby authoriſed to hear and determine ſuch Appeal, and to make Order therein, and to award ſuch Coſts, as to them ſhall appear juſt; which Order ſhall be final and concluſive to all Parties, and ſhall not be removed or removeable, by any Writ of *Certiorari*, or otherwiſe, into any of his Majeſty's Courts of Record at *Weſtminſter*, or elſewhere.

Order of Juſtices to be final.

Proceedings not to be quaſhed for Want of Form.

XXIII. Provided nevertheleſs, and be it further enacted, That no Order, or other Proceedings, ſo made or had, by or before any Juſtice of the Peace, in relation to the Premiſes, ſhall be quaſhed or vacated for Want of Form only.

Limitation of Actions.

XXIV. And be it further enacted by the Authority aforeſaid, That if any Suit or Action ſhall be commenced or proſecuted againſt any Perſon or Perſons, for any Thing done or to be done in purſuance of this Act, every ſuch Suit or Action ſhall be commenced within ſix Calendar Months next after the Fact committed, and not afterwards; and ſhall be ſeverally laid, brought, and tried in the Counties of *York*, *Lancaſter*, and *Cheſter*, as the Caſe ſhall happen, and not elſewhere; and the Defendant or Defendants in ſuch Actions or Suits ſhall and may plead the General Iſſue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the ſame was done in purſuance of, and by the Authority of this Act: And if it ſhall appear to be ſo done, or if any ſuch Suit or Action ſhall be brought after the Time before limited for bringing the ſame, or ſhall be brought in any other County or Place, that

General Iſſue.

that then the Jury ſhall find for the Defendant or Defendants; and upon ſuch Verdict, or if the Plaintiff or Plaintiffs ſhall become nonſuit, or ſhall diſcontinue his, her, or their Action after the Defendant or Defendants ſhall have appeared, or if upon Demurrer Judgment ſhall be given againſt the Plaintiff or Plaintiffs, the Defendant or Defendants ſhall and may recover Treble Coſts, and have the like Remedy for the ſame, as any Defendant or Defendants hath or have for Coſts in other Caſes at Law.

Treble Coſts.

Public Act.

XXV. And be it further enacted, That this Act ſhall be deemed, adjudged, and taken to be a Public Act; and ſhall be judicially taken Notice of as ſuch by all Judges, Juſtices, and other Perſons whomſoever, without ſpecially pleading the ſame.

## CAP. XII.

An Act for building a Bridge acroſs the River *Severn*, from or near a Place called *Preen's Eddy*, in the Pariſh of *Broſeley*, to or near a Place called *The Sheep-waſh*, in the Pariſh of *Sutton Maddock*, in the County of *Salop*; and for making proper Roads and Avenues to and from the ſame.

Preamble.

'WHEREAS the Pariſh of *Broſeley*, in the County of *Salop*, and the Parts adjacent, lying on and near to the River *Severn*, are very populous, and full of Mines and Manufactures; and the Town of *Broſeley* aforeſaid lies in a centrical Situation, between the Counties of *Stafford*, *Warwick*, *Derby*, and *Leiceſter*, and ſeveral Parts of *South* and *North Wales*: And whereas, if a Bridge was erected acroſs the ſaid River *Severn*, at or near a Place called *Preen's Eddy*, in the ſaid Pariſh of *Broſeley*, to or near a Place called *The Sheep-waſh*, in the Pariſh of *Sutton Maddock*, in the ſaid County of *Salop*, with proper Avenues or Roads to lead to the ſame; the Inhabitants of the ſaid Pariſh of *Broſeley*, and other Parts adjacent, as alſo the Mines and Trade of that Part of the County of *Salop*, would be thereby greatly benefited and accommodated, a more ſhort, eaſy, and commodious Communication would be opened between the ſeveral Counties and Places aforeſaid, and the ſame would be of great public Utility: And whereas the ſeveral Perſons herein-after named are willing and deſirous, at their own Charge, to begin, carry on, complete, maintain, and keep in Repair, a Bridge over the ſaid River, from or near the ſaid Place called *Preen's Eddy*, to or near the ſaid Place called *The Sheep-waſh*; and to make and open proper Roads or Avenues to and from the ſame, as herein-after mentioned;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That *William Yelverton Davenport* Eſquire, *Robert Bromley* Eſquire, *Thomas Stephens* Eſquire, *Richard Lacon*, Eſquire, *John Groome* Eſquire, the Reverend *Edward Harries* Clerk, *Thomas Phillips*, *Edward Blakeway*, *Samuel Manning*, *John Wilkinſon*, *Francis Homfray*, *George Matthews*, *John Matthews*, *William Bancks* the younger, *John Hartſhorne*, *John Barrett Corbet*, *Daniel Onions*, *Thomas Brettell*, *Thomas Brettell* the younger, and *Richard Brettell*, together with ſuch other Perſon or Perſons as they, or any five or more of them, aſſembled at the firſt, or any ſubſequent Meeting, to be held in purſuance of this Act, ſhall nominate and appoint, under their Hands and Seals; and their reſpective Executors, Adminiſtrators, and Aſſigns, ſhall be Truſtees, for ſetting out, carrying on, building, completing, and maintaining, at their own proper Coſts and Charges, a Bridge acroſs the ſaid River *Severn*, from or near the ſaid Place called *Preen's Eddy*, to or near the ſaid Place called *The Sheep-waſh*; and for making and keeping in good and ſufficient Repair, proper Roads or Avenues to and from the ſame; and for putting in Execution the ſeveral Powers and Authorities in and by this Act given and granted; and, for that Purpoſe, ſhall have full Power and Authority, by themſelves and their Agents, Servants, Workmen, and others, to remove any Shelves, or other Obſtructions in the ſaid River, and to dig up, take, and carry away, all Beds of Gravel, Sand, Mud, or any other Impediment whatſoever, and alſo to dig, cut, and level the Banks of the ſaid River, in ſuch Manner as ſhall be neceſſary and proper for the building the ſaid Bridge, and to erect and make, in and over the ſaid River, and the Lands adjoining, or near to the ſame, any Sheds, Trenches, and Landing-places, and to pull down and remove any Houſes or other Buildings, Wharfs, or other Erections, and from Time to Time, and at all Times, to do all other Matters and Things neceſſary and convenient for making, erecting, ſupporting, and maintaining the ſaid Bridge, and the Roads or Avenues to and from the ſame, and for making and doing the ſeveral other Matters and Things in and by this Act authoriſed to be done, doing as little Damage as may be, and firſt making Satisfaction and Recompence to the Owners, Proprietors, or Occupiers of, and Perſons intereſted in, any Houſes, Buildings, or other Erections, Lands, Tenements, or other Hereditaments that ſhall be made uſe of, pulled down, damaged, or prejudiced by, for, or upon account of erecting and maintaining the ſaid Bridge, or by, for, or upon account of laying out and making proper Roads or Avenues to and from the ſame, or by, for, or upon account of the doing and performing any other Act, Matter, or Thing hereby authoriſed to be done and performed, for carrying the Purpoſes of this Act into Execution.

Names of the Truſtees.

Their Powers.

Where new Roads to be made.

II. And be it further enacted by the Authority aforeſaid, That one proper and commodious Road or Avenue ſhall be made to the ſaid Bridge from the Turnpike Road leading from *Broſeley* to *Bridgenorth*, to begin at or near the End of *Broſeley* Town, and to be continued from thence through the ſaid Pariſh of *Broſeley*, to or near *Preen's Eddy* aforeſaid; and one proper and commodious Road or Avenue ſhall be made from the Turnpike Road leading from *Wellington* to *Bridgenorth*, to begin at the ſaid laſt-mentioned Turnpike Road, and to be continued from thence through the ſaid Pariſh of *Sutton Maddock*, to or near the *Sheep-waſh* aforeſaid; which ſaid ſeveral Roads or Avenues ſhall, at the Charge of the ſaid Truſtees, be fenced off and ſeparated from the adjoining Lands with Quickſets, and Poſts and Rails, or otherwiſe,

as ſhall be found neceſſary, with proper and ſufficient Gates to open into and out of the ſaid Roads or Avenues, through which the reſpective Owners and Occupiers of the ſaid Lands, and their Servants and Agents, ſhall and may at all Times thereafter have free Ingreſs, Egreſs, and Regreſs, to paſs and repaſs with their Horſes, Teams, and Cattle; and the ſame Roads and Avenues ſhall be made, and at all Times afterwards maintained and repaired by and out of the Tolls and Dues hereby granted, or out of the Money to be borrowed on the Credit thereof, in ſuch Manner as the ſaid Truſtees ſhall, from Time to Time, direct and appoint.

Truſtees may lay out Wharfs and erect Warehouſes, &c.

'III. And whereas, for the better Conveyance and Delivery of Goods and Merchandiſe, to be ſent to and 'from the ſaid River *Severn*, it may be neceſſary to lay out, make, and erect one or more Wharf or 'Wharfs, Warehouſe or Warehouſes, on the Banks of the ſaid River, near to the ſaid Bridge,' be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid Truſtees, and they are hereby authoriſed and impowered to make and lay out one or more Wharf or Wharfs, Quay or Quays, on the Lands or Grounds on either Side of the ſaid River *Severn*, adjoining to the ſaid Bridge, for the Purpoſe of loading and unloading Goods and Merchandiſes into and out of the Barges and other Veſſels navigating on the ſaid River: And alſo to erect one or more Warehouſe or Warehouſes, Weighbeams and Cranes, for receiving, weighing, and landing the ſaid Goods and Merchandiſes: And alſo to make proper Roads to and from the ſaid Wharfs and Warehouſes; and to erect any other Buildings requiſite for the Purpoſes aforeſaid, but not Dwelling-houſes, other than a Houſe or Houſes for the Habitation of a Perſon or Perſons to ſuperintend and manage ſuch Wharfs or Warehouſes: Provided, that ſuch Wharfs, Quays, Warehouſes, Erections, and Buildings, be made within the Diſtance of ſixty Yards from the ſaid Bridge: And alſo that it ſhall and may be lawful to and for the ſaid Truſtees, their Executors, Adminiſtrators, and Aſſigns, by themſelves and Agents, to have, receive, and take ſuch Rates, Dues, and Prices, for the Wharfage and Warehouſe-room of all Goods and Merchandiſes which ſhall be laid upon ſuch Wharfs or Quays, or depoſited in ſuch Warehouſes, as ſhall be agreed upon between the ſaid Truſtees, their Executors, Adminiſtrators, and Aſſigns, and the Owner or Owners of ſuch Goods and Merchandiſes, or as ſhall be a reaſonable Satisfaction and Amends for the Wharfage or Warehouſe-room of ſuch Goods or Merchandiſes.

and take Wharfage, &c.

Bodies Politic, &c. impowered to ſell Lands, &c.

IV. And be it further enacted, That it ſhall and may be lawful to and for all Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, and all Feoffees in Truſt, Executors, Adminiſtrators, Huſbands, Guardians, Committees, and other Truſtees whatſoever, for and on Behalf of themſelves, their Heirs and Succeſſors, Femes-covert, Infants, or Iſſue unborn, Lunatics, Idiots, or *Ceſtuique* Truſts, and other Perſons whatſoever, and to and for all Femes-covert, who are or ſhall be ſeiſed in their own Right, and to and for all Tenants for Life, and all and every other Perſon and Perſons whomſoever, who are or ſhall be ſeiſed or poſſeſſed of, or intereſted in, any ſuch Houſes, Buildings, Erections, Lands, Tenements, or Hereditaments, of any Tenure whatſoever, to treat, contract, or agree with the ſaid Truſtees, or any three or more of them, for the Purchaſe thereof, or of any Part thereof, or for their Intereſt therein, either by a Sum of Money in groſs, or by an annual Rent for the ſame, and to ſell and convey the ſame as Occaſion ſhall be or require, for the Purpoſes of this Act: And all Contracts, Agreements, Sales, and Conveyances which ſhall be ſo made, ſhall be valid to all Intents and Purpoſes; any Law, Statute, Uſage, or any other Matter or Thing whatſoever, to the contrary thereof in any wiſe notwithſtanding: And all Feoffees in Truſt, Executors, Adminiſtrators, Huſbands, Guardians, and Truſtees, Corporations Aggregate or Sole, and all other Perſons, are and ſhall be hereby indemnified for what they ſhall do by virtue or in purſuance of this Act.

In caſe of any Difference, Juſtices of the Peace to determine the ſame by a Jury.

V. And be it further enacted, That in caſe any Difference or Diſpute ſhall ariſe between ſuch Owners, Occupiers, or Perſons intereſted, and the ſaid Truſtees, concerning the Recompence or Satisfaction to be made for the Purchaſe of any ſuch Houſes, Erections, Lands, Tenements, or Hereditaments, or for any Intereſt therein, or for any Loſs or Damage which ſhall at any Time hereafter be occaſioned thereto in the Exerciſe of any of the Powers under and by virtue of this Act; or in caſe any ſuch Owner, Occupier, or Perſon intereſted as aforeſaid, ſhall neglect or refuſe to treat or agree for the ſame for the Space of fourteen Days after Notice to him, her, or them, given in Writing, or left at the Houſe of the Tenant in Poſſeſſion of the Premiſes reſpectively, it ſhall and may be lawful to and for the Juſtices of the Peace for the County of *Salop*, or any two or more of them, to hear, ſettle, adjuſt, and determine the ſame; and for that Purpoſe it ſhall and may be lawful to and for the ſaid Juſtices, or any two or more of them, to cauſe the Matter in Diſpute to be enquired into, by and upon the Oaths of a Jury of twelve indifferent Men, who ſhall aſcertain what Damages will be ſuſtained by, and what Satisfaction and Recompence ſhall be made to ſuch Owners, Proprietors, and Occupiers, or other Perſon or Perſons reſpectively, intereſted in any ſuch Houſes, Buildings, Erections, Lands, Tenements, or Hereditaments; and they the ſaid Juſtices, or any two or more of them, are hereby impowered and authoriſed from Time to Time to iſſue their Warrant or Warrants, Precept or Precepts, directed to the Sheriff of the County of *Salop*, thereby requiring him to impannel, ſummon, and return a Number of ſubſtantial and diſintereſted Perſons, qualified to ſerve on Juries, not leſs than twenty-four nor more than forty-eight; which Perſons ſuch Sheriff, or his Deputy or Deputies, is and are hereby required to impannel, ſummon, and return accordingly; and out of the Perſons ſo impannelled, ſummoned, and returned, or out of ſuch of them as ſhall appear according to, or upon ſuch Summons, a Jury of twelve ſhall be drawn by ſuch Juſtices, or any two or more of them, or ſome Perſon to be by them appointed, in ſuch Manner as Juries for the Trial of Iſſues joined, in his Majeſty's Courts at *Weſtminſter*, by an Act paſſed in the third Year of the Reign of his late Majeſty King *George* the Second, intituled, *An Act for the better Regulation of Juries*, are directed to be drawn; and the Perſons ſo to be impannelled, ſummoned, and returned, are hereby required to appear before the ſaid Juſtices, or any two or more of them, at ſuch Time and Place as in ſuch Warrant or Warrants, Precept or Precepts, ſhall be directed and appointed; of which Time and Place all Parties intereſted ſhall have

Sheriff to impannel a Jury.

fourteen Days Notice given or left in Manner as aforeſaid, and to attend them from Day to Day, until they ſhall be diſcharged by ſuch Juſtices, or any two or more of them; and all Parties concerned ſhall and may have their lawful Challenges againſt any of the ſaid Jurymen ſo impannelled, but ſhall not challenge the Array; and the ſaid Juſtices, or any two or more of them, are hereby authoriſed and impowered, by Precept or Precepts, under their Hands, from Time to Time, as Occaſion ſhall require, to call before them any Perſon or Perſons, in order to be examined as a Witneſs or Witneſſes, upon Oath, before the ſaid Juſtices, or any two or more of them, and ſuch Jury, touching and concerning the Premiſes; and ſuch Juſtices, or any two or more of them, if they ſhall think fit, ſhall and may cauſe the ſaid Jury to view the Place or Places in queſtion; and ſhall have Power to adjourn ſuch Meetings from Day to Day, as Occaſion ſhall require, and to order ſuch Jury, Witneſſes, and Parties, to attend until all the Matters for which they were ſummoned ſhall be concluded; and the ſaid Jury, upon their Oaths (which Oaths, as well as the Oaths of ſuch Perſon or Perſons, as ſhall be called upon to give Evidence, the ſaid Juſtices, or any one or more of them, is and are hereby impowered and required to adminiſter) ſhall enquire touching the Value of ſuch Houſes, Buildings, or other Erections, Lands, Tenements, and Hereditaments, and of the reſpective Eſtates and Intereſts of all the Perſons, Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, ſeiſed or poſſeſſed thereof, or intereſted therein, or of or in any Part thereof, or the Damages which ſhall or may be done to any Houſes, Buildings, Lands, Tenements, or Hereditaments, by the doing or performing any of the Matters and Things by this Act authoriſed to be done and performed, and ſhall aſſeſs the Sum or Sums, Rent or Rents, to be paid to every ſuch Perſon or Perſons, Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, for ſuch their Eſtates and Intereſts, and as a Recompence or Satisfaction for the Damages they ſhall ſuſtain as aforeſaid; and the ſaid Juſtices, or any two or more of them, ſhall give Judgment for ſuch Sum or Sums of Money, Rent or Rents, ſo to be aſſeſſed; and the Verdict or Inquiſition of ſuch reſpective Juries, and the Judgments, Orders, and Decrees of the ſaid Juſtices thereupon, ſhall be final, binding, and concluſive, to all Intents and Purpoſes whatſoever, againſt the King's Majeſty, his Heirs and Succeſſors, and all Parties or Perſons whomſoever, as well abſent as preſent, Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, claiming any Eſtate, Right, Title, Truſt, or Intereſt in, to, or out of ſuch Houſes, Buildings, Lands, Tenements, or Hereditaments, either in Poſſeſſion, Reverſion, Remainder, or Expectancy, or otherwiſe, as well Infants and Iſſue unborn, Lunatics, Ideots, and Femes-covert, and Perſons under any legal Incapacity or Diſability whatſoever, and all other *Ceſtuique* Truſts, his, her, and their Heirs, Succeſſors, Executors, and Adminiſtrators, as againſt all other Perſons whomſoever; and all and every ſuch Owners, Occupiers, and Proprietors, and all and every Perſon and Perſons intereſted in ſuch Houſes, Buildings, Lands, Tenements, or Hereditaments, ſhall thereby, after Payment or Tender of the ſaid Sum or Sums of Money, ſo to be aſſeſſed in Manner herein-after mentioned, or in caſe of a Rent or Rents, then after ſuch Rent or Rents ſhall be ſo aſſeſſed, be from thenceforth, to all Intents and Purpoſes, diveſted of all Right, Title, Claim, Intereſt, or Property, of, in, to, or out of the ſame; and the ſame ſhall from thenceforth become veſted in the ſaid Truſtees, their Executors, Adminiſtrators, and Aſſigns, for the Purpoſes of this Act; and two Tranſcripts of all ſuch Verdicts or Inquiſitions, and Judgments, Orders, or Decrees, and all other Proceedings of the ſaid Juſtices and Juries, ſo to be made, given, or pronounced, as aforeſaid, ſhall be fairly written on Parchment, and ſigned and ſealed by the Juſtices, making and pronouncing the ſame; one of which Tranſcripts, ſo ſigned and ſealed, ſhall be forthwith tranſmitted to the Clerk or Treaſurer of the ſaid Truſtees; and the other of the ſaid Tranſcripts, ſo ſigned and ſealed, ſhall be forthwith tranſmitted to the Clerk of the Peace for the County of *Salop*, to be preſerved amongſt the Records of the ſaid County; and the ſaid Tranſcripts ſo ſigned and ſealed ſhall be deemed and taken to be Records, to all Intents and Purpoſes whatſoever, and the ſame, or true Copies thereof, ſigned by the ſaid Clerk or Treaſurer to the ſaid Truſtees for the Time being, or by the ſaid Clerk of the Peace for the Time being, ſhall be good and ſufficient Evidence in any Court of Law or Equity whatſoever; and all Perſons concerned may have Recourſe to the ſaid Tranſcripts *gratis*, and take Copies thereof, paying for each Copy not exceeding the Sum of Sixpence for every one hundred Words, and ſo in Proportion for any greater or leſs Number of Words: And upon Payment of the Sum or Sums of Money ſo aſſeſſed by ſuch Juries, and adjudged or decreed by ſuch Juſtices, to the Party or Parties concerned or entitled thereto as aforeſaid, or to their Agent, or upon legal Tender thereof made to him or them; or in caſe any ſuch Perſon or Perſons, after fourteen Days Notice given to him, her, or them, or left at the Houſe of the Occupier of the Premiſes, ſhall refuſe or neglect to receive the ſame, then upon Payment thereof into the Hands of ſuch Perſon or Perſons as the ſaid Juſtices, or any two or more of them, ſhall, by any Writing, under their Hands, appoint to receive the ſame, for the Uſe of the Party or Parties intereſted as aforeſaid, and to be paid upon Demand to him, her, or them reſpectively; or in caſe of an annual Rent or Rents, then after ſuch annual Rent or Rents ſhall be ſo aſſeſſed, it ſhall and may be lawful to and for the ſaid Truſtees, their Executors, Adminiſtrators, and Aſſigns, to have, hold, uſe, and enjoy, ſuch Houſes, Buildings, Lands, Tenements, or Hereditaments, to and for the Purpoſes of this Act; and it ſhall be lawful to and for their Agents, Workmen, and Servants, to pull down and diſpoſe of any ſuch Houſes, Buildings, and Tenements, and to make uſe of any ſuch Lands, Hereditaments, and other Premiſes, for the Purpoſes of this Act; and this Act ſhall be ſufficient to indemnify as well the ſaid Juſtices, as the ſaid Truſtees, and all and every Perſon and Perſons by them appointed and employed, or acting by Authority under them, againſt ſuch Owners, Proprietors, Occupiers, and Perſons intereſted, their Heirs, Succeſſors, Executors, Adminiſtrators, and Aſſigns, and againſt all and every other Perſon and Perſons whomſoever, to all Intents and Purpoſes whatſoever.

Jurymen may be challenged.

Witneſſes to be examined on Oath.

Verdict of the Jury, &c. to be final.

Two Tranſcripts to be made of the Proceedings of the Juſtices and Jury.

On Payment, &c. of the Money aſſeſſed, Truſtees may pull down Houſes, &c.

VI. And be it further enacted, That in caſe a ſufficient Number of Jurymen ſhall not attend to be ſworn for the Purpoſes of this Act, the ſaid Sheriff, or his Deputy, ſhall return ſuch other honeſt and indifferent Men of the Standers-by, or that can be ſpeedily procured to attend that Service, as ſhall be neceſſary

In Default of Jurymen attending, Sheriff to return others.

neceſſary to make up the Number of Twelve to ſerve on ſuch Jury; and that all Perſons concerned ſhall from Time to Time have their lawful Challenges as aforeſaid againſt any of ſuch Jurymen when they come to be ſworn, but ſhall not challenge the Array; and the ſaid Juſtices, or any two or more of them acting in the Premiſes, ſhall have full Power from Time to Time to impoſe any reaſonable Fine or Fines on ſuch Sheriff, his Deputy or Deputies, Bailiff or Bailiffs reſpectively, making Default in the Premiſes, or upon any Perſon or Perſons who ſhall be ſummoned and returned on any ſuch Juries, and ſhall not appear, or who ſhall refuſe to be ſworn on the ſaid Jury or Juries, or being ſo ſworn, ſhall not give his or their Verdict, or in any other Manner wilfully neglect his or their Duty in the Premiſes, contrary to the true Intent and Meaning of this Act; and likewiſe upon ſuch Perſon or Perſons ſummoned as aforeſaid to give Evidence, who ſhall neglect or refuſe to appear at ſuch Time or Times, Place or Places, as ſhall be appointed for that Purpoſe as aforeſaid, or appearing ſhall refuſe to be ſworn or give Evidence, or to be examined by or before the ſaid Juſtices, or any two or more of them, and, from Time to Time, to levy ſuch Fine or Fines by Diſtreſs and Sale of the Goods and Chattels of any Perſon or Perſons offending in any of the Matters or Things aforeſaid, by Warrant or Warrants, under the Hands and Seals of ſuch Juſtices, to be directed to the Conſtable or other Peace Officer of the Townſhip, Pariſh, or Place where ſuch Offender or Offenders ſhall live, which Conſtable or other Peace Officer is hereby required to execute the ſame, ſo as no ſuch Fine exceed the Sum of forty Shillings, which Fine ſhall be paid to the Treaſurer or Clerk to the ſaid Truſtees, or to ſuch Perſon or Perſons as the ſaid Truſtees ſhall appoint to receive the ſame, for their Benefit.

Penalty on Sheriff, Jurors, or Witneſſes, making Default.

VII. Provided always, That no Perſon or Perſons whomſoever ſhall act as a Juſtice or Juſtices, or be ſworn to ſerve on any Jury, or be examined as a Witneſs under the Powers of this Act in any Caſe where he, ſhe, or they is or are any Way directly or indirectly intereſted or concerned in the Matter or Matters in queſtion.

Perſons intereſted not to act as Juſtices, &c.

VIII. Provided alſo, and be it further enacted, That it ſhall not be lawful to and for the ſaid Truſtees to take Poſſeſſion of or enter into any ſuch Buildings, Lands, Tenements, or Hereditaments, until after they ſhall have agreed with the Proprietor or Proprietors of ſuch Buildings, Lands, Tenements, or Hereditaments, for and concerning the ſame, or until after Payment, Tender, or Depoſit of the Recompence or Satisfaction aſſeſſed and adjudged as aforeſaid ſhall be made; or, in caſe of Rent, until the ſame ſhall be aſſeſſed and adjudged as aforeſaid; otherwiſe than for the Purpoſe of ſurveying, taking a Level of, and marking out the Ground which they intend to make uſe of for the Purpoſes aforeſaid, and which it ſhall and may be lawful to and for them the ſaid Truſtees, with Workmen, Surveyors, and other proper Aſſiſtants, to do from Time to Time, and at every convenient Time, doing thereby as little Damage as may be, and giving four Days Notice to the Owner, Proprietor, or Occupier of ſuch Lands, Tenements, or Hereditaments, of the Time of coming to make ſuch Survey, or to take ſuch Levels, or to mark out ſuch Ground, in order that ſuch Owner, Proprietor, or Occupier may be preſent, if he, ſhe, or they ſhall think fit, and making Satisfaction for all Damages that ſhall be done to any Graſs or Corn by making ſuch Survey, taking ſuch Level, or marking out ſuch Ground, in caſe ſuch Damage ſhall exceed the Value of One Shilling.

Truſtees not to enter until after Agreement or Satisfaction made, unleſs for the Purpoſe of taking Levels, &c.

IX. Provided always, That in caſe any Verdict or Aſſeſſment ſhall be given for more Money, as a Recompence or Satisfaction for the Right, Intereſt, or Property of any Perſon or Perſons in any ſuch Houſes, Buildings, Lands, Tenements, or Hereditaments, or for any Loſs or Damage, than what ſhall have been agreed to, and offered by the ſaid Truſtees before the ſummoning and returning ſuch Jury, then the Coſts and Expences of ſummoning the Jury and Witneſſes, and of the ſaid Juſtices, and all other Expences incident thereto, ſhall be paid by the ſaid Truſtees out of the Tolls ariſing by virtue of this Act, or out of the Money to be borrowed upon the Credit thereof; but in caſe the Verdict or Aſſeſſment given ſhall be for no more or for leſs Money than ſhall have been firſt agreed to and offered by the ſaid Truſtees as aforeſaid, then ſuch Coſts and Expences ſhall be borne and paid by the Perſon or Perſons with whom the ſaid Truſtees ſhall have ſuch Controverſy or Diſpute.

Coſts of Juries, &c. how to be defrayed.

X. And be it further enacted, That all and every annual Rent or Rents to be agreed for or aſſeſſed as aforeſaid for any Lands, Tenements, or other Hereditaments, ſhall from Time to Time, as the ſame ſhall become due, be paid by the ſaid Truſtees, or by their Clerk or Treaſurer, half-yearly, to the Perſon or Perſons who ſhall be entitled thereto, and ſuch Perſon or Perſons ſhall have the ſame Eſtate and Intereſt in ſuch annual Rent or Rents as he, ſhe, or they would have had in or to the Premiſes, in reſpect of which ſuch Rent or Rents ſhall be ſo agreed for or aſſeſſed, in caſe this Act had never been made; and in Default of Payment thereof within thirty Days after the ſame ſhall become due (and being lawfully demanded), it ſhall and may be lawful for the Perſon or Perſons who ſhall from Time to Time be entitled to the ſaid Rent or Rents, or any of them, to commence or proſecute one or more Action or Actions at Law in Debt againſt the ſaid Truſtees, or any one of them, or againſt their Clerk or Treaſurer for the Time being, and, upon ſuch Action or Actions, to recover the Money then due, together with Coſts of Suit, and to have ſuch Remedies for the ſame as are allowed by Law for the Recovery of Rents in Arrear.

Rents how to be recovered.

XI. Provided always, and be it further enacted, That nothing herein contained ſhall authoriſe or empower the ſaid Truſtees, their Executors, Adminiſtrators, or Aſſigns, to take down any Dwelling-houſe or other Building, or to enter upon or uſe any Garden, Park, Paddock, Plantation of Trees, Walk, or Avenue to a Manſion-houſe, that was or were uſed as ſuch on or before the tenth Day of *October* laſt paſt, without the Conſent of the Owner or Owners thereof reſpectively firſt had and obtained in Writing under his or their Hand or Hands.

Truſtees reſtrained from taking down Buildings, &c.

XII. And be it further enacted, That in Conſideration of the great Charge the ſaid Truſtees, their Executors, Adminiſtrators, or Aſſigns, will be put unto in erecting the ſaid Bridge, and repairing and ſupporting the ſame, and alſo in making the ſaid Roads and Avenues, and in doing and performing the ſeveral

Bridge veſted in Truſtees;

other Matters and Things herein-before authoriſed to be done and performed, the ſaid Bridge, when built, and the Scite thereof, as alſo the ſeveral other Works and Erections herein-before authoriſed to be made, ſhall be, and are hereby veſted in the ſaid Truſtees, their Executors, Adminiſtrators, and Aſſigns for ever; and it ſhall be lawful to and for the ſaid Truſtees, their Executors, Adminiſtrators, and Aſſigns, from Time to Time, and at all Times thereafter, to aſk, demand, receive, recover, and to take, to and for their own proper Uſe, Behoof, and Benefit, at any Turnpike or Toll-gate to be erected by virtue of this Act, as often as any Foot Paſſenger, Carriage, Horſe, Beaſt, or other Cattle, ſhall paſs or repaſs over the ſaid Bridge, or through any of the Turnpikes or Toll-gates to be erected by virtue of this Act, and before any Paſſage ſhall be permitted through the ſame, any Sum or Sums of Money, not exceeding the ſeveral Sums following; that is to ſay,

who may take the following Tolls,

For every Coach, Chariot, Landau, Berlin, Hearſe, Chaiſe, Calaſh, Chair, or other ſuch like Carriage, drawn by ſix Horſes, Mares, Geldings, or Mules, the Sum of Two Shillings; and drawn by four Horſes, Mares, Geldings, or Mules, the Sum of One Shilling and Sixpence; and drawn by two Horſes, Mares, Geldings, or Mules, the Sum of One Shilling; and drawn by one Horſe, Mare, Gelding, or Mule, the Sum of Sixpence:—For every Horſe, Mare, Gelding, Mule, or Aſs, and for every Pair or Yoke of Oxen or horned Cattle, drawing or harneſſed, or yoked and intended to draw in any Waggon, Wain, Cart, or other ſuch like Carriage, the Sum of Three-pence:—For every Horſe, Mare, Gelding, Mule, or Aſs, laden or unladen, and not drawing, the Sum of One Penny Halfpenny:—For every Horſe, Mare, Gelding, Mule, or Aſs, carrying double, the Sum of Two-pence:—For every Drove of Oxen, Cows, or Neat Cattle, the Sum of One Shilling and Eight-pence *per* Score; and ſo in Proportion for any leſs Number:—For every Drove of Calves, Hogs, Sheep, or Lambs, the Sum of Ten-pence *per* Score; and ſo in Proportion for any leſs Number:—For every Sledge, Drag, or ſuch like Carriage, the Sum of Sixpence:—For every Foot Paſſenger, One Halfpenny.

Tolls veſted in Truſtees;

Which ſaid ſeveral and reſpective Sum and Sums of Money ſhall be demanded and taken in the Name of or as a Toll; and the Money ariſing thereby, and alſo all other Monies to be received by Authority of this Act, are hereby veſted in the ſaid Truſtees, their Executors, Adminiſtrators, and Aſſigns, and ſhall be applied to and for the Purpoſes of this Act; and the ſame, and every Part thereof, ſhall be paid to them accordingly, or to ſuch Perſon or Perſons as they ſhall appoint to receive the ſame: And they the ſaid Truſtees, by themſelves, or by any Perſon or Perſons by them appointed and employed, ſhall and may erect, or cauſe to be erected, one or more Turnpike or Toll-houſe, Turnpikes or Toll-houſes, in, upon, or near to the ſaid Bridge, and in, upon, or acroſs the Roads, or Avenues leading to and from the ſame, and from Time to Time to take down and remove ſuch Turnpikes or Toll-houſes, and to ſet up and erect the ſame, in, upon, and acroſs any other Part of the ſaid Bridge or Roads, as Occaſion ſhall require; and thereat to collect and receive, or cauſe to be collected and received, and to levy the Tolls or Dues hereby made payable upon any Perſon or Perſons, who ſhall, after Demand thereof made, neglect or refuſe to pay the ſame, and the Perſon or Perſons from Time to Time appointed to collect and receive the ſaid Tolls or Dues ſhall be, and he and they is and are hereby authoriſed and impowered to ſeize and diſtrain any Horſe, Beaſt, Cattle, Carriage, or other Thing upon or in reſpect of which any Toll is by this Act impoſed, or any other of the Goods and Chattels of any Perſon or Perſons refuſing or neglecting to pay as aforeſaid, and to detain the ſame for any Time not exceeding the Space of five Days, and then, if the Tolls or Dues for which ſuch Diſtreſs ſhall have been made, together with the Charges attending the detaining and keeping the ſame, ſhall not be fully paid and ſatisfied, he or they ſhall and may ſell the ſame, rendering the Overplus (if any) after Payment of the ſaid Toll for which ſuch Diſtreſs was taken, and the Coſts of ſuch Diſtreſs, to the Owner or Owners thereof.

who may erect Turnpikes and Toll-houſes.

Tolls may be levied by Diſtreſs.

Proviſo.

XIII. Provided always, That it ſhall and may be lawful to and for all and every Perſon and Perſons, and alſo to and for all and every Carriage, Horſe, Beaſt, or other Cattle or Things chargeable with any of the Tolls or Dues hereby granted, to paſs once for the ſame Toll over the ſaid Bridge, and through all and every the Turnpikes and Toll-gates to be erected by virtue of this Act, without being liable to pay a Toll at each Turnpike or Toll-gate; any Thing herein-before contained to the contrary thereof notwithſtanding.

Exemptions from Tolls.

XIV. Provided alſo, That the Driver of any Pack-horſe, or of any Wain, Cart, or other Carriage, ſhall be permitted to paſs Toll-free over the ſaid Bridge, and through any Toll-gate or Turnpike to be erected in purſuance of this Act, and that no Toll ſhall be demanded or taken from any Foot-paſſenger, nor for any Cattle or Carriage uſed or employed in drawing or carrying of Hay, Corn or Grain in the Straw, Muck, Dung, or Implements of Huſbandry, nor for any Cattle going or returning to Paſture, to or from any Lands or Grounds lying on either Side of any Turnpike or Toll-gate to be erected by virtue of this Act, having Occaſion to paſs or repaſs along the ſaid Road, or through any ſuch Turnpike or Toll-gate only, without going upon or over the ſaid Bridge; nor ſhall more than One-half of the Tolls or Dues hereby granted be demanded or taken for or in reſpect of any Carriage or Beaſt having Occaſion to paſs through any Toll-gate or Turnpike to any Warehouſe, Quay, or Wharf, on either Side of the ſaid River *Severn*, without going upon or over the ſaid Bridge.

Truſtees may reduce Tolls, &c.

XV. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees, at any Meeting to be held for that Purpoſe, whereof fourteen Days previous Notice ſhall be given and affixed on the Market-houſe at *Broſeley* aforeſaid, and on the Turnpikes or Toll-gates to be erected in purſuance of this Act, with the Conſent of ſuch and ſo many of the Truſtees or other Perſon or Perſons who ſhall be intitled to the Majority of Shares, or who ſhall have advanced the greater Part of the Money borrowed upon the Credit of the Tolls hereby granted, to leſſen or reduce all or any of the Tolls or Dues by this Act authoriſed to be demanded and taken as aforeſaid; and from Time to Time afterwards to advance and augment

augment the ſame again, ſo as not to exceed the ſeveral Sums herein-before ſpecified; and the Tolls ſo leſſened or reduced, and raiſed again, ſhall be collected and levied in ſuch Manner, and applied for ſuch Uſes and Purpoſes, as the Tolls hereby granted are directed to be collected, levied, and applied.

Truſtees may let the Tolls;

XVI. And be it further enacted, That the ſaid Truſtees, or any five or more of them, ſhall and may, and they are hereby impowered, by Writing under their Hands and Seals, to ſet, let, or demiſe the Tolls or Dues by this Act granted, to any Perſon or Perſons who ſhall be willing to take or farm the ſame, from Year to Year, or otherwiſe, as they ſhall think fit, under ſuch Reſtrictions and Covenants as the ſaid Truſtees ſhall think fit; and if the Money which ſhall be agreed to be paid for the ſaid Tolls, or any Part thereof, ſhall not be paid to the ſaid Truſtees, or to ſuch Perſon or Perſons as they ſhall appoint to receive the ſame, within the Space of five Days next after the ſame ſhall become due and payable, then, on Proof upon Oath of ſuch letting, and of ſuch Nonpayment, before any Juſtice of the Peace for the County of *Salop* (which Oath ſuch Juſtice is hereby impowered to adminiſter), the Money ſo due and owing ſhall and may be levied by Diſtreſs and Sale of the Goods and Chattels of ſuch Renter or Leſſee, by Warrant under the Hand and Seal of ſuch Juſtice; and the Overplus (if any) after deducting the reaſonable Charges of ſuch Diſtreſs and Sale, ſhall be returned to the Owner or Owners of ſuch Goods and Chattels upon Demand; and if ſufficient Goods and Chattels of the Perſon or Perſons neglecting to pay as aforeſaid, cannot be found to anſwer and ſatisfy the Money in Arrear as aforeſaid, and the reaſonable Charges of ſuch Diſtreſs and Sale, then ſuch Juſtice of the Peace may, and is hereby required, by Warrant under his Hand and Seal, to cauſe ſuch Perſon or Perſons to be committed to the Common Gaol of the County of *Salop*, there to remain until the Money ſo in arrear and unpaid, and alſo the Charges of ſuch Diſtreſs and Sale, ſhall be fully paid and ſatisfied, or until he or they ſhall have compounded with the ſaid Truſtees for the ſame, or ſhall be diſcharged by due Courſe of Law; or otherwiſe ſuch Truſtees ſhall and may ſue for and recover the ſaid Rent or Money ſo in arrear, in any of his Majeſty's Courts of Record at *Weſtminſter*.

and, in Default of Payment of Rent, may levy the ſame by Diſtreſs.

For want of Diſtreſs, Party to be committed.

Penalty on uſing Ferry-boats, &c.

XVII. And be it further enacted, That if any Perſon ſhall uſe or employ any Boat, Barge, or other Craft, to ferry or convey any Perſon or Perſons, Cattle, or Carriages, acroſs the River *Severn*, within the Diſtance of ſix hundred Yards above or below the Scite of the ſaid Bridge when built, for Gain or Hire, or to evade the Payment of the Tolls hereby granted, or any Part thereof, the Owner or Owners of any ſuch Boat, Barge, or other Craft, and the Perſon or Perſons employing or uſing the ſame as aforeſaid, ſhall reſpectively forfeit and pay the Sum of twenty Shillings, for every Perſon, Horſe, Mare, Gelding, Mule, Aſs, Beaſt, Sheep, Swine, Calf, or Lamb, and for every Coach, Waggon, or other Carriage whatſoever, which ſhall be ferried or conveyed as aforeſaid.

or leaving Carriages or Cattle, to evade Payment of the Tolls.

XVIII. And be it enacted, That if any Perſon or Perſons ſhall take off or leave any Coach, Waggon, or other Carriage, or any Horſe, Cattle, or Beaſt whatſoever, chargeable with any of the Tolls hereby granted, in any Place before the ſame ſhall come to any Toll-gate or Turnpike to be erected by virtue of this Act, with Intent to evade the Payment of Toll, each and every Perſon ſo offending ſhall, for every Offence, forfeit and pay the Sum of twenty Shillings.

Meetings of Truſtees how to be held.

XIX. And be it further enacted, That the firſt Meeting of the Truſtees ſhall be at the Houſe of *Daniel Onions*, ſituate in the Pariſh of *Broſeley* aforeſaid, on *Friday*, the ſecond Day of *May*, one thouſand ſeven hundred and ſeventy-ſeven, between the Hours of Ten and Twelve of the Clock in the Forenoon; and the Truſtees then preſent ſhall proceed to the Execution of the Powers hereby granted, and ſhall then, and from Time to Time afterwards, adjourn themſelves, and the other Truſtees not then preſent, and meet there, or at any other Place, as often as it ſhall be neceſſary for putting this Act in Execution; of which ſubſequent Meeting, and of every adjourned Meeting, to be held in purſuance of this Act, the Clerk or Treaſurer to the ſaid Truſtees ſhall cauſe publick Notice to be given in Writing, by affixing the ſame on the Market-houſe at *Broſeley* aforeſaid, and on the Turnpikes or Toll-gates to be erected by virtue of this Act, ten Days at leaſt before the Day appointed for ſuch Meetings reſpectively; and that two Truſtees ſhall be deemed a ſufficient Number for the Purpoſe of Adjournment only; and when and ſo often as it ſhall happen that there ſhall not appear at any Meeting a ſufficient Number of Truſtees to act or to adjourn, the Clerk to the ſaid Truſtees ſhall adjourn ſuch Meeting, to be held at the ſame Place, on ſome Day within the Space of fourteen Days from the Time of ſuch Adjournment; and that all Orders and Determinations of the ſaid Truſtees, in the Execution of this Act, ſhall be made at Meetings to be held in purſuance thereof, and by the Majority of the Truſtees then preſent, and not otherwiſe; nor ſhall any ſuch Order or Determination be revoked or altered at any ſubſequent Meeting, unleſs ſeven Truſtees ſhall be preſent and conſenting thereto; and that no Truſtees herein named or appointed, or who ſhall be admitted in purſuance of this Act, ſhall act, or be impowered to do any Act in Execution of the Powers hereby given, but at a Meeting or Meetings to be held under the Directions of this Act.

All Orders of Truſtees to be made at Meetings, &c.

Truſtees may raiſe 2,000l.

to be divided into 40 Shares.

Application of the Money.

'XX. And, to the End that the ſaid Truſtees may be enabled to carry on ſo uſeful an Undertaking, and 'to execute the ſeveral Purpoſes of this Act with Effect,' be it enacted, That it ſhall and may be lawful to and for the ſaid Truſtees, their Executors, Adminiſtrators, and Aſſigns, to raiſe and contribute amongſt themſelves, or by the Admiſſion of any other Perſon or Perſons, in ſuch Proportion as to them ſhall ſeem meet and convenient, a competent Sum of Money, not exceeding in the Whole the Sum of two thouſand Pounds, and the ſame to divide into forty Shares, or ſuch leſs Number of Shares as the whole Amount of the Sums advanced and paid will admit of, reckoning fifty Pounds to each Share; and no Perſon ſhall become a Proprietor of leſs than one Share in the ſaid Undertaking; nor ſhall any ſuch Perſon or Perſons be a Proprietor of more than ten Shares either in his, her, or their own Name or Names, or in the Name or Names of any other Perſon or Perſons in Truſt for him, her, or them (except the ſame ſhall come to him, her, or them, by Deſcent, Bequeſt, Marriage, or Act of Law), upon Pain of forfeiting to the ſaid Truſtees, their Executors, Adminiſtrators, and Aſſigns, all ſuch Shares exceeding ten Shares as aforeſaid: And the Money ſo to be raiſed is hereby directed and appointed to be laid out and applied, in the firſt Place, for and towards the Payment, Diſcharge, and Satisfaction of the Coſts, Charges, and Expences, of applying for,

for, obtaining, and paſſing this Act; and the Reſidue and Remainder of ſuch Money ſhall be applied for and towards making, building, completing, and maintaining the ſaid Bridge, and the Avenues and Roads to and from the ſame, and other the Purpoſes of this Act, and to no other Uſe, Intent, or Purpoſe whatſoever; and all and every the ſaid Shares ſhall be deemed to be perſonal Eſtate, and tranſmiſſible as ſuch, and not of the Nature of real Property; and all and every Perſon and Perſons, their ſeveral and reſpective Executors, Adminiſtrators, and Aſſigns, who ſhall ſeverally advance and pay in the Sum of fifty Pounds, or ſuch Sum or Sums as ſhall be demanded in lieu thereof, towards executing the ſeveral Purpoſes of this Act, ſhall be intitled to receive, and ſhall receive, an entire and nett Diſtribution of one fortieth Part, or ſuch greater Share or Proportion of the Profits ariſing from the Tolls or Dues hereby granted, or to be received, by the Authority of this Act, as the ſaid Sum of fifty Pounds will bear, in Proportion to the whole Amount of the Money advanced and paid on the Credit thereof, and ſo in Proportion for any Number of Shares, not exceeding ten Shares as aforeſaid.

Shares to be deemed perſonal Eſtate.

Truſtees may vote either in Perſon or by Proxy.

XXI. And be it further enacted, That all and every Perſon and Perſons, who ſhall have advanced and paid, or undertaken to advance and pay, for one or more Share or Shares, as aforeſaid, their Executors, Adminiſtrators, and Aſſigns, ſhall be deemed a Truſtee or Truſtees, and ſhall be intitled to vote at any Meeting or Meetings, to be held in purſuance of this Act, either perſonally, or by his, her, or their Proxy or Proxies, duly conſtituted under his, her, or their Hand and Seal, or Hands and Seals (ſuch Proxy or Proxies being a Truſtee or Truſtees), for every Share or Shares he, ſhe, or they, ſhall be ſo poſſeſſed of; and whatever Queſtion, Matter, or Thing, ſhall be propoſed, diſcuſſed, or conſidered, at any Meeting of the Truſtees to be held by virtue of this Act, the ſame ſhall be finally determined by the Majority of Votes then preſent, reckoning one Vote for every Share.

Truſtees enabled to borrow 1,000 l.

and to aſſign the Tolls as a Security.

XXII. Provided always, and be it further enacted, That the ſaid Truſtees, or any five or more of them, aſſembled at their firſt Meeting, or to be aſſembled at any ſubſequent Meeting to be held for that Purpoſe (of which ſubſequent Meeting, and of the Intention for which the ſame is to be held, fourteen Days previous Notice ſhall be given, and affixed upon the Market-houſe at *Broſeley*, and upon the Toll-gates or Turnpikes to be erected in purſuance of this Act), ſhall and may borrow, and take up at Intereſt, any Sum or Sums of Money, not exceeding the Sum of one thouſand Pounds, on the Credit of the Tolls and Dues hereby granted, and for ſecuring the Repayment thereof with Intereſt, to aſſign and mortgage all or any of the Tolls or Dues hereby granted, to ſuch Perſon or Perſons as ſhall advance and pay the ſame, by an Inſtrument or Writing under their Hands and Seals, in the Words, or to the Effect following:

Form of Aſſignment.

'BY virtue of an Act made in the ſeventeenth Year of the Reign of his Majeſty King *George* the Third, 'for *building a Bridge acroſs the River* Severn, *from or near a Place called* Preen's Eddy, *in the Pariſh of* 'Broſeley, *to or near a Place called* The Sheep-waſh, *in the Pariſh of* Sutton Maddock, *in the County of* 'Salop, *and for making proper Avenues or Roads to and from the ſame*; we whoſe Names are hereunto ſet, 'being five or more of the Truſtees appointed by and in purſuance of the ſaid Act, in Conſideration of the 'Sum of Pounds, to us in Hand paid by 'of do aſſign unto the ſaid his [*or* her] 'Executors, Adminiſtrators, and Aſſigns, all and every the Tolls or Dues by the ſaid Act granted [*or ſuch 'Part thereof as ſhall be agreed on between the ſaid Truſtees and the Perſon or Perſons advancing the ſame*], to 'hold to the ſaid his [*or* her] Executors, Adminiſtrators, and Aſſigns, from 'the Day of the Date hereof, until the ſaid Sum of with Intereſt, after the 'Rate of *per Centum per Annum*, ſhall be fully paid off and ſatisfied. Witneſs our 'Hands and Seals, the Day of

And all and every Perſon and Perſons to whom ſuch Mortgage or Aſſignment ſhall be made, ſhall be intitled to ſuch Share of the ſaid Tolls or Dues as the reſpective Sum or Sums in ſuch Aſſignment mentioned to be advanced and paid, ſhall bear in Proportion to the whole Sum advanced or borrowed upon the Credit of ſuch Tolls or Dues, in equal Degree, and ſhall have no Preference in reſpect of the Priority of advancing and paying the ſame.

Memorials of Aſſignments to be entered by the Clerk, &c.

Aſſignments may be transferred.

XXIII. And be it further enacted, That proper Entries or Memorials ſhall be made by the Clerk or Treaſurer to the ſaid Truſtees, of all and every ſuch Aſſignment or Aſſignments, containing the Dates, Names of the Parties, and Sums of Money therein mentioned, in a Book or Books, to be from Time to Time provided and kept for that Purpoſe, who ſhall mark the ſaid Aſſignment in this Manner, *Entered No. I.* [or as the Caſe may happen] *A. B. Clerk to the Truſtees*; and all and every Perſon and Perſons to whom ſuch Mortgage or Aſſignment ſhall be made, or who ſhall be intitled to the Money thereby ſecured, may transfer and aſſign the ſame again, and all his, her, or their Right, Title, and Intereſt therein, to any other Perſon or Perſons whomſoever, by Indorſement thereon, in the Words or to the Effect following:

Form of Transfer.

'I *or* we [*as the Caſe may happen*] do transfer this Aſſignment, with all my [*or* our] Right, Title, and 'Intereſt to and in the ſame, unto of his [*or her*] 'Executors, Adminiſtrators, and Aſſigns.

'Dated this Day of

Witneſs

Transfers to be entered by the Clerk.

Which ſaid laſt-mentioned Transfers ſhall be produced and notified to the Clerk to the Truſtees, at ſome Meeting of the ſaid Truſtees, who ſhall cauſe an Entry or Memorial to be made thereof, containing the Dates, Names of the Parties, and Sums of Money, in the ſaid Book directed to be provided and kept for entering the original Aſſignments, for which Entry or Memorial the Clerk ſhall be paid the Sum of one Shilling, and no more, by the Perſon or Perſons producing the ſame; and after ſuch Entries made (but not till then), ſuch Transfer ſhall intitle ſuch Aſſignee, his, her, or their Executors, Adminiſtrators, and Aſſigns,

Aſſigns, to the Benefit thereof; and every ſuch Aſſignee may, in like Manner, aſſign again, and ſo *toties quoties*; and it ſhall not be in the Power of any Perſon or Perſons who ſhall have made any ſuch Transfer or Aſſignment, to make void, releaſe, or diſcharge the ſame, or any Monies thereby due, or any Part thereof.

Truſtees Eſtates not to be liable to the Payment of Mortgage Money.

XXIV. Provided always, That nothing herein contained ſhall extend, or be conſtrued to extend, to charge, ſubject, or make liable the real or perſonal Eſtate of any Truſtee, or of the Executors, Adminiſtrators, or Aſſigns of any Truſtee, who ſhall have ſigned and executed any Aſſignment or Aſſignments as aforeſaid, to the Payment of any Sum or Sums of Money thereby ſecured, or any Part or Parts thereof.

Truſtees may ſell their Shares.

XXV. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Truſtees for the Time being, their Executors, Adminiſtrators, and Aſſigns, to ſell and aſſign any Share or Shares, he, ſhe, or they ſhall, from Time to Time, be entitled to, in the ſaid Bridge Undertaking; and that ſuch Sale and Aſſignment ſhall be made by an Inſtrument in the Words or to the Effect following:

Form of Aſſignment.

'I *or* We [*as the Caſe may happen*], in Conſideration of the Sum of to
'paid by do hereby bargain, ſell, and aſſign, unto the ſaid
'Executors, Adminiſtrators, and Aſſigns, Share which entitled to
'in the *Preen's Eddy* Bridge Undertaking; to hold to Executors, Admi-
'niſtrators, and Aſſigns, ſubject to the ſame Rules and Orders, and on the ſame Conditions that
'held the ſame immediately before the Execution hereof. And
'the ſaid do hereby agree to accept of the ſaid Share,
'ſubject to the ſame Rules, Orders, and Conditions. Witneſs our Hands and Seals, the
'Day of in the Year of our Lord

Duplicates thereof to be executed.

Duplicates of which ſaid Aſſignment ſhall be executed by the Aſſignor and Aſſignee; and one Part thereof ſhall be delivered to the Clerk or Treaſurer to the ſaid Truſtees, to be kept for the Benefit of the ſaid Truſtees; and an Entry thereof ſhall be made by ſuch Clerk or Treaſurer, in a Book or Books to be kept for that Purpoſe, for which Entry the Sum of one Shilling, and no more, ſhall be paid: And from and after ſuch Duplicate ſhall be ſo delivered to the ſaid Clerk or Treaſurer to the ſaid Truſtees, but not before, ſuch Aſſignee or Aſſignees ſhall be intitled to ſuch Proportion of the Rates, Dues, and other Benefits under this Act, as his Aſſignor or Aſſignors would have been entitled to in reſpect of the Share or Shares ſo ſold and aſſigned.

Subſcribers to pay their Subſcriptions,

XXVI. And be it further enacted by the Authority aforeſaid, That the ſeveral and reſpective Perſons who have ſubſcribed to, or who ſhall hereafter ſubſcribe to advance any Sum or Sums of Money for the building of the ſaid Bridge, or other the Purpoſes of this Act, ſhall, and they are hereby required to pay the Sum or Sums of Money by them reſpectively ſubſcribed, within ſuch Time or Times, and in ſuch Parts and Proportions, and to ſuch Perſon or Perſons as the ſaid Truſtees, or any three or more of them, ſhall, at any of their Meetings to be held in purſuance of this Act, appoint, to be applied for the Purpoſes of this Act; and in caſe any ſuch Subſcriber or Subſcribers ſhall neglect or refuſe to pay his, her, or their Subſcription, or any Part thereof, in Manner aforeſaid, that it ſhall and may be lawful to and for the ſaid Truſtees to ſue for and recover the ſame in the Name of their Clerk or Treaſurer, in any of his Majeſty's Courts of Record at *Weſtminſter*, in an Action of Debt or upon the Caſe, or by Bill, Suit, or Information; in which no Eſſoin, Protection, Wager of Law, or more than one Imparlance, ſhall be allowed.

or Truſtees may ſue for the ſame.

Writings exempted from Stamp-duty.

XXVII. Provided alſo, and be it enacted, That no Nomination, Appointment, Information, Order, Verdict, Judgement, Conviction, Warrant, Mortgage, Aſſignment, Transfer, or other Security or Writing whatſoever, made or executed in purſuance of the Powers given by this Act, ſhall be charged or chargeable with any Stamp-duty whatſoever.

Truſtees to appoint Officers,

XXVIII. And be it further enacted, That the ſaid Truſtees ſhall and may elect and appoint a Clerk or Clerks, Treaſurer or Treaſurers, Surveyor or Surveyors, and Collector or Collectors of the ſaid Tolls or Dues, and ſuch other Officer or Officers as they ſhall think neceſſary; and from Time to Time remove ſuch reſpective Officers, and appoint others in their Stead, or in the Stead of ſuch of them as ſhall die or be incapable of performing his or their Duty; and out of the Monies ariſing by virtue of this Act ſhall and may make ſuch Allowances to the reſpective Officers, for their Care and Pains, and to ſuch other Perſons as ſhall be aſſiſting in and about the Execution of the ſeveral Purpoſes of this Act, as the ſaid Truſtees ſhall think reaſonable; and ſuch Clerk or Clerks, Treaſurer or Treaſurers, Surveyor or Surveyors, Collector or Collectors, or other Officers, and every of them, ſhall from Time to Time, at any Meeting of the ſaid Truſtees, when thereunto required by the ſaid Truſtees, deliver in upon Oath (which Oath any one of the Truſtees is hereby impowered to adminiſter) a true, exact, and perfect Account in Writing under their reſpective Hands, of all Monies which he or they, every or any of them, ſhall have received, paid, and diſburſed in the Execution of their reſpective Offices, with proper Vouchers for the Money ſo paid and diſburſed: And in caſe of any Refuſal or Neglect to make and deliver ſuch Account in Manner aforeſaid, or to pay the Money remaining in his or their Hands unto the ſaid Truſtees, or to ſuch Perſon or Perſons as they ſhall authoriſe and appoint to receive the ſame; then, and in either of the ſaid Caſes, any two or more of his Majeſty's Juſtices of the Peace for the ſaid County of *Salop*, on Information laid before them, ſhall and may make Inquiry of and concerning ſuch Neglect or Refuſal in a ſummary Way, either by the Confeſſion of the Parties themſelves, or by the Teſtimony of one or more credible Witneſs or Witneſſes, upon Oath (which Oath the ſaid Juſtices are hereby impowered and required to adminiſter); and, upon Conviction, ſhall commit the Perſon or Perſons neglecting or refuſing to account, or to make Payment as aforeſaid, to the common Gaol of the County of *Salop*, there to remain until he or they ſhall have made a

and allow them Salaries.

Officers to account.

Penalty on Officers refuſing to account, &c.

true

true and perfect Account and Payment as aforeſaid, or ſhall have compounded for the ſame, and paid ſuch Compoſition to the ſaid Truſtees, or ſhall be otherwiſe diſcharged by due Courſe of Law.

Officers to give Security.

XXIX. And be it further enacted, That the ſaid Truſtees ſhall and may, and they are hereby impowered and required from Time to Time to take ſuch Security from the Clerks, Treaſurers, or other Officers and Perſons by them appointed and employed in the Execution of this Act, for the due and faithful Execution of their ſeveral and reſpective Offices or Employments, as they ſhall think proper.

Surveyors may dig Gravel, &c.

XXX. And be it further enacted, That the Surveyor or Surveyors, or ſuch Perſon or Perſons as he or they ſhall employ for that Purpoſe, ſhall and may, and he and they is and are hereby authoriſed and impowered, from Time to Time, by Order of the ſaid Truſtees, to cut, dig, gather, take, and carry away, any Gravel, Heath, Sand, Stones, Ballaſt, or any other Materials proper and neceſſary for making and completing the ſaid Bridge, or for repairing and keeping the ſame in Repair when made, or for making, repairing, and keeping in Repair the Roads or Avenues leading thereto, in, upon, out of, or from any Waſte Ground, or out of any River or Brook, in the reſpective Pariſhes of *Broſeley* and *Sutton Maddock* aforeſaid; and alſo in, upon, or out of, and from the Lands and Grounds of any Perſon or Perſons whatſoever (not being a Yard, Garden, Orchard, Park, Paddock, Lawn, Wood, Coppice, Nurſery, or incloſed Ground, planted with any Avenue of Trees for the Ornament of any Houſe), ſuch Surveyor or Surveyors, or other Perſon or Perſons, filling up the Pits, and levelling the Ground from which ſuch Materials ſhall be taken, and making Satisfaction to the reſpective Lord or Lords of the Soil of ſuch Waſte Ground, River, or Brook, and to the Owners or Occupiers of ſuch Lands or Grounds, for the Damages he, ſhe, or they ſhall and may ſuſtain thereby; and in caſe ſuch Lord or Lords, Owners or Occupiers, and the ſaid Truſtees, cannot agree touching ſuch Satisfaction to be made, the ſame ſhall and may be ſettled and determined by any two or more Juſtices of the Peace for the County of *Salop*; and the Sum or Sums ſo agreed upon or ſettled ſhall be paid to the Perſon or Perſons intitled thereto, out of the Monies to be raiſed by virtue of this Act, and ſhall be recovered by Diſtreſs and Sale of the Goods and Chattels of the ſaid Truſtees, by Warrant, under the Hands and Seals of ſuch Juſtices; or otherwiſe by Action or Actions in one of his Majeſty's Courts of Record at *Weſtminſter*.

levelling the Ground, and making Satisfaction, &c.

In caſe of Accidents, Truſtees may make uſe of a Ferry, or temporary Bridge.

'XXXI. And whereas it may happen that the ſaid Bridge may receive ſuch Damage by unforeſeen Ac-'cidents, that the Paſſage thereof may for ſome Time become dangerous and impracticable;' be it therefore enacted, That when, and as often as it ſhall ſo happen, it ſhall be lawful for the ſaid Truſtees, or ſuch Perſon or Perſons as they ſhall from Time to Time appoint for that Purpoſe, to provide a proper and convenient Ferry or Ferries, or otherwiſe to erect a temporary Bridge acroſs the ſaid River *Severn*, and as near to the Scite of the ſaid Bridge as conveniently may be, and to take and receive for the Paſſage over the ſaid River, by ſuch Ferry or Ferries, or temporary Bridge, ſuch Tolls as are hereby authoriſed to be taken for paſſing over the ſaid Bridge. Provided nevertheleſs, That ſuch Ferry or Ferries, or temporary Bridge, ſhall continue for ſuch Time only as ſhall be neceſſary for repairing and rebuilding the ſaid Bridge, and until the Paſſage over the ſame ſhall be made ſafe and commodious.

Perſons maliciouſly deſtroying the Bridge, guilty of Felony.

XXXII. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall wilfully and maliciouſly blow up, burn, pull down, or deſtroy the ſaid Bridge, or any Part thereof, or any of the Works belonging thereto, ſuch Perſon or Perſons, being lawfully convicted thereof, ſhall be adjudged guilty of Felony, and ſhall be ſubject and liable to the like Pains and Penalties, as in Caſes of Felony; and the Court before whom ſuch Perſon or Perſons ſhall be tried and convicted, ſhall and may, and they are hereby authoriſed and impowered to order and direct ſuch Perſon or Perſons to be tranſported to ſome one of his Majeſty's Plantations in *America*, for the Term of ſeven Years; or otherwiſe, it ſhall and may be lawful to and for ſuch Court to ſentence ſuch Perſon or Perſons to be kept to hard Labour, for any Term not exceeding the Term of three Years, in Manner directed in and by an Act paſſed in the ſixteenth Year of the Reign of his preſent Majeſty, intituled, *An Act to authoriſe, for a limited Time, the Puniſhment by hard Labour of Offenders, who for certain Crimes are or ſhall become liable to be tranſported to any of his Majeſty's Colonies and Plantations.*

Penalty on Perſons injuring the Bridge, &c.

XXXIII. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall wilfully hurt, damage, injure, or deface the ſaid Bridge, or any of the Works belonging thereto, and ſhall be lawfully convicted thereof, on the Oath of one or more credible Witneſs or Witneſſes, before any one or more of his Majeſty's Juſtices of the Peace for the County of *Salop*, ſuch Perſon or Perſons ſhall forfeit and pay to the ſaid Truſtees, for the Time being, the Sum of forty Shillings, in caſe the Damage or Injury occaſioned to the ſaid Bridge, or the Works belonging thereto, ſhall not exceed the Sum of forty Shillings; but in caſe ſuch Damages or Injury ſhall exceed the Sum of forty Shillings, then ſuch Juſtice or Juſtices ſhall and may award ſuch Offender or Offenders to pay to the ſaid Truſtees ſuch Sum or Sums, as ſuch Juſtice or Juſtices, in his or their Diſcretion, ſhall think fit, not exceeding double the Value of the Damage proved, on Oath, to be done to the ſaid Bridge, or the Works belonging thereto.

Maſter of Veſſels made anſwerable for any Damage done by their Crew.

XXXIV. Provided always, and be it enacted, That the Maſter or Owner of any Boat, Barge, Lighter, or other Veſſel navigated upon the ſaid River *Severn*, ſhall be, and is hereby declared ſubject and liable to make Satisfaction for any Damage which ſhall be done to the ſaid Bridge, or any Part thereof, or to any of the Works which ſhall be erected for building the ſame, by ſuch Boat, Barge, Lighter, or other Veſſel, by the Wilfulneſs or Negligence of the Crew who ſhall navigate or belong to ſuch Boat, Barge, Lighter, or other Veſſel; and in caſe the ſame ſhall not be forthwith paid, the Clerk or Treaſurer for the Time being to the ſaid Truſtees ſhall and may in his own Name ſue for ſuch Damages or Treſpaſs in any of his Majeſty's Courts of Record at *Weſtminſter*.

Penalty for cauſing Annoyances.

XXXV. And be it further enacted, That if any Perſon or Perſons whomſoever ſhall place or ſuffer any Carriage whatſoever to ſtand or remain on the ſaid Bridge, or in any Road or Avenue leading to the ſame, except for the immediate taking up or Delivery of any Goods or Merchandize, or for the Removal of any Filth,

Filth, Dung, Aſhes, or Rubbiſh (ſufficient Time being allowed to do the ſame reſpectively), or ſhall moor or faſten any Boat, Barge, Veſſel, Float, or other Thing to the ſaid Bridge, or ſhall in any other Manner wilfully obſtruct the Paſſage over or under the ſaid Bridge, every Perſon ſo offending ſhall forfeit and pay, for every ſuch Offence, the Sum of twenty Shillings.

Commencement of this Act.

XXXVI. And be it further enacted, That all the Powers hereby given and granted, except ſuch Powers, the Commencement whereof is herein otherwiſe provided for, ſhall commence and take Effect upon the firſt Day of *May*, one thouſand ſeven hundred and ſeventy-ſeven; and that all Penalties and Forfeitures hereby inflicted, the Manner of levying and recovering whereof is not otherwiſe by this Act particularly directed, ſhall, upon Proof of the Offences reſpectively before any one Juſtice of the Peace for the ſaid County of *Salop*, either by the Confeſſion of the Offender or Offenders, or by the Knowledge of ſuch Juſtice, or by the Oath of one or more credible Witneſs or Witneſſes (which Oath ſuch Juſtice is hereby impowered and required to adminiſter), be levied by Diſtreſs and Sale of the Goods and Chattels of ſuch Offender or Offenders, by Warrant or Warrants, under the Hand and Seal of ſuch Juſtice (which Warrant he is hereby impowered and required to grant); and the Overplus, if any, after ſuch Penalties and Forfeitures, and the Charges of ſuch Diſtreſs and Sale, are deducted, ſhall be returned, upon Demand, to the Owner or Owners of ſuch Goods and Chattels; and the Penalties and Forfeitures when paid, or levied, ſhall, from Time to Time (if not otherwiſe directed to be applied by this Act), be paid to the ſaid Truſtees, or to their Clerk or Treaſurer, and applied to the Purpoſes of this Act; and, in caſe a ſufficient Diſtreſs ſhall not be found, it ſhall be lawful for any ſuch Juſtice of the Peace, by Warrant or Warrants, under his Hand and Seal, to cauſe ſuch Offender or Offenders to be committed to the common Gaol of the County of *Salop*, for any Time not exceeding three Months, nor leſs than one Month, unleſs ſuch Penalties and Forfeitures, and all reaſonable Charges, ſhall be ſooner paid and ſatisfied.

Penalties and Forfeitures how to be recovered and applied.

Perſons aggrieved may appeal to the Quarter Seſſions;

XXXVII. Provided always, and be it enacted, That if any Perſon or Perſons ſhall think himſelf or herſelf aggrieved, by any Thing done in purſuance of this Act (and for which no particular Method of Relief is hereby otherwiſe given), ſuch Perſon or Perſons may appeal to the Juſtices of the Peace, at any General Quarter Seſſion of the Peace to be held for the County of *Salop*, within four Calendar Months after the Cauſe of Complaint ſhall have ariſen, ſuch Appellant firſt giving, or cauſing to be given, ten Days Notice in Writing, of his or her Intention to bring ſuch Appeal, and of the Cauſe or Matter thereof, to the Clerk or Treaſurer to the ſaid Truſtees; and, within three Days after ſuch Notice, entering into a Recognizance, before ſome Juſtice of the Peace for the ſaid County, with two ſufficient Sureties, conditioned to try ſuch Appeal at, and abide the Order of, the ſaid Seſſion; and the Juſtices at ſuch Seſſion, upon due Proof of ſuch Notice being given, and of the entering into ſuch Recognizance, ſhall hear and finally determine the Matter of ſuch Appeal in a ſummary Way; and, if they ſee Cauſe, may by their Order mitigate, at their Diſcretion, all or any of the ſaid Penalties or Forfeitures, or vacate or ſet aſide any Conviction or Convictions (but not for Want of Form only), or otherwiſe may ratify and confirm the ſame, and award ſuch Coſts as they ſhall think proper; and the Determination of the Juſtices at ſuch Seſſion ſhall be binding and concluſive to all Intents and Purpoſes, and ſhall not be liable to be removed by *Certiorari*, or other Proceſs whatſoever, into any of his Majeſty's Courts of Record.

whoſe Determination ſhall be final.

Proceedings ſhall be entered in a Book, &c.

XXXVIII. And be it further enacted, That all Orders and Proceedings of the ſaid Truſtees ſhall be entered in a Book or Books, to be kept for that Purpoſe; and the ſame being ſigned by any three or more of them, or by their Clerk, ſhall be deemed and taken to be original Orders; and ſuch Book or Books, and alſo the Books herein-before directed to be kept for entering the Mortgages or Aſſignments of the Tolls hereby made payable, and Transfers of ſuch Aſſignments, as alſo the ſaid Aſſignments of Shares, ſhall and may be produced and read in Evidence, in all Caſes of Appeal, and in all Suits or Actions touching or concerning any Thing done in purſuance of this Act.

The Duty of Clerks, Treaſurers, &c.

XXXIX. And be it further enacted, That the ſeveral and reſpective Clerks, Treaſurers, and other Officers, from Time to Time appointed and employed by the ſaid Truſtees in the Receipt or Expenditure of any of the Monies ariſing by virtue of this Act, ſhall, and he and they is and are hereby required to give proper Receipts or Vouchers for all and every Sum or Sums of Money which ſhall from Time to Time be paid to them, or either of them reſpectively, without Fee or Reward, and ſhall alſo make Entries of ſuch Receipts or Vouchers in a Book or Books to be provided and kept for that Purpoſe; and he and they, and every of them reſpectively, ſhall, and is and are hereby required, out of the Money which ſhall be paid into his or their Hands, in purſuance and for the Purpoſes of this Act, to anſwer, ſatisfy, and pay all and every Sum and Sums of Money which ſhall be drawn for upon him, or them, or either of them, and ordered to be paid by any three or more of the ſaid Truſtees, for, on account, or in reſpect of any Contract, Work, Matter, or Thing, which ſhall be entered into, made, done, or performed by virtue or in purſuance of this Act; and that all and every the Clerks, Treaſurers, and other Officers, appointed or employed under the Authority and for the Purpoſes of this Act, ſhall be, and is and are hereby ſeverally declared to be anſwerable for any Breach of Truſt, Neglect of Duty, or other Miſdemeanor, of any Clerk or Subſtitute, Clerks or Subſtitutes, by him or them or either of them employed in the Execution of this Act, and ſhall make full Satisfaction to the ſaid Truſtees for the ſame; and in caſe any ſuch Clerk, Treaſurer, or other Officer ſhall refuſe or neglect to make ſuch Satisfaction for the Space of fourteen Days, he ſhall be forthwith diſcharged from his Office, and ſhall and may be ſued for ſuch Satisfaction, by Action upon the Caſe, in any of his Majeſty's Courts of Record at *Weſtminſter*.

who ſhall be anſwerable for their Subſtitutes.

Limitation of Actions.

XL. And be it further enacted, That if any Action, Suit, or Information, ſhall be commenced or proſecuted againſt any Perſon or Perſons for any Thing done or to be done in purſuance of this Act, the ſame ſhall be commenced within ſix Months next after the Fact committed, and not afterwards; and ſhall be laid in the County of *Salop*, and not elſewhere; and the Defendant or Defendants in ſuch Action or Suit ſhall and may plead the General Iſſue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the ſame was done in purſuance and by the Authority of this Act: And if it ſhall

General Iſſue.

appear ſo to be done, or that ſuch Action or Suit ſhall be brought or commenced after the Time before limited, or ſhall be laid in any other County or Place than as aforeſaid, that then the Jury ſhall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs ſhall become nonſuit, or diſcontinue his, her, or their Action or Suit, or if a Verdict ſhall paſs againſt the Plaintiff or Plaintiffs, or, upon Demurrer, Judgement ſhall be given againſt the Plaintiff or Plaintiffs, the Defendant or Defendants ſhall recover Treble Coſts, and ſhall have ſuch Remedy for the ſame as any Defendant or Defendants hath or have for Coſts of Suit in other Caſes by Law.

Treble Coſts.

Public Act.

XLI. And be it further enacted, That this Act ſhall be deemed and taken to be a Public Act; and ſhall be judicially taken Notice of as ſuch by all Judges, Juſtices, and other Perſons whomſoever, without ſpecially pleading the ſame.

## CAP. XIII.

An Act for continuing, for a limited Time, an Act made in the ſeventh Year of the Reign of his preſent Majeſty, to prevent Frauds and Abuſes in the Admeaſurement of Coals ſold by Wharf-meaſure, within the City of *London* and the Liberties thereof, and between *Tower-dock* and *Limehouſe-hole*, in the County of *Middleſex*.

Preamble. Act 7 Geo. III. recited;

'WHEREAS an Act of Parliament was made in the ſeventh Year of the Reign of his preſent Majeſty King *George* the Third, intituled, *An Act to prevent Frauds and Abuſes in the Admeaſurement of Coals ſold by Wharf-meaſure, within the City of* London *and the Liberties thereof, and between* Tower-dock *and* Limehouſe-hole, *in the County of* Middleſex; which ſaid Act hath Continuance from and after the firſt Day of *June*, one thouſand ſeven hundred and ſixty-ſeven, for the Term of fourteen Years, and from thence to the End of the then next Seſſion of Parliament: And whereas the ſaid Act hath been found uſeful and beneficial, and is near expiring:' May it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Act ſhall be and is hereby further continued, from the Expiration thereof, until the firſt Day of *June*, one thouſand ſeven hundred and ninety-eight, and from thence to the End of the then next Seſſion of Parliament.

and further continued till June 1, 1798.

## CAP. XIV.

An Act to enable his Majeſty to licence a Theatre in the City of *Cheſter*.

Preamble.

His Majeſty impowered to grant Letters Patent for eſtabliſhing a Theatre at Cheſter.

'WHEREAS a licenced Theatre or Playhouſe is deſired in the City of *Cheſter*;' May it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That ſo much of an Act of Parliament, made in the tenth Year of his late Majeſty's Reign, intituled, *An Act to explain and amend ſo much of an Act, made in the twelfth Year of the Reign of Queen* Anne, *intituled*, "An Act for reducing the Laws "relating to Rogues, Vagabonds, Sturdy Beggars, and Vagrants, into one Act of Parliament; and for "the more effectual puniſhing ſuch Rogues, Vagabonds, Sturdy Beggars, and Vagrants, and ſending "them whither they ought to be ſent," *as relates to common Players of Interludes*; whereby all Perſons are diſcharged to repreſent any Entertainment of the Stage whatever, in virtue of Letters Patent from his Majeſty, or by Licence of the Lord Chamberlain of his Majeſty's Houſehold for the Time being, except within the Liberties of *Weſtminſter*, or where his Majeſty is reſiding for the Time being; be, and the ſame is hereby repealed, with reſpect to the ſaid City of *Cheſter*; and that it ſhall and may be lawful for his Majeſty, his Heirs and Succeſſors, to grant Letters Patent for eſtabliſhing a Theatre or Playhouſe within the ſaid City of *Cheſter*, which ſhall be intitled to all the Privileges, and ſubjected to all the Regulations, to which any Theatre or Playhouſe in *Great Britain* is intitled and ſubjected.

## CAP. XV.

An Act for the more eaſy and ſpeedy Recovery of Small Debts within the Pariſhes of *Halifax*, *Bradford*, *Kighley*, *Bingley*, *Guiſeley*, *Calverley*, *Batley*, *Birſtal*, *Mirfield*, *Hartiſhead cum Clifton*, *Almondbury*, *Kirkheaton*, *Kirkburton*, and *Huddersfield*, and the Lordſhip or Liberty of *Tong*, in the Weſt Riding of the County of *York*; and for extending the Juriſdiction of the Courts Baron of the Honour of *Pontefract*, Manor of *Wakefield*, and Manor of *Eingley*, in the ſaid County.

Preamble.

'WHEREAS the King's moſt Excellent Majeſty, in Right of his Duchy of *Lancaſter*, is ſeiſed to him, his Heirs and Succeſſors, of and in the Honour of *Pontefract*, in the County of *York*; and the moſt Noble *Thomas* Duke of *Leeds* is ſeiſed of and in the Manor of *Wakefield*, in the ſaid County of *York*; and the Right Honourable Sir *John Goodricke* Baronet is ſeiſed for Life, with Remainders to other Perſons, under the Will of the late Lord *Bingley*, of and in the Manor of *Bingley* in the ſame County: And whereas, within the Courts Baron of the ſaid Honour and Manor reſpectively, Plea hath been immemorially held every three Weeks, or ſo often as was requiſite, in all perſonal Actions ariſing within

the

'the ſaid ſeveral Juriſdictions where the Debt or Damages have been under forty Shillings: And whereas 'very extenſive Trades and Manufactures are carried on by Perſons reſiding or dealing within the Pariſhes 'of *Halifax*, *Bradford*, *Kighley*, *Bingley*, *Guiſeley*, *Calverley*, *Batley*, *Birſtal*, *Mirfield*, *Hartiſhead cum* '*Clifton*, *Almondbury*, *Kirkheaton*, *Kirkburton*, and *Huddersfield*, and the Lordſhip or Liberty of *Tong*, in 'the Weſt Riding of the County of *York*, many of whom frequently contract Debts under forty Shillings, 'and alſo Debts of forty Shillings and upwards, to the Amount of five Pounds, making in the whole a 'large Sum of Money yearly: And whereas ſeveral of the Pariſhes before mentioned, and alſo the ſaid 'Lordſhip or Liberty of *Tong*, and ſome Parts of others of the ſaid Pariſhes, are ſituate within the ſaid 'Honour of *Pontefract*; and others of ſuch Pariſhes, or ſome Part or Parts thereof, are ſituate within 'the ſaid Manors of *Wakefield* and *Bingley* reſpectively, and within the Juriſdiction of the ſaid Honour 'and Manors reſpectively: And whereas, notwithſtanding Juſtice hath been from Time to Time admi-'niſtered in the ſaid ſeveral Courts Baron, in the moſt impartial Manner; yet the Method of compelling 'Debtors to appear to Actions commenced in the ſaid Courts Baron, and of bringing ſuch Actions to Iſſue 'and Trial, and the Method of compelling Perſons to attend as Jurymen on ſuch Trials, are very dila-'tory, and often ineffectual for thoſe reſpective Purpoſes; and by reaſon whereof, and of the Expence 'attending the Proſecution of Cauſes to Judgment in the ſaid Courts Baron, many honeſt Creditors are 'often diſcouraged from attempting to recover juſt Debts, and thereby many evil-diſpoſed Perſons, who 'have contracted ſmall Debts within the ſaid Pariſhes, Lordſhip and Liberty, often refuſe Payment 'thereof, and ſet their Creditors at Defiance: And whereas the erecting a Court of Requeſts, for the 'Recovery of ſmall Debts under forty Shillings, in a ſummary Way, within the ſaid Pariſhes, Lordſhip 'and Liberty, and the regulating the Practice and Proceedings of the ſaid Courts Baron, and extending 'the Juriſdiction thereof to hold Pleas for Debts and Damages within their reſpective Liberties, not ex-'ceeding five Pounds, would much contribute to promote Induſtry, ſupport and encourage uſeful Credit, 'and be a great Advantage to the Inhabitants and others living or trading within the Diſtricts or Places 'aforeſaid:' May it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That *Thomas Thornhill*, *William Walker* ſenior, *John Caygill*, *John Royds*, and *John Woolmer*, Eſquires; the Reverend *Henry Wood* D. D. the Reverend *Robert Charleſworth* Clerk, the Reverend *Edward Nelſon* Clerk, *William Ferguſon*, *John Ferguſon*, *James Howorth*, *Iſaac Hanſon*, *Chriſtopher Rawſon*, *Jeremy Liſter*, *Japhet Liſter*, *John Prieſtley*, *William Pollard* ſenior, *Samuel Waterhouſe*, *John Waterhouſe*, *William Threlkeld*, *John Alexander*, *John Hamilton*, *James Cooke*, *Joſeph Bramley*, *William Bolland*, *John Hudſon*, *George Pollard*, *William Smith*, *John Swire*, *William Buck*, *Michael Bairſtow*, *Joſeph Benſon*, *Robert Butterfield* ſenior, *Richard Bracken*, *John Rawſon*, *Chriſtopher Rawden*, *Benjamin Irvin*, *John Ramſden*, and *Henry Hamer*, being thirty-nine Reſiants and Inhabitants within the ſaid Pariſh of *Halifax*; That *Edward Leedes*, *Charles Swain*, *Booth Sharp*, *Charles Wood*, *Joſhua Field*, and *Abraham Balme*, Eſquires; the Reverend *James Sykes* Clerk, the Reverend *Robert Butler* Clerk, *John Huſtler*, *John Horner*, *Charles Booth*, *Iſaac Hollings*, *William Hardcaſtle* junior, *Thomas Hardcaſtle* the elder, *John Preſton*, *Richard Stocks*, *Nathan Jowett*, *John Greenwood*, *George Greenwood*, *William North*, *William Atkinſon* ſenior, *John Jarratt*, *William Swain*, *Joſhua Firth* ſenior, *Joſeph Pollard*, *Thomas Hodgſon*, *Anthony Wrightſon*, *Robert Ramſbotham*, *William Wright*, *Thomas Skelton*, and *Richard Hodſden*, being thirty Reſiants and Inhabitants within the ſaid Pariſh of *Bradford*; That the Reverend *Charles Knowlton* Clerk, *John Chapman*, *John Craven*, *William Blakey* ſenior, *William Blakey* junior, *Thomas Colbeck*, *James Barwick*, *James Greenwood*, *John Greenwood*, *John Driver*, *Joſeph Smith*, *John Sugden*, *Abraham Smith*, *Thomas Cure*, *Jonas Blakey*, *William Newſholme*, *Michael Couſin*, *John Wright*, *William Guyer*, *Thomas Horſfall*, and *John Horſfall*, being twenty-one Reſiants and Inhabitants within the ſaid Pariſh of *Kighley*; That *Benjamin Ferrand*, *Henry Wickham*, *Johnſon Atkinſon Buſfield*, and *Thomas Leach*, Eſquires; *James Murgatroyd*, *Jonathan Piele*, *John Booth*, *Francis Liſter*, and *Thomas Cockſhutt*, being nine Reſiants and Inhabitants within the ſaid Pariſh of *Bingley*; That *Walter Spencer Stanhope*, and *William Stanhope*, Eſquires; the Reverend *James Willoughby* Clerk, *John Marſhall*, *Jeremiah Marſhall*, *Richard Clayton*, *John Brown*, *Benjamin Hird*, *Thomas Houlden*, *John Booth*, *Thomas Burnett*, and *Hugh Marſhall*, being twelve Reſiants and Inhabitants within the ſaid Pariſh of *Guiſeley*; That the Reverend *Thomas Faber* Clerk, *John Gott* ſenior, *John Barnes*, *William Walker*, *John Radcliffe*, *Jeremiah Clifford*, *Henry Slater*, *John Moorhouſe*, and *James Booth*, being nine Reſiants and Inhabitants within the ſaid Pariſh of *Calverley*; That *John Taylor*, *Thomas Thompſon*, *Henry Preſton*, *Samuel Scatcherd*, and *John Turton*, Eſquires; *Joſeph Bennett*, *Joſhua Taylor*, *William Liſter* junior, *Samuel Webſter*, *John Sharp*, *William Hudſon*, and *John Jowett*, being twelve Reſiants and Inhabitants within the ſaid Pariſh of *Batley*; That *Joſeph Bilton* Eſquire, *Joſeph Stainthorp*, *Jeremiah Rhodes*, *Martin Charleſworth*, *John Prieſtley* junior, *William Charleſworth*, *Thomas Gommerſall*, *Thomas Walker*, *Caleb Crowther*, *John Beevor*, *John Read*, *Thomas Cockill*, *Joſhua Child*, *Richard Rayner*, *Joſeph Sykes*, *John Green*, *Benjamin Broadley*, *John Rangeley*, *John Wood*, *Benjamin Wilkinſon*, and *Thomas Brooke*, being twenty-one Reſiants and Inhabitants within the ſaid Pariſh of *Birſtal*; That *Joſhua Ingham*, *Francis Ledgard*, *Samuel Walker*, *Thomas Shepley*, *Joſeph Brooke*, *James Shepley*, *Robert Holdſworth*, *Joſhua Hirſt*, and *Samuel Brooke*, being nine Reſiants and Inhabitants within the ſaid Pariſh of *Mirfield*; That Sir *George Armytage* Baronet, *George Dawſon*, and *Samuel Popplewell*, being three Reſiants and Inhabitants within the ſaid Pariſh of *Hartiſhead cum Clifton*; That *Joſeph Armitage*, *John Atkinſon*, *George Armitage*, *John Dyſon*, *John Farrer*, *Benjamin Ingham*, *Joſeph Kaye* ſenior, *Robert Scott*, *Jonathan Shaw*, *Daniel Taylor*, *Robert Walker*, and *William Radcliffe*, being twelve Reſiants and Inhabitants within the ſaid Pariſh of *Almondbury*; That Sir *John Liſter Kaye* Baronet, *Richard Henry Beaumont* Eſquire, the Reverend *John Burton* Clerk, *Samuel Walker*, *Joſhua Poole*, *Charles Brooke*, *Richard Morton*, *Richard Wheatley*, *Richard Cockhill*, *Richard Thewlis*, *William Walker*, *Joſeph Hinchliffe*, *Joſeph Atkinſon*, *William Yates*, and *Richard Taylor*, being

Commiſſioners Names.

ſifteen Reſiants and Inhabitants within the ſaid Pariſh of *Kirkheaton*; That *William Horſfall* Eſquire, the Reverend *William Mountjoy* Clerk, *Matthew Booth*, *John Booth*, *Benjamin Stocks*, *Tedbald Tinker*, *John Tinker*, *Joſeph Firth*, *Edward Ellis*, the Reverend *John Harrop* Clerk, *Uriah Tinker*, *James Shaw*, *John Bray*, *George Moorehouſe*, *Chriſtopher Green*, *Joſeph Wilſon*, *John Kenworthy*, and *Ely Wimpenny*, being eighteen Reſiants and Inhabitants within the ſaid Pariſh of *Kirkburton*; That *William Radcliffe* Eſquire, *John Armitage*, *Joſeph Armitage*, *Michael Atkinſon*, *Joſeph Bradley*, *Edmund Bothamley*, *Richard Collingwood*, *James Dyſon*, *Thomas Holroyd*, *John Haigh*, *Thomas Haigh*, *Abraham Horſfall*, *John Hudſon*, *John Houghton*, *John Moorehouſe*, *James Midwood*, *Jonathan Nichols*, *Thomas Oldfield*, *George Styring*, *William Whitacre*, *John Whitacre*, *Benjamin Walker*, *William Waterhouſe*, and *William Walker*, being twenty-four Reſiants and Inhabitants within the ſaid Pariſh of *Huddersfield*; and that *John Tempeſt* Eſquire, *Richard Stead*, and *Matthias Whitehead*, being three Reſiants and Inhabitants within the ſaid Lordſhip or Liberty of *Tong*; making in all two hundred and thirty-ſeven Perſons; who, and their Succeſſors to be elected in Manner herein-after mentioned, ſhall be, and are hereby declared, conſtituted, and appointed, Commiſſioners to hear and finally determine all ſuch Matters of Debt as are under forty Shillings; and who are hereby conſtituted a Court of Juſtice, by the Name and Stile of *The Court of Requeſts for the Pariſhes of* Halifax, Bradford, Kighley, Bingley, Guiſeley, Calverley, Batley, Birſtal, Mirfield, Hartiſhead cum Clifton, Almondbury, Kirkheaton, Kirkburton, *and* Huddersfield, *and the Lordſhip or Liberty of* Tong, *in the Weſt Riding of the County of* York: And the ſaid Commiſſioners, or any three or more of them, are hereby authoriſed, impowered, and required, to aſſemble, ſit, and hold the ſaid Court, for the ſaid Pariſhes and Lordſhip or Liberty, at *Halifax* aforeſaid, on the firſt *Monday* in *June*, one thouſand ſeven hundred and ſeventy-ſeven, and alſo on the firſt *Monday* in every Calendar Month thenafter for ever; at *Bradford* aforeſaid, on the firſt *Wedneſday* in the ſaid Month of *June*, one thouſand ſeven hundred and ſeventy-ſeven, and alſo on the firſt *Wedneſday* in every Calendar Month thenafter for ever; at *Kighley* aforeſaid, on the ſecond *Monday* in the Month of *June*, one thouſand ſeven hundred and ſeventy-ſeven, and alſo on the ſecond *Monday* in the ſeveral Calendar Months of *September*, *December*, *March*, and *June*, thenafter for ever; at *Bingley* aforeſaid, on the ſecond *Monday* in the Month of *July*, one thouſand ſeven hundred and ſeventy-ſeven, and alſo on the ſecond *Monday* in the ſeveral Calendar Months of *October*, *January*, *April*, and *July*, thenafter for ever; at *Calverley* aforeſaid, on the ſecond *Monday* in the Month of *Auguſt*, one thouſand ſeven hundred and ſeventy-ſeven, and alſo on the ſecond *Monday* in the ſeveral Calendar Months of *November*, *February*, *May*, and *Auguſt*, thenafter for ever; at *Batley* aforeſaid, on the third *Monday* in the ſaid Month of *June*, one thouſand ſeven hundred and ſeventy-ſeven, and alſo on the third *Monday* in the ſaid ſeveral Calendar Months of *September*, *December*, *March*, and *June*, thenafter for ever; at *Birſtal* aforeſaid, on the third *Monday* in the ſaid Month of *July*, one thouſand ſeven hundred and ſeventy-ſeven, and alſo on the third *Monday* in the ſaid ſeveral Calendar Months of *October*, *January*, *April*, and *July*, thenafter for ever; at *Clifton* aforeſaid, on the third *Monday* in the ſaid Month of *Auguſt*, one thouſand ſeven hundred and ſeventy-ſeven, and alſo on the third *Monday* in the ſaid ſeveral Calendar Months of *November*, *February*, *May*, and *Auguſt*, thenafter for ever; at *Huddersfield* aforeſaid, on the fourth *Monday* in the ſaid Month of *June*, one thouſand ſeven hundred and ſeventy-ſeven, and alſo on the fourth *Monday* in the ſaid ſeveral Calendar Months of *September*, *December*, *March*, and *June*, thenafter for ever; at *Almondbury* aforeſaid, on the fourth *Monday* in the ſaid Month of *July*, one thouſand ſeven hundred and ſeventy-ſeven, and alſo on the fourth *Monday* in the ſaid ſeveral Calendar Months of *October*, *January*, *April*, and *July*, thenafter for ever; at *Kirkburton* aforeſaid, on the fourth Monday in the ſaid Month of *Auguſt*, one thouſand ſeven hundred and ſeventy-ſeven, and alſo on the fourth *Monday* in the ſaid ſeveral Calendar Months of *November*, *February*, *May*, and *Auguſt*, thenafter for ever: And the ſaid Commiſſioners, or any three or more of them, ſhall aſſemble, ſit, and hold the ſaid Court, at all and every the ſaid Places, and on the Days aforeſaid, in ſuch Rotation as is herein-before mentioned and directed, or oftener, if required by the Clerk of the ſaid Court in this Act named, or any of his Succeſſors, to be appointed as herein-after is mentioned, or his or their Deputy or Deputies, at any of the ſaid Places, or at any other Place within any of the ſaid Pariſhes, or Lordſhip or Liberty, on any other Day of the Week, ſo often as there ſhall be Occaſion, either by Adjournment, or otherwiſe, as Buſineſs may happen, or ſuch Meeting be deſired by the Clerk of the ſaid Court, or his Deputy: And the ſaid Commiſſioners named in this Act, and all and every their Succeſſors for the Time being, or any three or more of them, ſhall have Power and Authority, by virtue of this Act, to hear and finally determine all ſuch Cauſes under forty Shillings as are herein-after mentioned, and to make ſuch Orders, pronounce ſuch Judgments, and make ſuch Decrees, and to award Execution thereupon with Coſts, againſt the Body or Bodies, or againſt the Goods and Chattels of all and every Perſon and Perſons againſt whom they ſhall make any ſuch Order, pronounce any ſuch Decree, or give any ſuch Judgment, as to them the ſaid Commiſſioners, or any three or more of them, ſhall ſeem juſt in Law or Equity: And the Clerk of the ſaid Court for the Time being, or his Deputy, is hereby directed and required to make, or cauſe to be made, a true and fair Liſt of all the Commiſſioners for each Pariſh, and the Lordſhip or Liberty aforeſaid, as they ſtand in this Act, in one complete Liſt, and fix or ſtick up the ſame in ſome conſpicuous Part of the ſeveral Court-houſes or other Places where the ſaid Commiſſioners ſhall meet and aſſemble for the Purpoſes of putting this Act in Execution, on the firſt Day of holding ſuch Court at each of the Places herein-before named and appointed for that Purpoſe, and there to remain till ſome new Commiſſioners ſhall be choſen; and the Clerk of the ſaid Court, or his Deputy, is alſo directed and required to make, or cauſe to be made, other true and fair Liſts of all the Commiſſioners for each Pariſh, and the Lordſhip or Liberty aforeſaid, as they ſtand after any new ones are choſen in purſuance of this Act, and fix or ſtick up the ſame in ſome conſpicuous Part of the ſeveral Court-houſes, or other Places where the ſaid Commiſſioners ſhall meet and aſſemble, for the Purpoſes of putting this Act in Execution, on the firſt Days of holding ſuch Court at each of the ſaid Places next after the Day whereon any ſuch new Commiſſioners ſhall be choſen.

Their Stile.

Where and when Courts are to be held.

Courts to be held in Rotation.

Power of the Commiſſioners.

Clerk to make out a complete Liſt of Commiſſioners, &c.

II. And

II. And be it further enacted, That on the firſt *Monday* in the Month of *May*, one thouſand ſeven hundred and ſeventy-eight, by Ten of the Clock in the Forenoon, the Commiſſioners in and by this Act named and appointed for each Pariſh, and for the Lordſhip or Liberty aforeſaid, or three of them at leaſt, ſhall, and they are hereby authoriſed, impowered, and required to meet and aſſemble in their Pariſh Churches, and in the Chapel of or within the ſaid Lordſhip or Liberty reſpectively, and then and there elect, nominate, appoint, and aſſign a Number of the moſt ſubſtantial and diſcreet Perſons, reſiding and inhabiting within their ſaid Pariſhes and the Lordſhip or Liberty reſpectively, equal to one-third Part of the whole Number of Commiſſioners named and appointed in this Act, for each ſuch Pariſh and the Lordſhip or Liberty aforeſaid; and, within ſix Days next after ſuch Election and Nomination, deliver or tranſmit a true and fair Liſt in Writing, under their Hands and Seals, or under the Hands and Seals of three of them at leaſt, of the Names of ſuch Perſons as ſhall be ſo elected and nominated, to the ſaid Clerk or his Deputy for the Time being; which Perſons ſo to be elected and nominated ſhall be added to and put or placed laſt upon the Liſt of Commiſſioners for each ſuch Pariſh, and the Lordſhip or Liberty aforeſaid, wherein they moſt uſually and commonly reſide; and the third Part of the Number of Perſons ſtanding firſt or foremoſt upon the Liſt of Commiſſioners for each ſuch Pariſh and the Lordſhip or Liberty aforeſaid, ſhall be ſtruck off or out of ſuch Liſts reſpectively; and the ſaid Perſons ſo to be elected and nominated as aforeſaid, are hereby authoriſed, impowered, and required to act as Commiſſioners (being duly qualified as herein-after mentioned), for the Purpoſes of putting this Act in Execution, in the Room, Place, or Stead of the third Part of the Number of Perſons ſtanding firſt or foremoſt on the Liſt of Commiſſioners for each ſuch Pariſh, and the Lordſhip or Liberty aforeſaid, and to be ſtruck off or out of each ſuch Liſt as aforeſaid: And that on the firſt *Monday* in the Month of *May*, one thouſand ſeven hundred and ſeventy-nine, and alſo on the firſt *Monday* in the Month of *May* in every ſucceeding Year for ever, by Ten of the Clock in the Forenoon of each of the ſaid Days, the ſaid Commiſſioners for the Time being, or three of them at leaſt, for each of the ſaid Pariſhes, and the Lordſhip or Liberty aforeſaid reſpectively, ſhall, and they are hereby authoriſed, impowered, and required, to meet and aſſemble in their ſaid Pariſh Churches, and in the Chapel of or within the ſaid Lordſhip or Liberty, ſeverally and reſpectively, and then and there elect, nominate, appoint, and aſſign a Number of the moſt diſcreet and ſubſtantial Perſons reſiding and inhabiting within each ſuch Pariſh and the Lordſhip or Liberty aforeſaid, equal to one-third Part of the whole Number of Commiſſioners by this Act appointed for each ſuch Pariſh and the Lordſhip or Liberty aforeſaid; and within ſix Days next after ſuch Election and Nomination deliver or tranſmit a true and fair Liſt in Writing, under their Hands and Seals, or under the Hands and Seals of three of them at leaſt, of the Names of ſuch Perſons as ſhall be ſo elected and nominated, to the ſaid Clerk or his Deputy for the Time being; which Perſons ſo to be elected and nominated ſhall be added to and put or placed laſt upon the Liſt of Commiſſioners for each ſuch Pariſh and the Lordſhip or Liberty aforeſaid, wherein they moſt commonly and uſually reſide and dwell; and the third Part of the Number of Perſons at the Time of each ſuch Election, ſtanding firſt or foremoſt upon the Liſt of Commiſſioners for each ſuch Pariſh and the Lordſhip or Liberty aforeſaid, ſhall be ſtruck off or out of ſuch Liſts reſpectively; and the ſaid Perſons ſo to be elected and nominated from Time to Time as aforeſaid, are hereby authoriſed, impowered, and required to act as Commiſſioners (being duly qualified as herein-after is mentioned) for the Purpoſes of putting this Act in Execution, in the Room, Place, and Stead of the third Part of the Number of Perſons ſtanding firſt and foremoſt on the Liſt of Commiſſioners, at the Time of each ſuch Election for each ſuch Pariſh and the Lordſhip or Liberty aforeſaid, and then to be ſtruck off or out of each ſuch Liſt as aforeſaid; ſo that each Perſon acting as a Commiſſioner may be relieved from his Attendance at the ſaid Court at the End of every three Years at the longeſt: And in caſe any Perſon or Perſons, by this Act appointed, or hereafter to be choſen, a Commiſſioner or Commiſſioners, ſhall die or remove from the Pariſh or Lordſhip or Liberty wherein he or they reſided or dwelt when firſt appointed or choſen to be a Commiſſioner or Commiſſioners as aforeſaid, or ſhall refuſe or neglect to act as a Commiſſioner or Commiſſioners for one whole Year next after being ſo appointed or choſen; then, and in ſuch Caſe, the ſaid Commiſſioners for each ſuch Pariſh and the Liberty or Lordſhip aforeſaid, or any three of them, at their Meeting on the firſt *Monday* in the Month of *May*, next after ſuch Death or Removal, or Neglect or Refuſal to act as aforeſaid, are hereby authoriſed, impowered, and required to elect, nominate, appoint and aſſign ſuch other ſubſtantial and diſcreet Perſon or Perſons, reſiding and inhabiting within the Pariſh or the Lordſhip or Liberty for which ſuch Commiſſioner or Commiſſioners ſtood on ſuch Liſt as aforeſaid, at the Time of his or their Death or Removal, or Neglect or Refuſal to act, as aforeſaid, in the Room, Place, and Stead of him or them ſo dying or removing, or refuſing or neglecting to act as aforeſaid; and within ſix Days next after ſuch Election and Nomination deliver or tranſmit the Name or Names in Writing, under their Hands and Seals, or under the Hands and Seals of three of them at leaſt, of ſuch Perſon or Perſons as ſhall be elected and nominated, to the ſaid Clerk or his Deputy for the Time being, who ſhall inſert or put the Name or Names of the Perſon or Perſons, ſo to be elected and nominated as laſt above-mentioned, in or upon the Liſt of Commiſſioners for each ſuch Pariſh or the Lordſhip or Liberty aforeſaid wherein they moſt commonly and uſually reſide and dwell, in the Room, Place, and Stead of the Perſon or Perſons ſo dying or removing, or neglecting or refuſing to act as aforeſaid, whoſe Names ſhall be firſt eraſed and taken out of ſuch Liſts; and the ſaid Perſons, ſo to be elected and nominated as laſt above-mentioned, are hereby authoriſed, impowered, and required to act as Commiſſioners (being duly qualified as herein-after mentioned) for the Purpoſes of putting this Act in Execution, in the Room, Place, and Stead of the Perſon or Perſons ſo dying or removing, or neglecting or refuſing to act as aforeſaid: And in caſe the ſaid Commiſſioners for each Pariſh and the Lordſhip or Liberty aforeſaid for the Time being, or ſome three of them at leaſt, ſhall fail or neglect to meet and aſſemble on the firſt *Monday* in the Month of *May*, in any Year, at the reſpective Places herein-before appointed, and do not or ſhall not then and there elect, nominate, appoint and aſſign a Number of the moſt ſubſtantial and diſcreet Perſons

Manner of chuſing new Commiſſioners.

On the firſt Monday in May annually, a Number of new Commiſſioners to be elected equal to one-third Part of the Whole, &c.

A Liſt of the Commiſſioners to be delivered to the Clerk.

Commiſſioners how to be choſen in caſe of Death, &c.

Commiſſioners to be elected at Halifax the firſt Monday in June in any Year for ſuch Pariſh, &c.

wherein no Election and Return is made to the Clerk.

Perſons reſiding and inhabiting within their ſaid Pariſhes or the Lordſhip or Liberty aforeſaid reſpectively, equal to one-third Part of the whole Number of Commiſſioners, by this Act appointed for each ſuch Pariſh or the ſaid Lordſhip or Liberty, or do not or ſhall not, within ſix Days next after ſuch Election, deliver or tranſmit a true and fair Liſt of the Names of ſuch Perſons as ſhall be ſo elected, in Writing under their Hands and Seals, or under the Hands and Seals of three of them at leaſt, to the ſaid Clerk or his Deputy for the Time being; then, and in ſuch Caſe, ſo many of the ſaid Commiſſioners as ſhall aſſemble, ſit and hold the ſaid Court at *Halifax* aforeſaid, on the firſt *Monday* in the Month of *June*, in any Year, next after ſuch Failure or Neglect ſhall be made as aforeſaid, or the major Part of them, ſhall then and there elect, nominate, appoint and aſſign a Number of the moſt ſubſtantial and diſcreet Perſons reſiding and inhabiting within any ſuch Pariſh, or Lordſhip or Liberty, for which no ſuch Election of Commiſſioners was made, or Liſt thereof delivered or tranſmitted to the ſaid Clerk or his Deputy, as herein-before directed and appointed; which Perſons ſo to be elected or nominated at *Halifax* aforeſaid, on the firſt *Monday* in *June*, in any Year, ſhall be added to and put or placed laſt upon the Liſt of Commiſſioners for each ſuch Pariſh or the Lordſhip or Liberty wherein they moſt commonly and uſually reſide and dwell; and the third Part of the Number of Perſons ſtanding firſt or foremoſt upon the Liſt of Commiſſioners for each ſuch Pariſh or Lordſhip or Liberty, ſhall be ſtruck off or out of ſuch Liſt reſpectively: And the ſaid Perſons ſo to be elected and nominated as aforeſaid, are hereby authoriſed, impowered, and required to act as Commiſſioners (being duly qualified as herein-after mentioned) for the Purpoſes of putting this Act in Execution, in the Room, Place, and Stead of the third Part of the Number of Perſons ſtanding firſt and foremoſt on the Liſt of Commiſſioners for each ſuch Pariſh and the Lordſhip or Liberty aforeſaid, and to be ſtruck off or out of each ſuch Liſt as aforeſaid.

How Commiſſioners ſhall be ſummoned to attend.

III. And be it further enacted, That, for the more orderly and effectual Proceeding in the ſaid Court, and that no undue Preference or Delay may be made or given in ſummoning the ſaid Commiſſioners to attend the Buſineſs of the ſaid Court, the ſaid Clerk or his Deputy for the Time being is hereby authoriſed, impowered, and required, from Time to Time, within ſeven Days next after ſuch ſeveral Liſts ſhall be delivered or tranſmitted to him as aforeſaid, to ſummon or cauſe to be ſummoned the ſaid Commiſſioners to attend the Buſineſs of the ſaid Court, in ſuch Rotation as is herein-after mentioned; (to wit) the thirteen Perſons firſt named or ſtanding foremoſt on the Liſt of Commiſſioners for the ſaid Pariſh of *Halifax*, the ten Perſons firſt named or ſtanding foremoſt on ſuch Liſt for the ſaid Pariſh of *Bradford*, the ſeven Perſons firſt named or ſtanding foremoſt on ſuch Liſt for the ſaid Pariſh of *Kighley*, the three Perſons firſt named or ſtanding foremoſt on ſuch Liſt for the ſaid Pariſh of *Bingley*, the four Perſons firſt named or ſtanding foremoſt on ſuch Liſt for the ſaid Pariſh of *Guiſeley*, the three Perſons firſt named or ſtanding foremoſt on ſuch Liſt for the ſaid Pariſh of *Calverley*, the four Perſons firſt named or ſtanding foremoſt on ſuch Liſt for the ſaid Pariſh of *Batley*, the ſeven Perſons firſt named or ſtanding foremoſt on ſuch Liſt for the ſaid Pariſh of *Birſtal*, the three Perſons firſt named or ſtanding foremoſt on ſuch Liſt for the ſaid Pariſh of *Mirfield*, the Perſon firſt named or ſtanding foremoſt on ſuch Liſt for the ſaid Pariſh of *Hartiſhead cum Clifton*, the three Perſons firſt named or ſtanding foremoſt on ſuch Liſt for the ſaid Pariſh of *Almondbury*, the five Perſons firſt named or ſtanding foremoſt on ſuch Liſt for the ſaid Pariſh of *Kirkheaton*, the ſix Perſons firſt named or ſtanding foremoſt on ſuch Liſt for the ſaid Pariſh of *Kirkburton*, the eight Perſons firſt named or ſtanding foremoſt on ſuch Liſt for the ſaid Pariſh of *Huddersfield*, and the Perſon firſt named or ſtanding foremoſt on ſuch Liſt for the ſaid Lordſhip or Liberty of *Tong*, making in all ſeventy-nine Perſons (being one-third Part of the whole Number of Commiſſioners appointed by this Act), to attend the ſaid Court, and ſerve as Commiſſioners for four Calendar Months then next enſuing; and ſo in like Manner the like reſpective Number of Perſons ſhall, as they next ſtand in Order in each ſuch Liſt, be ſummoned to attend the ſaid Court, and ſerve as Commiſſioners for the four Calendar Months then next enſuing; and ſo again to be ſummoned from Time to Time to attend and ſerve at the ſaid Court as Commiſſioners for four Calendar Months in the like Rotation: And in caſe the ſaid Commiſſioners, or three of them at leaſt, ſhall neglect or refuſe to aſſemble on any of the Days by this Act appointed for holding the ſaid Court, then and in ſuch Caſe it ſhall and may be lawful to and for the Clerk of the ſaid Court or his Deputy for the Time being, to adjourn the ſaid Court to the next General Court-day to be held in Rotation as aforeſaid, or to ſuch other Day before the ſaid General Court-day, as the Clerk or his Deputy ſhall think proper.

A third Part of the Commiſſioners to attend the Court four Calendar Months in Rotation.

On their Failure of Attendance, the Clerk may adjourn the Court.

Proviſo.

IV. Provided, That nothing herein contained ſhall extend to exclude or debar any of the Perſons who are or ſhall be choſen Commiſſioners as aforeſaid (although they be not in Rotation) from ſitting and giving Judgement in the ſaid Court ſo often as they ſhall think fit.

Commiſſioners, &c. not to act where intereſted.

V. Provided alſo, That no Commiſſioner ſhall ſit and give Judgement in any Cauſe whatſoever (whether in Rotation or not) wherein he is a Party, or any ways intereſted; but, after being heard in the Cauſe, ſhall withdraw till the ſame is finally determined; nor ſhall any Clerk, or other Officer of the ſaid Court for the Time being, exerciſe his ſaid Office in the ſaid Court, or any Thing relating thereto, in any Cauſe wherein he is a Party, or any ways intereſted; but the ſaid Commiſſioners then aſſembled at ſuch Court ſhall and may appoint another Perſon to execute the Office of ſuch Clerk or other Officer reſpectively, in all Things relating to ſuch Cauſe; and if the Commiſſioners aſſembled ſhall happen to be equally divided upon any Queſtion that may come before them, the Commiſſioner preſent, who ſtands firſt in the Liſt of Commiſſioners to be put up in the Court-houſe or Place where they ſhall meet, ſhall have the caſting Vote.

Caſting Vote.

Creditors under 40 s. may apply to the Clerk of the Court;

VI. And be it further enacted, That it ſhall and may be lawful, from and after the paſſing of this Act, to and for all and every Perſon and Perſons whomſoever, who now hath or have, or hereafter ſhall have, any Debt or Debts, not amounting to the Sum of forty Shillings, owing unto him, her, or them, in his, her, or their own Right, or as Executor, Adminiſtrator, Guardian, or Truſtee, by or from any Perſon or Perſons whomſoever, reſiding, inhabiting, or keeping any Shop, Shed, Stall, Stand, or ſeeking a Livelihood, or trading or dealing, within the ſaid Pariſhes, or Lordſhip or Liberty, or any of them reſpectively, to apply to the Clerk of the ſaid Court for the Time being, or his Deputy; who ſhall cauſe ſuch Debtor

or

or Debtors to be warned or ſummoned by the Beadle or Officer of the ſaid Court for the Time being, by Writing to be delivered to the Debtor or Debtors, or left at his, her, or their reſpective Dwelling-houſe or Place of Abode, or Place of dealing or working, within the ſaid Pariſhes, and Lordſhip or Liberty, or by any other reaſonable Warning or Notice, to appear, either in Perſon or by their proper Agent or Agents, before the Commiſſioners of the ſaid Court, at ſome certain Time and Place to be mentioned in the ſaid Summons or Notice, expreſſing the Names of the Parties, to anſwer touching ſuch Debt or Debts reſpectively; and upon the Return of ſuch Summons or Notice, and at the Time and Place therein mentioned, and at all Times afterwards as there ſhall be Occaſion, in caſe ſuch Debtor or Debtors appear either in Perſon or by their Agent or Agents as aforeſaid, according to the ſaid Summons or Notice, the ſaid Commiſſioners, or any three or more of them, ſhall and may hear and determine concerning ſuch Debt or Debts; and ſhall have full Power and Authority, by virtue of this Act, to make, or cauſe to be made ſuch Orders, and to give and pronounce ſuch Judgements and Decrees, and to award Execution touching and concerning the ſame, and the Coſts of ſuch Suit, as to them ſhall ſeem agreeable to Juſtice and Equity; which Acts, Orders, Judgements, Decrees, and Awards, ſhall be final to all Intents and Purpoſes thereto between the Parties: But in caſe ſuch Debtor or Debtors ſhall not appear, either in Perſon or by an Agent or Agents as aforeſaid, according to ſuch Summons or Notice, to anſwer as aforeſaid, then it ſhall be lawful for the ſaid Commiſſioners, or any three or more of them, upon Proof being made upon Oath before them of the Service of the ſaid Summons, or Notice being given as aforeſaid, to proceed *ex parte* to hear the Matter of Complaint touching ſuch Debt or Debts, and to make and pronounce thereupon ſuch Order, Judgement, or Decree concerning the ſame, as to them ſhall ſeem juſt and equitable, and to appoint ſome certain Time and Place, according to their Diſcretions, for ſuch Debtor or Debtors to ſhew Cauſe before the ſaid Commiſſioners, or any three or more of them, why ſuch Order, Judgement, or Decree, ſo made and pronounced as aforeſaid, ſhould not be put in Execution: And the ſaid Commiſſioners, or any three or more of them, whether the Debtor or Debtors ſhall appear in Manner aforeſaid, or ſhew Cauſe, or not (Proof upon Oath being made, that a Copy of ſuch Order, Judgement, or Decree, had been given or delivered to ſuch Debtor or Debtors, or left at his, her, or their uſual Place of Abode, or ſuch other Place or Places as aforeſaid, or that reaſonable Notice thereof had been given to ſuch Debtor or Debtors), to make and pronounce ſuch final Order, Judgement, or Decree, or ſuch other Order, between the Parties, touching ſuch Debt or Debts, and the Coſts of ſuch Suit, as to them ſhall ſeem agreeable to Equity and good Conſcience; and all ſuch Acts, Orders, Judgements, and Decrees, and all and every the Proceedings of the ſaid Commiſſioners, ſhall be entered and regiſtered in a Book or Books, to be provided and kept by the Clerk of the ſaid Court for that Purpoſe, and ſhall be obſerved, performed, and kept, in all Parts, as well by the Creditor or Plaintiff, as by the Debtor or Defendant: And in any Caſe where the ſaid Commiſſioners, or any three or more of them, ſhall have made any Order or Decree, or pronounced any Judgement for the Payment of Money, it ſhall be lawful for them, or any three or more of them, to award Execution either againſt the Body or Goods of the Party againſt whom ſuch Order or Decree ſhall be made, or Judgement pronounced; and thereupon it ſhall be lawful for the Clerk of the ſaid Court, or his Deputy, at the Requeſt of the Party proſecuting ſuch Order, Judgement, or Decree, to iſſue a Precept under his Hand and Seal, by way of a *fieri facias*, or *capias ad ſatisfaciendum*, to the Beadle of the ſaid Court; who, by virtue of any ſuch Precept iſſued upon the Execution awarded againſt the Body of ſuch Party, ſhall and may, and is hereby impowered, by himſelf or his Deputy or Deputies (appointed for that Purpoſe by and with the Privity and Conſent of the Clerk of the ſaid Court), or other Aſſiſtants, to take and apprehend ſuch Party, being within the Pariſhes and Lordſhip or Liberty aforeſaid; and every ſuch Party or Parties ſo taken and apprehended, to confine and impriſon in ſuch publick Priſon or Place of Confinement, within the ſaid Pariſhes, and Lordſhip or Liberty, to be provided and appointed by the Commiſſioners for the Time being, or the major Part of ſuch of them who in Rotation ſhall act as aforeſaid, at their firſt Aſſembly or Meeting by virtue of this Act, or at ſome ſubſequent Court, be appointed and declared to be the Priſon or Place of Confinement belonging to the ſaid Court of Requeſts; there to remain in the Cuſtody of the Gaoler to be appointed by the Clerk of the Court for the Time being, until he, ſhe, or they ſhall perform and obey ſuch Order, Judgement, or Decree, as aforeſaid, ſo as no Perſon ſhall remain in ſuch Confinement upon any ſuch Execution for any longer Space of Time than three Calendar Months: And the ſaid Beadle or his Deputy, appointed as aforeſaid, by virtue of any ſuch Precept iſſued, upon the Execution awarded againſt the Goods and Chattels of any ſuch Party, ſhall and may, and is hereby impowered to levy, by Diſtreſs and Sale of the Goods and Chattels of ſuch Party, being within the Pariſhes, Lordſhip or Liberty aforeſaid, ſuch Sum and Sums of Money, and Coſts, as ſhall be ſo ordered and adjudged, rendering to the Owner the Overplus (if any), after the Charges of ſuch Diſtreſs and Sale are deducted: And if the Party, againſt whoſe Body, or Goods and Chattels, any ſuch Execution ſhall be awarded, and Proceſs ſhall iſſue thereupon, ſhall, by abſconding, or by ſecreting or removing his, her, or their Goods and Chattels, or by any other Means, prevent or evade ſuch Execution, it ſhall be lawful for the ſaid Commiſſioners, or any three or more of them, upon Proof thereof made to them, by the Oath or Oaths of one or more credible Witneſs or Witneſſes, at their Diſcretion, to award Execution againſt the Body or Goods of ſuch Party, and Proceſs ſhall iſſue thereupon, and be executed by the Beadle of the ſaid Court, or his Deputy as aforeſaid, until the Plaintiff or Plaintiffs ſhall be fully paid and ſatisfied: And in caſe the ſaid Court ſhall at any Time, upon the Requeſt and for the Eaſe and Convenience of the Defendant or Defendants, order and adjudge or decree a Debt due to the Plaintiff or Plaintiffs to be paid by ſeveral Payments, then, upon the firſt Default or Failure on any of the ſaid Payments, ſo ordered, decreed, and adjudged, the ſaid Commiſſioners, or any three or more of them, ſhall and may, at the Inſtance of the Plaintiff or Plaintiffs, and upon due Proof of the ſaid Default or Failure, award Execution for the whole Debt, or ſuch Part thereof as ſhall remain unpaid, together with ſuch further Coſts as to them ſhall ſeem reaſonable, to be recovered by the ſame Means as are herein provided for the Recovery of Debts and Coſts: And upon every Precept

who ſhall ſummon the Debtors.

The Decrees of the Commiſſioners to be final.

How the Court ſhall proceed when Debtors do not appear.

Proceedings of the Court to be entered in a Book, &c.

Commiſſioners may award Execution;

and commit the Party to Priſon,

for three Months.

Execution may be levied by Diſtreſs, &c.

How to proceed if Party abſcond, &c.

Debts to be paid by Inſtalments, &c.

Clerk to indorſe Debt and Coſts.

cept to be iſſued, upon Execution awarded againſt the Body, or Goods and Chattels, of any Perſon or Perſons, the Clerk of the ſaid Court ſhall indorſe, or cauſe to be indorſed, the Sum or Sums, and Coſts, ſo ordered, decreed, or adjudged, and the Coſts of the ſaid Execution; and if the Party againſt whom ſuch Execution ſhall be awarded reſpectively, ſhall, before any real Sale of the Goods or Chattels, or before he, ſhe, or they are apprehended, or before the Expiration of the Term of his, her, or their Impriſonment, pay, or cauſe to be paid, or tendered, unto the Clerk of the ſaid Court, ſuch Sum or Sums, and Coſts, together with One Shilling and Eightpence as a Reward for his Trouble, in receiving and paying over the ſaid Debt and Coſts, and entering Acknowledgement and Satisfaction in full for the ſame, and alſo the Sum of Five Shillings for Gaol Fees (in caſe ſuch Perſon or Perſons ſhall have been committed to Priſon), then, and in ſuch Caſe, the Execution ſhall be ſuperſeded, and the Body, or Goods and Chattels, of the ſaid Party ſhall be diſcharged and ſet at Liberty: And if, upon the Day of Return of any Summons, or at any Continuation or Adjournment of the ſaid Court, the Plaintiff or Plaintiffs ſhall not appear, or appearing ſhall not make due Proof of his, her, or their Demand, to the Satisfaction of the Court, but become nonſuited, it ſhall be lawful for the ſaid Commiſſioners, or any three or more of them, to award to the Defendant or Defendants reaſonable Coſts, and to order and oblige the Plaintiff or Plaintiffs to pay the ſame by ſuch Ways and Means as are herein provided for the Recovery of Debts.

In what Caſes Execution ſhall be ſuperſeded.

Plaintiff becoming nonſuited, the Defendant to have Coſts.

No Proceſs to iſſue twice for one Debt;

except, &c.

VII. Provided always, That nothing herein contained ſhall extend, or be conſtrued to extend, to impower the ſaid Commiſſioners to iſſue any Proceſs againſt the Goods and Chattels of any Perſon or Perſons, where the Party intitled to the Benefit of any ſuch Order, Judgement, or Decree, as aforeſaid, ſhall have obtained any Warrant or Proceſs as aforeſaid, againſt the Body or Bodies of the ſame Perſon or Perſons, unleſs ſuch Perſon or Perſons ſhall eſcape out of Cuſtody, or ſhall abſcond or depart out of the ſaid Pariſhes, Lordſhip, or Liberty, to avoid being apprehended and taken by virtue of ſuch laſt-mentioned Warrant or Proceſs.

Proviſo.

VIII. Provided alſo, That no Coſts to be given, awarded, or allowed by the ſaid Commiſſioners, ſhall, in any Caſe whatſoever, exceed the Sum of ten Shillings.

Beadle ſuffering the Party to eſcape, &c. to pay the Debt;

IX. And be it further enacted, That if the Beadle of the ſaid Court, or his Deputy, who ſhall be employed to ſerve or levy any Execution, ſhall, by wilful or notorious Neglect or Connivance, cauſe or ſuffer the Party, againſt whom Execution ſhall be awarded, to eſcape, or the Goods or Chattels of ſuch Party to be carried away or ſecreted, ſo that the Execution ſhall not have its due Effect, it ſhall be lawful for the ſaid Commiſſioners, or any three or more of them, upon Complaint and Proof thereof made, upon the Oath or Oaths of one or more credible Witneſs or Witneſſes, to order ſuch Beadle, or his Deputy, to pay the Sum or Sums of Money for which the ſaid Execution was awarded, in ſome reaſonable Time to be ſet and appointed by the ſaid Commiſſioners; and in caſe the ſaid Beadle, or his Deputy, ſhall refuſe or neglect to pay the ſame at the Time ſet and appointed for that Purpoſe, then, on Complaint of the Plaintiff in ſuch Execution to the Commiſſioners at their next Court, they ſhall order the Clerk of the ſaid Court to pay the ſame, and he is hereby made liable and ſubject thereto; and on Demand made thereof, and on his Refuſal ſo to do, the ſame may be recovered againſt him by ſuch Ways and Means as are herein provided for the Recovery of Debts.

or elſe the Clerk to be anſwerable.

Commiſſioners may regulate their own Proceedings, &c.

X. And be it further enacted, That ſuch Commiſſioners, who ſhall be the acting Commiſſioners according to the Rotation aforeſaid, not being leſs in Number than twenty, ſhall have Power and Authority, by virtue of this Act, from Time to Time, and ſo often as they ſhall ſee Occaſion, at any Court or Courts, to make ſuch Rules or Orders for the better regulating the Practice of the ſaid Court, as to them ſhall ſeem neceſſary and conducive to the Purpoſes of this Act, ſo as they be conformable to Law, and do not tend to leſſen, abridge, or alter the Fees herein-after allowed by this Act to be taken by the Clerk or Beadle of the ſaid Court for the Time being, or to the Exerciſe of any Juriſdiction inconſiſtent with the true Intent and Meaning of this Act, and do relate to the Proceſs, Practice, and Method of Proceeding of and in the ſaid Court only; according to which Rules and Orders, ſo from Time to Time to be made, the ſaid Commiſſioners, or any three or more of them, ſhall have full Power and Authority, by virtue of this Act, to proceed upon, and to hear and determine all Matters of Debt not amounting to the ſaid Sum of forty Shillings which ſhall be brought before them by virtue of this Act, and to make and pronounce ſuch Judgements and Decrees concerning the ſame, as to them ſhall ſeem agreeable to Equity and good Conſcience: And that it ſhall be lawful for the ſaid Commiſſioners, or any three or more of them, in Court aſſembled, and they are hereby impowered, to adminiſter an Oath to the Plaintiff or Plaintiffs, Defendant or Defendants, and to ſuch Witneſs or Witneſſes as ſhall be produced by each Party; and alſo to all or any of the Officers of the ſaid Courts, and to any other Perſon or Perſons whatſoever, whoſe Evidence ſhall to the ſaid Commiſſioners, or any three or more of them, appear neceſſary for the better Diſcovery of the Truth, and more ſolemn Determination of Matters and Cauſes which ſhall be depending in the ſaid Court.

and adminiſter Oaths.

If any Action be removed into any other Court,

Defendant may plead the General Iſſue, and recover Treble Coſts.

XI. And be it further enacted, That no Action or Suit for any Debt brought or commenced in the ſaid Court of Requeſts, nor any Order, Decree, or other Proceedings of the ſaid Commiſſioners in the ſaid Court, ſhall be removeable out of the ſame by *Certiorari*, or any other Writ or Proceeding whatſoever, into any of his Majeſty's Courts at *Weſtminſter*, or into any other Court whatſoever, againſt any Perſon or Perſons reſiding or inhabiting within the Limits of the ſeveral and reſpective Pariſhes, or Lordſhip or Liberty; and that if any ſuch Action or Suit ſhall be ſo removed and proſecuted, the Defendant therein ſhall and may plead the General Iſſue; and in caſe the Debt ſued for, or to be recovered in ſuch Action or Suit, doth not amount to the Sum of forty Shillings, and the Defendant ſhall prove by ſufficient Teſtimony that ſuch Action was removed out of, or was firſt brought in the ſaid Court of Requeſts; then, and in every ſuch Caſe, the Plaintiff in every ſuch Action or Suit ſhall not recover, but Judgement ſhall be given for the Defendant or Defendants, and the Judge or Judges before whom the ſaid Cauſe ſhall be tried ſhall award that the Plaintiff or Plaintiffs in ſuch Action or Suit ſhall pay to the Defendant or Defendants Treble Coſts.

'XII. And

'XII. And, for the more effectually eſtabliſhing the ſaid Court of Requeſts, and the better enforcing 'the Orders and Decrees which ſhall be made by the ſaid Commiſſioners; and that they may be veſted 'with proper Power and Authority, and be free and exempt from any Inſults or Abuſes;' be it further enacted, That if any Perſon or Perſons ſhall affront, inſult, or abuſe, all or any or either of the Commiſſioners or Officers of the ſaid Court during their ſitting in the ſaid Court, or in going to or returning from the ſame, or ſhall interrupt the Proceedings of the ſaid Court, or in anywiſe hinder, abuſe, moleſt, or oppoſe any Officer in the Execution of his Office, it ſhall be lawful for the Beadle of the ſaid Court, or his Deputy for the Time being, by Order of the ſaid Commiſſioners, or any three or more of them, then ſitting, to take ſuch Perſon or Perſons ſo offending before one or more of his Majeſty's Juſtices of the Peace for the ſaid Weſt Riding of the County of *York*; and upon the Fact alledged being proved, by the Oath or Oaths of one or more credible Witneſs or Witneſſes, the ſaid Juſtice or Juſtices ſhall impoſe and ſet upon ſuch Perſon or Perſons ſo offending as aforeſaid, ſuch Fine or Fines as to ſuch Juſtice or Juſtices ſhall ſeem meet and reaſonable; provided the Fine on any one Perſon doth not exceed the Sum of forty Shillings, nor be leſs than five Shillings; and upon Failure of immediate Payment of the Fine or Fines which ſhall be ſo ſet, the ſaid Juſtice or Juſtices is and are hereby impowered and required to commit the Offender or Offenders to the Houſe of Correction, within the ſaid Weſt Riding, there to remain for any Time not exceeding three Calendar Months, unleſs he, ſhe, or they ſhall ſooner pay the ſaid Fine or Fines ſo impoſed as aforeſaid; in which Caſe he, ſhe, or they, on Payment of ſuch Fine or Fines, are forthwith to be diſcharged out of Cuſtody, and the Fine or Fines immediately paid over to the Churchwardens or Overſeers of the Poor of the Pariſh wherein ſuch Offence was committed, towards the Support and Maintenance of the Poor of the ſaid Pariſh.

Penalty on Perſons inſulting or abuſing Commiſſioners or Officers in the Execution of this Act.

Fines to be given to the Poor.

XIII. And be it further enacted, That the Clerk of the ſaid Court for the Time being ſhall, from Time to Time, affix, or cauſe to be affixed or ſtuck up, in the moſt publick Part of the Place or Places where ſuch Court or Courts ſhall be held, and the ſaid Commiſſioners ſhall ſit to do Buſineſs as aforeſaid, a true printed Copy of the laſt preceding Clauſe of this Act, to the End that no Perſon or Perſons ſhall or may plead Ignorance in the Premiſes.

Printed Copy of laſt Clauſe to be put up in the Court-houſe.

XIV. And be it further enacted, That in caſe any Perſon or Perſons in making Oath or Affirmation (being of the People called *Quakers*) or giving Evidence in any Cauſe or Matter depending in the ſaid Court of Requeſts, ſhall commit any wilful or corrupt Perjury, and ſhall thereof be convicted according to Law, ſuch Perſon or Perſons ſhall incur and ſuffer the like Pains and Penalties as any other Perſon or Perſons convicted of wilful and corrupt Perjury is or are liable or ſhall be ſubject to by the Laws and Statutes of this Realm.

Perjury how to be puniſhed.

XV. And be it further enacted, That *Iſaac Willſon* of *Bradford* aforeſaid, ſhall be, and is hereby conſtituted and appointed Clerk of the ſaid Court of Requeſts, during his good Behaviour; and that he, and alſo all other Clerks of the ſaid Court of Requeſts hereafter to be appointed, ſhall, is and are hereby impowered and required to iſſue out and regiſter all Summonſes, Warrants, Precepts, Acts, Orders, Judgements, Decrees, Executions, and Proceedings of the ſaid Court, and ſhall provide and keep proper Books, wherein ſhall be entered and regiſtered all Acts, Orders, Judgments, Decrees, and Proceedings of the ſaid Court; and the Clerk of the ſaid Court for the Time being is hereby impowered, from Time to Time as he ſhall think proper, to appoint a Deputy or Deputies to act for him in the Execution of this Act.

A Clerk appointed: His Duty.

XVI. And be it further enacted, That in Conſideration that the ſaid Clerk for the Time being is to be accountable and anſwerable for the Acts, Deeds, and Behaviour of the Beadle of the ſaid Court, and his Deputy or Deputies, and other Officers for the Time being, the ſaid *Iſaac Willſon*, and every Perſon who ſhall at any Time hereafter be Clerk of the ſaid Court for the Time being, ſhall and may, and is hereby authoriſed and impowered, by any Writing, to nominate and appoint a proper Perſon or Perſons to be Beadle and Deputy or Deputies of the ſaid Court, and alſo a Gaoler or Gaolers for the Cuſtody of Priſoners (during their reſpective good Behaviour); and the ſaid Clerk for the Time being ſhall be liable and accountable to the ſaid Commiſſioners of the ſaid Court, and the Suitors thereof, for the Acts, Deeds, and Behaviour of the ſaid Beadle and his Deputy or Deputies, Gaoler and Gaolers, ſo appointed as aforeſaid, of and in the Buſineſs of the ſaid Court.

Clerk to appoint a Beadle, Gaoler, &c.

and to be accountable for their Behaviour.

XVII. And be it further enacted, That it ſhall be lawful for the Commiſſioners of the ſaid Court, who ſhall be ſitting and acting in Court on the next Court Day after the Death, Reſignation, or Removal of the ſaid Clerk, appointed by this Act, or ſo ſoon as the ſame is publickly known, or the major Part of them, to cauſe the whole Number of Commiſſioners for the Time being to be ſummoned to meet at ſome convenient Place to be appointed for that Purpoſe, within ſix Days next after their being ſummoned as aforeſaid; and ſuch Commiſſioners at ſuch Meeting, or the major Part of them then preſent, are authoriſed and required to elect another Perſon in the Room of the ſaid Clerk ſo dying, reſigning, or being removed as aforeſaid, for the Uſes and Purpoſes in this Act contained, and ſo to meet from Time to Time upon every Vacancy of the ſaid Office, to make Choice of a Clerk, for ever.

How Clerks ſhall be choſen.

XVIII. Provided always, and be it further enacted, That no Perſon ſhall be capable of acting as a Commiſſioner in the Execution of this Act, unleſs he be poſſeſſed of fifty Pounds *per Annum* in real Eſtate, or of one thouſand Pounds in perſonal Eſtate; nor ſhall any Perſon act as ſuch Commiſſioner during ſuch Time as he ſhall keep any Victualling-houſe, Ale-houſe, or other Houſe of publick Entertainment, nor until he ſhall have taken an Oath, or made an Affirmation (being of the People called *Quakers*), to the Effect following:

Qualification of Commiſſioners.

'I *A. B.* do ſwear [*or* affirm], That I will faithfully, impartially, and honeſtly, according to the beſt of 'my Judgement, hear and determine all ſuch Matters and Cauſes as ſhall be brought before me (by 'virtue of an Act of Parliament, *for the more eaſy and ſpeedy Recovery of ſmall Debts within the ſeveral Pa-riſhes of* Halifax, Bradford, Kighley, Bingley, Guiſeley, Calverley, Batley, Birſtal, Mirfield, Hartiſhead

Commiſſioners Oath.

'cum Cliſton, Almondbury, Kirkheaton, Kirkburton, *and* Huddersfield, *and the Lordſhip or Liberty of* 'Tong, *in the Weſt Riding of the County of* York; *and for extending the Juriſdiction of the Courts Baron of* 'the *Honour of* Pontefract, *Manor of* Wakefield, *and Manor of* Bingley, *in the ſaid County)*; without Fa- 'vour or Affection, Prejudice or Malice to either Party. *So help me* GOD."

Which Oath or Affirmation the Clerk of the ſaid Court for the Time being, or his Deputy, or any of the Commiſſioners who ſhall have taken the ſaid Oath, is and are hereby impowered and required to adminiſter in open Court, and a Memorial thereof ſhall be entered in the Entry Book or Regiſter of the ſaid Court, by the ſaid Clerk or his Deputy; and any Perſon or Perſons preſuming to act as a Commiſſioner without being qualified, or being diſqualified, as aforeſaid, ſhall, for each Time of aſking, forfeit and pay the Sum of twenty Pounds to any Perſon who ſhall ſue for the ſame in any of his Majeſty's Courts of Record, wherein no Eſſoin, Protection, Wager of Law, or more than one Imparlance, ſhall be allowed; and the Perſon proſecuted ſhall prove that he is qualified as aforeſaid, or otherwiſe ſhall pay the Sum of twenty Pounds, without any other Proof on the Part of the Proſecutor than that ſuch Perſon hath acted as a Commiſſioner in the Execution of this Act.

Any unqualified Perſon acting, to forfeit 20l.

XIX. And be it further enacted, That the ſeveral Fees herein-after limited and expreſſed, and no other, ſhall and may be taken for the reſpective Services of the ſaid Clerk and Beadle in the Execution of this Act; (that is to ſay)

Table of Fees.

| | s. | d. |
|---|---|---|
| 'For every Summons or Subpœna, to the Clerk | 0 | 4 |
| 'Every Hearing, { to the Clerk | 0 | 6 |
| 'Every Hearing, { to the Beadle | 0 | 2 |
| 'For calling the Plaintiff or Defendant to appear, { to the Clerk | 0 | 2 |
| 'For calling the Plaintiff or Defendant to appear, { to the Beadle | 0 | 2 |
| 'For entering an Appearance, to the Clerk | 0 | 4 |
| 'For every Order or Nonſuit, and entering the ſame, to the Clerk | 0 | 4 |
| 'For every Service of every Order, Summons, or Subpœna, to the Beadle | 0 | 6 |
| 'For a Copy of every Order to be ſerved, to the Clerk | 0 | 4 |
| 'For every Execution, { to the Clerk | 1 | 0 |
| 'For every Execution, { to the Beadle | 1 | 6 |
| 'Acknowledging Satisfaction in full, to the Clerk | 0 | 6 |
| 'For every Search in the Books, to the Clerk | 0 | 2 |
| 'Acknowledging Satisfaction in Part, to the Clerk | 0 | 2 |
| 'For paying Money into Court, to the Clerk | 0 | 8 |

A printed Table of which Fees ſhall, from Time to Time, be hung up by the Clerk of the ſaid Court, in ſome conſpicuous Part of the Court or Place where the ſaid Commiſſioners ſhall meet, to the End that all Perſons may ſee, read, and know the ſame.

Penalty on taking greater Fees.

XX. And be it further enacted, That if the ſaid Clerk or his Deputy or Deputies, or the ſaid Beadle or his Deputy or Deputies, ſhall take or demand any greater Fees or Reward than what are above-mentioned for their reſpective Services in the Execution of this Act, every Perſon ſo offending ſhall, for every ſuch Offence, forfeit and pay ſuch Fine, not exceeding the Sum of forty Shillings, nor leſs than twenty Shillings, as the ſaid Commiſſioners, or any three or more of them, ſhall aſſeſs and impoſe, to be paid over to the Churchwardens or Overſeers of the Poor, for the Support and Maintenance of the Poor of the Pariſh in which the Offence was committed; and if upon Complaint made by any Perſon or Perſons, upon Oath in open Court, of any Neglect of Duty of any Clerk or other Officer appointed, or to be appointed, by virtue of this Act, or for taking or demanding greater Fees than as above-mentioned, the ſaid Commiſſioners then ſitting in Court ſhall inquire into the Nature of the ſaid Complaint, and if it ſhall appear to be well founded, then ſuch Commiſſioners, or the major Part of them, ſo ſitting in Court as aforeſaid, are hereby directed and required to cauſe the whole Number of Commiſſioners to be ſummoned to meet at ſome certain Place as ſoon as conveniently may be, by publick Notice to be given in the ſeveral Pariſh Churches aforeſaid, by the reſpective Pariſh Clerks thereof, immediately after Divine Service, on the *Sunday* Morning next before ſuch Meeting is to be held (ſuch *Sunday* being at leaſt four Days before the holding ſuch Meeting), and to examine into the Merits of ſuch Complaint; and if it ſhall then appear to ſuch Commiſſioners as ſhall meet, or the major Part of them then preſent, that ſuch Clerk or other Officer hath been guilty of any Neglect of Duty in his or their Office, that then it ſhall be lawful for the ſaid Commiſſioners, or the major Part of them then preſent as aforeſaid, to ſuſpend or remove ſuch Clerk or other Officer from his ſaid Office, and thereupon elect or appoint another or others in his or their Room, in ſuch Manner as is by this Act directed and appointed for ſuch Election or Appointment.

Officers may be tried for Neglect of Duty, &c.

and if found guilty to be ſuſpended, &c.

Beadle's Duty.

XXI. And be it further enacted, That the Beadle or his Deputy or Deputies, ſo to be appointed by the ſaid Clerk as aforeſaid, for the Time being, is and are hereby impowered and required to ſerve and execute, or cauſe to be ſerved and executed, all ſuch Summonſes, Orders, Attachments, Warrants, Subpœnas, Executions, and Precepts, and to do and perform all ſuch Acts, Matters, and Things as are herein directed and appointed to be done by them.

Certain Debts to which this Act ſhall not extend.

XXII. And be it further enacted, That this Act, or any Thing herein contained, ſhall not extend to any Debt, for any Rent upon any Leaſe of Lands or Tenements, or to any other real Contract; nor to any Debt that ſhall ariſe by Reaſon of any Cauſe concerning Teſtament or Matrimony, or any Thing concerning or properly belonging to the Eccleſiaſtical Court, nor to any Debt for Money won at or by Means of any Horſe-race, Cock-match, Wager, or any Kind of Gaming or Play; nor for any Forfeiture upon any Penal Statute; nor to any Debt whereof there hath not been a Contract, Acknowledgment, Under-

taking, or Promiſe to pay, within ſix Years before the taking out of the Summons for the ſame, although the ſame ſhall not amount to forty Shillings; any Thing herein-before contained to the contrary notwithſtanding.

No Attorney to be employed, or enjoy any Privilege,

XXIII. And be it further enacted, That no Attorney at Law or Solicitor, being ſerved with the Proceſs of the ſaid Court of Requeſts, or appearing in the ſaid Court, ſhall be allowed to plead or maintain any Privilege againſt the Proceſs, Authority, Juriſdiction, or Judgement thereof; nor ſhall any ſuch Attorney or Solicitor as aforeſaid be admitted to appear in the ſaid Court of Requeſts as Attorney or Advocate on Behalf of any Plaintiff or Defendant, or be admitted to ſpeak in any Cauſe or Matter before the ſaid Court, in which ſuch Attorney or Solicitor is not himſelf a Party or Witneſs, under the Penalty of five Pounds, to be recovered and applied as above-mentioned with reſpect to Clerks and other Officers of the ſaid Court in caſe of taking greater Fees than they are intitled unto by virtue of this Act, as aforeſaid; nor ſhall any ſuch Attorney or Solicitor act as Commiſſioner, or enjoy any Place of Profit or Truſt in the ſaid Court of Requeſts, any Thing herein contained to the contrary notwithſtanding.

or act as Commiſſioner, &c.

Penalty on not obeying Subpœna:

XXIV. And be it further enacted, That in caſe any Perſon inhabiting or reſiding within the aforeſaid Pariſhes, or Lordſhip or Liberty, or any or either of them, who ſhall be duly ſerved with a Subpœna or Summons, to be iſſued by the Clerk of the ſaid Court for the Time being (and which he is hereby impowered and authoriſed to iſſue and make out), to appear in the ſaid Court of Requeſts, at a Time and Place in ſuch Subpœna or Summons mentioned, to give Evidence on Behalf of any Plaintiff or Defendant, Creditor or Debtor, ſhall neglect or refuſe to appear purſuant to ſuch Subpœna or Summons; and Oath being made by the Party at whoſe Inſtance the Subpœna or Summons iſſued, that the Party ſubpœnaed or ſummoned was a material Witneſs in the Cauſe; and due Proof being made of the Service of ſuch Subpœna or Summons, and no Cauſe of Abſence being ſhewn to the Satisfaction of the Commiſſioners preſent at the Court at which ſuch Perſon ſhall be by ſuch Subpœna or Summons required to appear, it ſhall be lawful for the ſaid Commiſſioners, or any three or more of them, aſſembled in ſuch Court, to impoſe a Fine not exceeding forty Shillings, nor leſs than five Shillings, to be levied, if not immediately paid on Demand, by Diſtreſs and Sale of the Offender's Goods and Chattels, by Warrant under the Hands and Seals of the ſaid Commiſſioners, or any three or more of them, rendering the Overplus (if any) to ſuch Offender, the Charges of ſuch Diſtreſs and Sale being thereout firſt deducted; which Fine when paid or levied, ſhall be paid over to the Party or Parties at whoſe Inſtance or on whoſe Behalf ſuch Subpœna or Summons iſſued; and in caſe no Goods or Chattels of ſuch Offender or Offenders, ſufficient to anſwer ſuch Fine and ſuch Diſtreſs and Sale, can be found, then the ſaid Commiſſioners, or any three or more of them, ſhall commit ſuch Offender or Offenders to the Priſon belonging to the ſaid Court, for any Space of Time not exceeding twenty Days, unleſs ſuch Fines, together with the Coſts and Charges attending ſuch Commitment, ſhall be ſooner paid and ſatisfied.

may be levied by Diſtreſs.

Limitation of Actions.

XXV. And be it further enacted, That if any Action or Suit ſhall be brought or commenced againſt any Perſon or Perſons, for any Matter or Thing done or to be done in purſuance of this Act, ſuch Action or Suit ſhall be brought or commenced within ſix Calendar Months next after the Fact committed, and not afterwards; and ſhall be laid in the ſaid County of *York*, and not elſewhere; and the Defendant or Defendants in ſuch Action or Suit ſhall and may plead the General Iſſue, and give this Act and the Special Matter in Evidence, at any Trial to be had thereupon: And if the Plaintiff or Plaintiffs ſhall become nonſuited, or diſcontinue ſuch Action or Suit, or if upon Verdict or Demurrer Judgement ſhall be given againſt the Plaintiff or Plaintiffs, the Defendant or Defendants ſhall and may recover Treble Coſts, and have ſuch Remedy for the ſame as any Defendant or Defendants hath or have in any other Caſe by Law.

General Iſſue.

Treble Coſts.

Reſervation of the Rights of the Courts Baron.

XXVI. Provided always, and be it enacted by the Authority aforeſaid, That this Act ſhall not extend to take away or annul any of the Rights, Privileges, Franchiſes, Liberties, Powers, or Juriſdictions of the ſaid Courts Baron of the Honour of *Pontefract*, Manor of *Wakefield*, and Manor of *Bingley*, reſpectively, or of any other Court Baron whatſoever, but that the ſame ſhall be, remain, and continue in as full and ample Power, Juriſdiction, and Authority, for Recovery of any Debt or Damages under forty Shillings, as if this Act had never been made.

Clauſe for extending the Juriſdiction of the Courts Baron.

XXVII. And be it further enacted, That from and after the paſſing of this Act, it ſhall and may be lawful to and for the ſeveral Courts Baron of the ſaid Honour of *Pontefract*, Manor of *Wakefield*, and Manor of *Bingley*, within their Juriſdictions reſpectively, and the Steward and Deputy Stewards thereof, to proceed and hold Plea not only in any Plaint, Suit or Action, for any Debt or Damages not exceeding forty Shillings, but alſo in any Plaint, Suit or Action, for any Debt or Damages not exceeding the Sum of five Pounds, which hath accrued, or ſhall hereafter ariſe or accrue, within the Juriſdiction of their ſaid Courts reſpectively, and to proceed to Judgement, Trial, Verdict, final Judgement and Execution, in every ſuch Plaint, Suit or Action, in the ſame or the like Manner as they have heretofore done in any Plaint, Suit or Action, for any Debt or Damages not exceeding the Sum of forty Shillings, with full Power of awarding Coſts to either Party, and proceeding for the Recovery thereof, as well as for the ſaid Damages, and of exerciſing all ſuch other Liberties and Privileges whatſoever as they have heretofore done in any Plaint, Suit or Action, for Debt or Damages, in the ſaid Courts reſpectively, notwithſtanding any Thing herein contained to the contrary.

How Plaintiff to proceed, when Defendant does not appear.

XXVIII. And be it further enacted, That if the Defendant or Defendants in any Summons, or Precept in Nature thereof, iſſued from either or any of the ſaid Courts Baron, or by the Steward or Deputy Steward thereof reſpectively, ſhall not (having been ſerved therewith as herein-after mentioned) appear at the Return thereof, or within one Hour after calling or opening the Court held next after iſſuing ſuch Summons or Precept, then and in ſuch Caſe it ſhall be lawful for the Plaintiff or Plaintiffs therein (Proof being made, on Oath, in open Court, that ſuch Summons or Precept hath been duly executed, by Delivery of a Copy thereof to the Defendant or Defendants, or leaving the ſame at his, her, or their Dwelling-houſe or Houſes, five Days at the leaſt before the Return thereof) to enter a Common Appearance

for ſuch Defendant or Defendants, and to proceed thereon as if ſuch Defendant or Defendants had entered his, her, or their Appearance in purſuance of ſuch Summons or Precept, notwithſtanding any Law, Uſage, or Practice to the contrary.

Penalty on Jurymen not appearing when ſummoned.

XXIX. And be it further enacted, That, from and after the paſſing of this Act, every Perſon duly impannelled and ſummoned to ſerve upon any Jury in the ſaid Courts Baron reſpectively, who ſhall not appear and ſerve on ſuch Jury (after being three Times called, and Proof being made on Oath, that the Perſon ſo making Default hath been duly ſummoned) ſhall forfeit and pay, for every ſuch Default, ſuch Fine, not exceeding the Sum of five Pounds, as the Steward or other Officer holding the ſaid Court wherein ſuch Default ſhall happen, ſhall from Time to Time think reaſonable to impoſe or ſet, unleſs juſt Cauſe for ſuch Defaulter's Abſence ſhall be made appear to the Satisfaction of ſuch Steward or other Officer of the ſaid Court reſpectively; which ſaid Fine or Fines, if not paid on Demand thereof, ſhall, together with the Coſts of levying thereof, be recovered by Diſtreſs and Sale of ſuch Defaulter's Goods and Chattels, by Warrant under the Hand and Seal of the Steward or Deputy Steward of the ſaid Courts Baron reſpectively, and ſhall be applied as other Fines of the ſaid Courts have been heretofore payable or applicable.

Suits for any Sum under 5l. not to be removed by Certiorari, &c.

XXX. And be it further enacted, That, from and after the paſſing of this Act, no Plaint, Suit or Action, to be entered or commenced in the ſaid Courts Baron reſpectively, for any Debt or Damages under five Pounds, ariſing within the ſaid Honour or Manors reſpectively, or any Judgement or other Proceedings to be had thereupon, ſhall be removed or removeable by any Writ of *Recordari facias Loquelam*, *Certiorari*, falſe Judgment, or otherwiſe howſoever; but ſuch Judgements in the ſaid Courts Baron reſpectively, ſhall be final and concluſive to all Intents and Purpoſes whatſoever.

Proviſo.

XXXI. Provided nevertheleſs, That all Plaints in Replevin ſhall be had and proceeded in and removeable, in the ſame Manner as if this Act had not been made.

Public Act.

XXXII. And be it further enacted, That this Act ſhall be deemed, adjudged, and taken to be a public Act; and be judicially taken Notice of as ſuch by all Judges, Juſtices, and other Perſons whatſoever, without ſpecially pleading the ſame.

## CAP. XVI.

An Act for limiting the Exemptions from Toll (granted by any Act or Acts of Parliament for repairing Turnpike Roads) on account of Cattle going to and from Water or Paſture.

Preamble.

'WHEREAS an Exemption from Toll has, by ſeveral Acts for repairing Turnpike Roads, been granted for Cattle going to and from Water and Paſture: And whereas many Diſputes have ariſen how far that Exemption extended; and it is not reaſonable that Cattle going to and from Water or Paſture ſhould be exempted from Toll, when they travel upon, and make uſe of, any Turnpike Road for any conſiderable Length;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That in all Caſes where any Exemption from Toll for Cattle going to and from Water or Paſture, is or ſhall be given by any Act or Acts made, or to be made, for repairing any Turnpike Road, ſuch Exemption ſhall only extend to ſuch Cattle as ſhall be driven to and from Water or Paſture from one Pariſh to the next adjoining Pariſh, or to ſuch Cattle as ſhall not paſs upon any ſuch Turnpike Road, more than for the Space of two Miles in going to or returning from Water or Paſture.

How far the Exemption ſhall extend to Cattle going to and from Water or Paſture.

This Act not to exempt Cattle otherwiſe liable to pay Toll.

II. Provided always, and be it enacted, That nothing in this Act contained ſhall exempt from the Payment of Toll, any Cattle going to and from Water or Paſture, for which any Perſon ſhall be liable to pay Toll, by any Act made, or to be made, for repairing any Turnpike Road.

## CAP. XVII.

An Act for dividing the Chaſe of *Enfield*, in the County of *Middleſex*; and for other Purpoſes therein mentioned.

Preamble.

'WHEREAS the King's moſt excellent Majeſty is ſeiſed to himſelf, his Heirs and Succeſſors, in Fee-ſimple, of the Chaſe of *Enfield*, lying within the Pariſh of *Enfield*, in the County of *Middleſex*, being Parcel of the Eſtates and Poſſeſſions of the Duchy of *Lancaſter*, ſubject nevertheleſs to ſuch Right of Common, and other Rights, as the Freeholders and Copyholders of Meſſuages, Lands, and Tenements, ſituate and being within the ſeveral Pariſhes of *Enfield*, *Edmonton*, *South Mimms*, and *Monken Hadley*, in the ſaid County of *Middleſex*, or the Tenants and Occupiers thereof for the Time being, are intitled unto, within and upon the ſaid Chaſe: And whereas the Maſter, Fellows, and Scholars of *Trinity College* in the Univerſity of *Cambridge* are Patrons of the Vicarage of *Enfield* aforeſaid, and alſo Owners of all impropriate and rectorial Tythes ariſing within the ſame Pariſh, and as ſuch are intitled to all Great Tythes ariſing or to ariſe within the ſaid Chaſe: And whereas *Theodoſia Crowley* Widow, as Truſtee for the Right Honourable *Wilmot* Earl of *Liſburne* in the Kingdom of *Ireland*, is Leſſee to the ſaid Maſter, Fellows, and Scholars, of all the Great Tythes within the ſaid Pariſh: And whereas the Reverend *Richard Newbon* Clerk Bachelor in Divinity, is the preſent Vicar of the ſaid Pariſh of *Enfield*, and, by virtue thereof, is intitled to all Vicarial Tythes and Dues within the ſaid Chaſe: And whereas the ſaid Chaſe, in its preſent State, yields very little Profit or Advantage either to the King's Majeſty, or to the ſaid Freeholders and Copyholders, or their Tenants, in Compariſon of what it might do,

Rights of Parties.

Claim of Trinity College, Cambridge, to Great Tythes;

and of the Vicar of Enfield to Small Tythes.

'do, if the ſame was divided and improved: And whereas, with a View to ſuch Diviſion, an accurate Survey, Admeaſurement, and Plan of the ſaid Chaſe, with a Table of References thereto, have been lately made and taken, whereby it appears, that the ſaid Chaſe contained eight thouſand three hundred and forty-nine Acres, one Rood, and thirty Perches, or thereabouts, including the ſeveral Lodges and Incroachments thereon: And whereas, upon Conſideration had of the Rights of the King's Majeſty, and of the Parties intereſted, it appears, that the ſeveral Portions or Allotments, herein-after aſſigned to and for the Benefit of the ſaid Freeholders and Copyholders, and their Tenants and Leſſees, will be a full and adequate Compenſation for all their Rights and Intereſts within and upon the ſaid Chaſe: And that the ſeveral Allotments, herein-after aſſigned to the Owners of Tythes of the ſaid Pariſh of *Enfield*, will be a fair and adequate Compenſation for the Tythes of all ſuch Parts of the ſaid Chaſe as are herein-after particularly mentioned, and intended to be exonerated therefrom: All which ſaid ſeveral Allotments are ſet out upon the ſaid Chaſe with Stakes, or other Marks or Mounds; and are alſo deſcribed and delineated on the aforeſaid Survey or Plan of the ſaid Chaſe: And whereas the ſetting out and allotting to the ſaid Freeholders and Copyholders, their Tenants and Leſſees, ſuch reſpective Shares and Proportions, of the ſaid Chaſe as aforeſaid, in Satisfaction and Diſcharge of all their Rights and Intereſts upon the ſaid Chaſe; and alſo the ſetting out and aſſigning to the ſaid Owners of Tythes, ſuch Portions or Allotments as aforeſaid, and the dividing and ſeparating the ſaid ſeveral Portions and Allotments from each other, and from the Reſidue of the ſaid Chaſe, herein-after aſſigned to the King's Majeſty, his Heirs and Succeſſors, will be a Means of accelerating the Cultivation of the ſaid Chaſe, which, by the Goodneſs of its Soil, and its Vicinity to the Metropolis, will be of public Utility, and of Benefit to all Perſons intereſted therein: But foraſmuch as ſuch Diviſion cannot be effectually made and eſtabliſhed without the Aid of Parliament;' May it pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That all that Portion or Allotment of Land within, and Part of, and ſet out upon the ſaid Chaſe, and deſcribed and diſtinguiſhed by blue Lines from the Reſidue of the ſaid Chaſe, on the ſaid Survey or Plan thereof, as *The Enfield Allotment*, containing one thouſand ſeven hundred and thirty-two Acres, two Roods, and ſix Perches; abutting, on the North Part thereof, upon *Theobald's Park* and *Northaw Common*; on the South Part thereof, upon *Enfield Old Park*, and on the Allotment herein-after aſſigned to the Owner of the ſaid Park, and on the *Edmonton* Allotment; on the Eaſt Part thereof, upon divers Incloſures within the Pariſh of *Enfield*; and on the Weſt Part thereof, upon the Tythe Allotments, *Eaſt Lodge* Farm, and the King's Allotment; together with all Incroachments, Timber Trees and other Trees, Tellers and Saplings thereon, (ſave only and except ſuch Oak and Beech Trees as have been already marked up and ſold, ſtanding upon a certain Part of the ſaid Allotment, lying to the North of the Gutter or Brook running into *New Pond* and North of *Eaſt Lodge* Farm, which Part containeth two hundred Acres) ſhall, from and after the paſſing of this Act, become, and the ſame ſhall from thenceforth be and remain veſted in the Churchwardens of the ſaid Pariſh of *Enfield* for the Time being, and their Succeſſors for ever, in Truſt for, and for the ſole Benefit of the Owners and Proprietors of Freehold and Copyhold Meſſuages, Lands, and Tenements, within the Pariſh of *Enfield*, their Heirs and Aſſigns, and their Leſſees, Tenants, and Undertenants for the Time being, intitled to a Right of Common, or other Rights within the ſaid Chaſe, according to their ſeveral Eſtates and Intereſts therein.

Survey made, and Plan taken.

Quantity of Land.

The Scheme of Diviſion.

Allotment to Enfield.

II. And be it further enacted, That all that Portion or Allotment of Land within, and Part of, and ſet out upon the ſaid Chaſe, and deſcribed and diſtinguiſhed on the ſaid Survey or Plan thereof by Words and Green Lines from the Reſidue of the ſaid Chaſe, as *The Edmonton Allotment*, containing one thouſand two hundred and thirty-one Acres, two Roods, and ſix Perches; abutting, on the North and Weſt Parts thereof, upon the King's Allotment; further North, upon the *South Lodge* Farm, the Tythe Allotments, and *Enfield* Allotment; further Weſt, upon Incloſures in the Pariſh of *Eaſt Barnet*; and on the South Part thereof, upon the Townſhip or Village of *Southgate*, and divers Incloſures in the ſaid Pariſh of *Edmonton*; and on the Eaſt Part thereof, upon *Enfield Old Park*, and upon the Allotment herein-after aſſigned to the Owner of the ſaid Park; and all Incroachments thereon, and alſo all Timber Trees, Woods, and Underwoods ſtanding on the ſeveral Parts of the ſaid Allotment herein-after deſcribed, (that is to ſay) on that Part which lieth South and South-weſt of *Hounſden* Gutter, and on thoſe Parts of the ſaid Allotment which abut Weſtward on a Viſto or Line cut or ſtaked out from *Winchmore-hill* Gate to the *South Lodge* Incloſure, Eaſtward on *Enfield Old Park*, and Northward on the *Enfield* Allotment, ſhall, from and after the paſſing of this Act, become, and the ſame ſhall from thenceforth be and remain veſted in the Churchwardens of the ſaid Pariſh of *Edmonton* for the Time being, and their Succeſſors for ever, in Truſt for, and for the ſole Benefit of the Owners and Proprietors of Freehold and Copyhold Meſſuages, Lands, and Tenements, within the ſaid Pariſh of *Edmonton*, their Heirs and Aſſigns, and their Leſſees, Tenants, and Undertenants for the Time being, intitled to a Right of Common, or other Rights within the ſaid Chaſe, according to their ſeveral Eſtates and Intereſts therein.

Allotment to Edmonton.

III. And be it further enacted, That all that Portion or Allotment of Land within, and Part of, and ſet out upon the ſaid Chaſe, and deſcribed and diſtinguiſhed on the ſaid Survey or Plan thereof by Words and Yellow Lines from the Reſt of the ſaid Chaſe, as *The South Mimms Allotment*, containing one thouſand and twenty-ſix Acres and three Perches; abutting, on the North Part thereof, upon the Highway leading from the North End of *Potter's Bar* to the *Great Hook-gate*; on the South Part thereof, upon the Allotments herein-after aſſigned to the Incumbent of the Pariſh of *Monken Hadley*, and to the Owner of the Manor of *Old Feld*; on the Eaſt Part thereof, upon the King's Allotment; and on the Weſt Part thereof, upon divers Incloſures and Waſte Lands within the Pariſh of *South Mimms*; and all Incroachments thereon, together with all ſuch Timber and other Trees, Woods and Underwoods, as ſtand on that Part of the ſaid Allotment which lieth South of the Road leading from *Weſt Lodge* to *Potter's Bar*, ſhall, from and

Allotment to South Mimms.

and after the paſſing of this Act, become, and the ſame ſhall from thenceforth be and remain veſted in the Churchwardens of the ſaid Pariſh of *South Mimms* for the Time being, and their Succeſſors for ever, in Truſt for, and for the ſole Benefit of the Owners and Proprietors of Freehold and Copyhold Meſſuages, Lands, and Tenements, within the ſaid Pariſh of *South Mimms*, their Heirs and Aſſigns, and their Leſſees, Tenants, and Undertenants for the Time being, intitled to a Right of Common, or other Rights within the ſaid Chaſe, according to their ſeveral Eſtates and Intereſts therein, until the ſame ſhall be ſet out into ſpecific Shares and Allotments, in Manner herein-after provided and directed.

Allotment of Monken Hadley.

IV. And be it further enacted, That all that Allotment of Land within, and Part of, and ſet out upon the ſaid Chaſe, and deſcribed and diſtinguiſhed on the ſaid Survey or Plan thereof by Words and Red Lines from the Reſt of the ſaid Chaſe, containing two hundred and forty Acres; abutting, on the North Part thereof, upon the Allotments of his Majeſty, and of the Pariſh of *South Mimms*; on the South Part thereof, upon divers Incloſures within the ſaid Pariſh of *Monken Hadley*; on the Eaſt Part thereof, upon the King's Allotment; and on the Weſt Part thereof, upon the *Old Ford* Allotment, certain Incroachments made upon the ſaid Chaſe, and the Townſhip of *Monken Hadley*, ſhall be, and the ſame are hereby aſſigned and ſet apart in Satisfaction of all Rights of Common, and other Rights whatſoever, which the Lord of the Manor of *Monken Hadley*, his Tenants, and other the Owners and Proprietors of Meſſuages, Lands, and Tenements, within the ſaid Pariſh of *Monken Hadley*, their Leſſees, Tenants, or Undertenants, are intitled unto within or upon the ſaid Chaſe, and in Compenſation and Diſcharge thereof.

Apportionment of Monken Hadley Allotment.

Allotment to the Incumbent.

V. And be it further enacted, That all that Portion or Share of the ſaid *Monken Hadley* Allotment, lying on the North Side of the Road called *Camlot-way*, containing fifty Acres, as the ſame is ſtaked or marked out upon the ſaid Chaſe, and deſcribed and diſtinguiſhed from the Reſt of the ſaid Chaſe on the ſaid Survey or Plan thereof, as *The Allotment to the Incumbent of Monken Hadley*, ſhall, from and after the paſſing of this Act, be and become veſted in the Incumbent of the Donative Peculiar or Pariſh Church of *Monken Hadley* for the Time being, and his Succeſſors for ever, in Lieu and Diſcharge of, and as a Satisfaction for, all Tythes whatſoever, accruing, ariſing, or growing due to the Incumbent of *Monken Hadley*, or his Succeſſors, within the ſaid Pariſh of *Monken Hadley*; and that all the Reſidue and Remainder of the ſaid two hundred and forty Acres, aſſigned to the ſaid Pariſh of *Monken Hadley*, and deſcribed and diſtinguiſhed from the Reſt of the ſaid Chaſe on the ſaid Survey or Plan as *The Monken Hadley Common*, ſhall, from and after the paſſing of this Act, become and from thenceforth be and remain veſted in the Churchwardens of the ſaid Pariſh of *Monken Hadley* for the Time being, and their Succeſſors for ever, in Truſt for, and for the ſole Benefit of the Owners and Proprietors of Freehold and Copyhold Meſſuages, Lands, and Tenements, within the ſaid Pariſh of *Monken Hadley*, their Heirs and Aſſigns, and their Leſſees, Tenants, and Undertenants, for the Time being, intitled to a Right of Common, or other Rights within the ſaid Chaſe, according to their ſeveral Eſtates and Intereſts therein.

Allotment for Hadley Common.

Proviſo.

VI. Provided always, That all Trees now growing, or which ſhall hereafter be planted for Shelter or Ornament, upon the ſaid laſt-mentioned Allotment, within the Diſtance of three-ſcore Yards of the ancient Chaſe-boundary, or Ring-fence, ſhall be the Property of the Owners of Houſes and Lands next to which the Trees are ſo ſtanding, or ſhall be ſo planted ſeverally and reſpectively.

Allotment to Enfield Old Park.

VII. And be it further enacted, That all that Portion or Allotment of Land, within, and Part of, and ſet out upon the ſaid Chaſe, and deſcribed and diſtinguiſhed on the ſaid Survey or Plan thereof, in Words and by Red Lines from the Reſt of the ſaid Chaſe, as *The Allotment to Enfield Old Park*, containing thirty Acres and fifteen Perches; abutting, on the North Part thereof, upon the *Enfield* Allotment; on the Weſt or South-weſt Part thereof, upon the *Edmonton* Allotment; and on the South-eaſt Part thereof, upon the ſaid *Enfield Old Park*; with all Trees, Woods, and Underwoods thereon, ſhall, from and after the paſſing of this Act, become, and the ſame ſhall from thenceforth be and remain veſted in the Owner and Proprietor of the ſaid *Enfield Old Park*, his Heirs and Aſſigns, for ever, according to his and their Rights and Intereſts in the ſaid Park, in full Compenſation, Satisfaction, and Diſcharge of all ſuch excluſive and peculiar Rights, Claims, and Privileges, within and upon the ſaid Chaſe, as the Owner and Proprietor of the ſaid Park, in reſpect thereof, is intitled unto, or could or might challenge, or have, in the ſaid Chaſe, over and above ſuch Right as the ſaid Owner and Proprietor is intitled unto or claims in reſpect of his Meſſuages, Lands, or Tenements, within the ſaid Pariſhes of *Enfield* and *Edmonton*, or either of them, in common with other Freeholders in thoſe Pariſhes.

A Road to be made by Enfield Old Park.

'VIII. And whereas ſeveral Gates do lead out of *Enfield Old Park* aforeſaid, upon that Part of the 'Chaſe which is allotted to the Pariſh of *Edmonton*, and which will be convenient and neceſſary to be 'continued for the Uſe of the Owner and Proprietor of the ſaid *Enfield Old Park*, his Heirs and Aſſigns, 'and his or their Tenant or Tenants, to paſs and repaſs to and from his and their Lands: And whereas, 'in order to accommodate the ſaid Owner and Proprietor of the ſaid *Enfield Old Park*, his Heirs and Aſ'ſigns, and his or their Tenant or Tenants; and to prevent the Inconvenience and Prejudice which 'otherwiſe would ariſe to the Allotment aſſigned to the ſaid Pariſh of *Edmonton*, it has been agreed between 'the Owner or Proprietor of the ſaid *Enfield Old Park*, and the Pariſhioners of the ſaid Pariſh of *Edmon*'ton, that a Public Way of forty Feet wide ſhall be fenced out of their ſaid Allotment next to the Fence 'of the ſaid *Enfield Old Park*, from *Filcaps Gate* to the *Enfield Old Park* Allotment, and be for ever main'tained by the Pariſhioners of the ſaid Pariſh of *Edmonton*; and the ſaid Way ſhall be conſidered as a Pub'lic Way belonging to the ſaid Pariſh of *Edmonton*; and, in Conſideration thereof, the ſaid Owner and 'Proprietor of *Enfield Old Park* hath agreed to pay to the Pariſh of *Edmonton* a clear yearly Rent-charge 'of five Pounds a Year for ever, free and clear of all Taxes, Repriſals, and Deductions whatſoever, in 'Manner herein-after mentioned;' be it therefore enacted, That the Owner and Proprietor of *Enfield Old Park*, his Heirs or Aſſigns, ſhall yearly and every Year pay to the Overſeers of the Poor of the Pariſh of *Edmonton* for the Time being, and their Succeſſors for ever, one yearly Rent-charge of five Pounds a Year, free and clear of and from all Taxes, Repriſals, and Deductions whatſoever, chargeable upon and iſſuing

Proprietor of the Park to pay 5l. a Year to the Pariſh of Edmonton;

out

out of the ſaid *Enfield Old Park* Allotment of thirty Acres and fifteen Perches, payable half-yearly, at *Lady-day* and *Michaelmas* in every Year, the firſt Payment thereof to begin and be made on *Lady-day*, one thouſand ſeven hundred and ſeventy-eight; and which ſaid Rent-charge of five Pounds ſhall be, from Time to Time, applied by the ſaid Overſeers of the ſaid Pariſh of *Edmonton*, for the Time being, and their Succeſſors, in Aid of the Poor's Rate of the ſaid Pariſh of *Edmonton*, in ſuch Manner as ſhall, from Time to Time, by Order of Veſtry, be directed, with ſuch Powers of Entry and Diſtreſs, and other Powers and Remedies on the ſaid thirty Acres and fifteen Perches, for Recovery of the ſaid Rent-charge (on Nonpayment) and all Arrears thereof, and the Coſts and Charges attending ſuch Recovery, as are by Law allowed for Recovery of Rents-charge of the like Nature; and, in Conſideration thereof, the Pariſhioners of the ſaid Pariſh of *Edmonton* ſhall, at their own Expence, ſet out, fence, make, and for ever maintain ſuch Public Way, of ſuch Width as aforeſaid; and the Owner and Proprietor of the ſaid *Enfield Old Park*, his Heirs and Aſſigns, and his or their Tenant or Tenants, ſhall, from and after the making of ſuch Public Way as aforeſaid, have the Uſe thereof for the paſſing and repaſſing of his and their Carriages and Cattle, to and from the ſaid *Enfield Old Park*; and until the ſaid Pariſhioners of the ſaid Pariſh of *Edmonton* ſhall ſet out, fence, and make ſuch Public Way as aforeſaid, it ſhall and may be lawful to and for the ſaid Owner and Proprietor of the ſaid *Enfield Old Park*, his Heirs and Aſſigns, his and their Tenant and Tenants, with his and their Carriages or Cattle, to paſs over the ſaid *Edmonton* Allotment, in the ſame Manner as he and they are now accuſtomed.

*who are to make and maintain the ſaid Road.*

*Allotment to Old Fold Manor.*

IX. And be it further enacted, That all that Portion or Allotment of Land, within, and Part of, and ſet out upon the ſaid Chaſe, and deſcribed and diſtinguiſhed on the ſaid Survey or Plan thereof, in Words and by Green Lines from the Reſt of the ſaid Chaſe, as *The Allotment to the Manor of Old Fold*, containing thirty-ſix Acres, three Roods, and twenty-four Perches; abutting, on the North Part thereof, upon the *South Mimms* Allotment; on the South Part thereof, upon certain Incroachments made upon the ſaid Chaſe; on the Eaſt Part thereof, upon the Allotment of the Incumbent of *Monken Hadley*; and on the Weſt Part thereof, upon the Great North Road leading from *Barnet* to *Hatfield*; together with all Trees, Woods, and Underwoods, ſtanding and growing thereon, ſhall, from and after the paſſing of this Act, become, and the ſame ſhall from thenceforth be and remain veſted in the Owner and Proprietor of the ſaid Manor of *Old Fold*, his Heirs and Aſſigns, for ever, according to his and their Rights and Intereſts in the ſaid Manor, in full Compenſation, Satisfaction, and Diſcharge, of all ſuch excluſive peculiar Rights, Claims, and Privileges, within and upon the ſaid Chaſe, as the Owner and Proprietor of the ſaid Manor of *Old Fold*, in reſpect thereof, is intitled unto, or could or might challenge, or have in the ſaid Chaſe, over and above ſuch Right as the ſaid Owner and Proprietor is intitled unto or claims in reſpect of his Meſſuages, Lands, or Tenements, within the ſaid Pariſh of *South Mimms*, in common with other Freeholders in that Pariſh.

*Reſervation of Common Rights to Enfield Park and Manor of Old Fold.*

X. Provided always, and be it enacted, That the Owners and Proprietors of the ſaid *Enfield Old Park*, and Manor of *Old Fold*, their Heirs, Aſſigns, Leſſees, and Tenants, ſhall and may, notwithſtanding the aforeſaid ſpecial Allotments made to them, have and be intitled unto the ſame Rights within and upon, and ſtand intereſted in the Allotments made and aſſigned for the Benefit of the Pariſhes within which the ſaid Park and Manor are reſpectively ſituate, for and in reſpect of ſuch Rights and Privileges as the ſaid Owners and Proprietors of the ſaid Park and Manor are intitled unto for the ſaid Park and Manor, in common with the ſaid other Freeholders and Copyholders in ſuch reſpective Pariſhes; any Thing before contained to the contrary notwithſtanding: Provided alſo, That the ſaid Allotments aſſigned unto the Owners and Proprietors of the ſaid Park and Manor reſpectively, ſhall be ſubject and liable to all ſuch Uſes, Truſts, Eſtates, Wills, Limitations, Conditions, Settlements, Proviſions, Remainders, Reverſions, Debts, Charges, and Incumbrances, as the ſaid Park or Manor, to which the ſame are aſſigned, are reſpectively ſubject and liable to at the Time of paſſing this Act, Leaſes at Rack Rents only and always excepted.

*Pinfolds reſerved to the Crown.*

XI. Provided always, and be it enacted, That the ſeveral Pounds or Pinfolds, and Strayfields, within the ſaid Chaſe, ſhall for ever remain veſted in and be maintained and kept repaired by his Majeſty, his Heirs and Succeſſors, as heretofore accuſtomed.

*Steward, &c. may remove Pinfolds, with Conſent of Churchwardens.*

XII. Provided alſo, and be it enacted, That in caſe any of the ſaid Pounds or Pinfolds ſhall be hereafter found inconvenient in reſpect of Situation, it ſhall be lawful for the Steward or Leſſee of the Manor or Lordſhip for the Time being, to which ſuch Pound or Pinfold ſhall belong, by and with the Conſent of the Churchwardens of the Pariſh wherein ſuch Pound or Pinfold is ſituate, to remove the ſame to any other convenient Place or Places within ſuch reſpective Manor, or to erect any other Pounds or Pinfolds for the more conveniently impounding of Cattle treſpaſſing within the ſaid Manors reſpectively.

*Allotments to be accepted in lieu of other Rights.*

XIII. And be it further enacted, That the ſaid Allotments, herein-before aſſigned for the Benefit of the Owners and Proprietors of Meſſuages, Lands, and Tenements, in the ſaid Pariſhes of *Enfield*, *Edmonton*, *South Mimms*, and *Monken Hadley*, as aforeſaid, and to the ſaid Owners and Proprietors of *Enfield Old Park*, and Manor of *Old Fold* reſpectively, and their Leſſees, Tenants, and Under-tenants, ſhall be taken and accepted in full Compenſation, Satisfaction, and Diſcharge of all their Rights, Claims, and Privileges whatſoever, in, over, and upon all the Reſidue of the ſaid Chaſe: And that the ſaid ſeveral Allotments ſhall, from and after the paſſing of this Act, be, become, and remain freed, exonerated, and for ever abſolutely diſcharged, of and from all Rights of Chaſe, Right of Soil, and Right of Common, of the King's Majeſty, his Heirs and Succeſſors, and his and their Tenants and Leſſees within or upon the ſame; ſave and except ſuch temporary Rights of Chaſe as are herein-after enacted and provided for.

*Allotment in Diſcharge of Great Tythes of certain Parts of the Chaſe.*

XIV. And be it further enacted, That all thoſe ſeveral Portions or Allotments of Land, within and Part of, and ſet out upon the ſaid Chaſe, and deſcribed and diſtinguiſhed on the aforeſaid Survey or Plan thereof, in Words and by Red Lines, from the Reſt of the ſaid Chaſe, as *The Allotment for Tythes*; (that is

is to ſay) One Allotment, containing four hundred and eighty-nine Acres, and thirty-two Perches, abutting, on the North and North eaſt Parts thereof, upon a certain Road there, further Eaſt on the *Enfield* Allotment, and on the South and Weſt Parts thereof, upon his Majeſty's Allotment, and the Allotment to the Pariſh of *Edmonton*; and one other Allotment, lying near the End of *Parſon's Lane* near *Enfield* Town, on the South Side of the Road leading from the ſaid Lane up the Chaſe, containing, by Admeaſurement, four Acres and two Roods; one other Allotment, lying on the North Side of the ſaid Road, nearly oppoſite to Maſter *Bache*'s Houſe, containing, by Admeaſurement, fifteen Acres and two Roods; and one other Allotment, lying near the Windmill on the ſaid Chaſe, abutting, on the South, on the Fence of *Enfield Old Park*, and on the South-eaſt Part on the Back of the Spring lying above the Houſe in the Occupation of Maſter *John Horne*, containing ten Acres, making in the whole five hundred and nineteen Acres and thirty-two Perches, ſhall, from and after the Apportionment herein-after directed, become, and the ſame ſhall from thenceforth be and remain veſted in the Maſter, Fellows, and Scholars of *Trinity College* in the Univerſity of *Cambridge*, and their Succeſſors, and the ſaid Earl of *Liſburne*, and the Right Honourable Lord *Vaughan*, eldeſt Son of the ſaid Earl of *Liſburne*, and in the ſaid Vicar of *Enfield* and his Succeſſors, according to their ſeveral Shares and Proportions thereof and Intereſts therein, to be ſet out to them in Manner herein-after directed; freed and diſcharged of and from all Rights of Chaſe, and Soil, Rights of Common, and other Rights of the King's Majeſty, his Heirs and Succeſſors, and of the Freeholders and Copyholders of the ſeveral Pariſhes of *Enfield*, *Edmonton*, *South Mimms*, and *Monken Hadley*, their Heirs, Leſſees, Tenants, and Aſſigns, except Suit and Service to the Courts of the Manor of *Enfield* aforeſaid.

'XV. And whereas the ſaid Maſter, Fellows, and Scholars, and the ſaid Earl of *Liſburne*, and Lord *Vaughan*, have agreed with the ſaid Vicar to ſet out and allot to him eighty Acres, Part of the ſaid Tythe Allotment of four hundred and eighty-nine Acres and thirty-two Perches, in Lieu and Satisfaction of his Share and Intereſt therein; and the ſaid Maſter, Fellows, and Scholars, being diſpoſed to augment the ſaid Vicarage, have agreed with the ſaid Earl of *Liſburne*, and the ſaid Lord *Vaughan* his Son, for their Term and Intereſt in one hundred and ſixty Acres, other Part of the ſaid Tythe Allotment of four hundred and eighty-nine Acres and thirty-two Perches, which the ſaid Maſter, Fellows, and Scholars, propoſe to unite to the ſaid eighty Acres, upon the Terms and for the Purpoſes herein after mentioned; and that the two hundred and forty-nine Acres and thirty-two Perches, Reſidue of the ſaid Tythe Allotment laſt mentioned, and all Trees and Underwoods now ſtanding and growing thereon (except ſuch Trees as have been already marked for his Majeſty's Uſe), ſhall be held, enjoyed, and taken, by the ſaid Earl of *Liſburne* and Lord *Vaughan*, during the Reſidue of the Term and Intereſt they have to come in the Leaſe thereof: And, for effectuating the Agreements aforeſaid,' be it therefore enacted, That it ſhall and may be lawful to and for *Thomas Browne* of *Campfield-place* in the County of *Hertford* Eſquire, and *William Young* of *Portugal-ſtreet*, *Lincoln's-inn-fields*, in the County of *Middleſex*, Land Surveyor, and they are hereby appointed Referees for dividing and apportioning, and they are hereby authoriſed and directed to divide, ſet out, and apportion, and by their Award in Writing, to be by them executed, to aſſign the ſaid Allotment of four hundred and eighty-nine Acres and thirty-two Perches, to and amongſt the ſaid Maſter, Fellows, and Scholars, and their Succeſſors, and the ſaid Vicar of *Enfield* and his Succeſſors, and the ſaid Earl of *Liſburne* and Lord *Vaughan*, and their Truſtee, in Manner following; (that is to ſay) To the ſaid Vicar of *Enfield* and his Succeſſors, ſuch Share or Proportion thereof as they ſhall adjudge (Quantity, Quality, and Situation conſidered) to be equal in Value to eighty Acres, upon an Average Value of the whole of the ſaid Allotment of four hundred and eighty-nine Acres and thirty-two Perches; and to the ſaid Maſter, Fellows, and Scholars, and their Succeſſors, ſuch Share or Proportion thereof as they ſhall adjudge (Quantity, Quality, and Situation conſidered) to be equal in Value to one hundred and ſixty Acres of the ſaid Allotment of four hundred and eighty-nine Acres and thirty-two Perches, to be united to the ſaid Vicarage, and for augmenting the ſame as herein-after is mentioned; and the Reſidue of the ſame Allotment to the ſaid Earl of *Liſburne* and Lord *Vaughan*, and their Truſtee, for ſuch Term and Intereſt as they have therein by virtue of the ſaid Leaſe, or ſhall hereafter obtain by Renewals thereof from the ſaid College; and the ſaid Referees ſhall alſo, in and by their ſaid Award, aſcertain the Fences to be made by the ſaid Maſter, Fellows, and Scholars, their Succeſſors and Leſſee, and by the ſaid Vicar and his Succeſſors, in the Proportions herein-after directed; which Award ſhall be inrolled in his Majeſty's Court of Duchy Chamber of *Lancaſter*, and ſhall afterwards be depoſited and kept by the ſaid Maſter, Fellows, and Scholars, and their Succeſſors, in their College in the ſaid Univerſity of *Cambridge*; and the ſaid Inrolment, or a Copy thereof, ſhall be at all Times deemed legal Evidence of the ſame.

Directions for apportioning the Reſidue of the Tythe Allotment.

When Referees differ in Opinion, an Umpire to be elected.

XVI. Provided always, and be it enacted, That in caſe the ſaid Referees ſhall differ in Opinion concerning the Premiſes, then, and in ſuch Caſe, the ſaid Referees are hereby authoriſed and required, forthwith, by Writing under their Hands, to nominate and elect an Umpire between them, to determine the Matters ſo in Difference; and that the Judgment and Determination of ſuch Umpire ſhall be final and concluſive.

For apportioning Part of the Tythe Allotment.

XVII. And be it further enacted, That the ſaid Allotment, containing, by Admeaſurement, four Acres and two Roods, and the ſaid other Allotment, containing fifteen Acres and two Roods, as ſet out and deſcribed by the ſaid Survey or Plan of the ſaid Chaſe, ſhall go to, and be held and enjoyed by the ſaid Maſter, Fellows, and Scholars of *Trinity College* aforeſaid, and their Succeſſors, and the ſaid Earl of *Liſburne* and Lord *Vaughan*, and their Truſtee, according to their ſeveral Rights and Intereſts therein, for ever; and that ſo much of the Fences as ſhall adjoin to any Road or Roads, or open Parts of the ſaid *Enfield* Allotment, by this Act directed to be kept in common to the ſaid Pariſh, ſhall be made by the Maſter, Fellows, and Scholars, or their Leſſee, and the ſaid Vicar or his Leſſee, and the Reſidue of the ſaid Fences by

by the Leſſee or Leſſees, Occupier or Occupiers of the Land adjoining to the ſaid Allotments; and that the Allotment lying near the ſaid Windmill, containing ten Acres, as deſcribed in the ſaid Survey or Plan, ſhall go to and be held and enjoyed by the Vicar of *Enfield*, and his Succeſſors for ever.

Enfield Vicarage may be augmented, &c.

XVIII. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Maſter, Fellows, and Scholars, and their Succeſſors, at any Time hereafter, by any Deed or Writing to be ſealed with their Common Seal, to augment the ſaid Vicarage, by annexing thereto the ſaid one hundred and ſixty Acres, and that the ſame, with all Houſes and Buildings thereon, ſhall for ever belong to the Vicarage, and ſhall from thenceforth be veſted in, and held and enjoyed by, the Vicar of the ſaid Pariſh of *Enfield* for the Time being, and his Succeſſors, as Parcel of the Glebe appertaining to the Vicarage of the ſaid Pariſh; ſubject nevertheleſs to all ſuch Conditions, Limitations, and Directions, as ſhall be ſet forth, contained, and expreſſed in and by ſuch Deed of Augmentation as aforeſaid: And that it ſhall and may be lawful to and for the ſaid Maſter, Fellows, and Scholars, and their Succeſſors (if they ſhall ſo think fit), in and by ſuch Deed, to declare and appoint, that when and ſo often as any Fellow of the ſaid College ſhall be preſented to and ſhall accept of the ſaid Vicarage, ſuch Acceptance ſhall vacate his Fellowſhip, and the ſaid Vicarage be conſidered as a full Proviſion for every ſuch Fellow to be made by the ſaid College: Which Deed of Augmentation ſhall be inrolled in his Majeſty's Court of Duchy Chamber of *Lancaſter*, and that ſuch Inrolment, or a Copy thereof, ſhall be at all Times legal Evidence of the ſame.

Deed of Augmentation to be inrolled.

Allotments to be accepted in lieu of ſuch Tythes.

XIX. And be it further enacted, That immediately after ſuch of the Fences of the ſaid Allotments for Tythes as are herein-after directed to be made at his Majeſty's Expence, ſhall be completed, and the ſaid Allotments apportioned and aſſigned by the ſaid Referees as aforeſaid, the ſame ſhall be deemed and taken as a full Recompence and Satisfaction for, and ſhall be accepted by the ſaid Maſter, Fellows, and Scholars, and their Succeſſors, and their Leſſee, and by the Vicar of the ſaid Pariſh of *Enfield*, and his Succeſſors, in full Satisfaction and Diſcharge of all and all Manner of Tythes whatſoever, which might or could otherwiſe accrue, ariſe, or become due to them or their Succeſſors, Tenants, or Leſſees, either upon or from the ſeveral Lodges upon the ſaid Chaſe, and the incloſed Lands held and occupied with the ſaid Lodges, or upon or from all ſuch Parts of the ſaid Chaſe, whether open or incloſed, which, under the Proviſions of this Act, ſhall or may become the Property of the King's Majeſty, his Heirs and Succeſſors, or upon or from ſuch Part of the ſaid *Enfield* Allotment, not exceeding two hundred Acres, as ſhall be incloſed from the Reſidue of the ſaid Allotments under the Proviſions herein-after for that Purpoſe contained, or upon or from the ſeveral Portions or Allotments aſſigned to the ſaid Pariſh of *South Mimms*, and the Owners and Proprietors of *Enfield Old Park*, and Manor of *Old Fold*, or any of them: And that immediately after the ſaid Fences of the ſaid laſt-mentioned Allotments for Tythes, directed to be made at his Majeſty's Expence, ſhall be ſo made and completed, not only all ſuch Parts of the ſaid Chaſe as ſhall become the excluſive Property of the King's Majeſty, his Heirs and Succeſſors, by virtue of this Act, and all Incroachments thereon, but alſo all the Lodges within the ſaid Chaſe, and all incloſed Lands therewith held and occupied, and alſo the ſaid two hundred Acres ſo intended to be incloſed, being Part of the ſaid Allotment of one thouſand ſeven hundred and thirty-two Acres, two Roods, and ſix Perches, aſſigned to the Pariſh of *Enfield*; and alſo all and ſingular the ſaid ſeveral Allotments of the ſaid Chaſe, and every Part thereof, herein-before aſſigned to the ſaid Pariſh of *South Mimms*, and to the Owners of *Enfield Old Park* and Manor of *Old Fold*, and to the Maſter, Fellows, and Scholars of *Trinity College*, and their Leſſee, and to the Vicar of *Enfield*, and every of them, ſhall become and ſhall from thenceforth remain, and be for ever freed, exonerated, and diſcharged of and from all Tythes, of what Nature or Kind ſoever.

Certain Parts of the Chaſe made Tythe-free.

A Reſervation to Tythe-owners, till their Allotments be fenced.

XX. Provided always, That nothing herein contained ſhall take away or affect the Rights of the ſaid Maſter, Fellows, and Scholars, and their Succeſſors or Leſſees, or of the Vicar of *Enfield* for the Time being, or any of them, to ſuch Tythes as ſhall ariſe and accrue from the ſaid Chaſe, or any Incloſures made or to be made within the ſame, until the Fences of the ſaid Portions or Allotments, hereby aſſigned to the ſaid Maſter, Fellows, and Scholars, and the Vicar of *Enfield*, directed to be made at his Majeſty's Expence, ſhall have been ſo made and completed. Provided alſo, That nothing herein contained ſhall abridge, take away, leſſen, or in any wiſe affect the Rights of the ſaid Maſter, Fellows, and Scholars, their Succeſſors or Leſſees, or the Vicar of the Pariſh of *Enfield* for the Time being, or his Succeſſors, of, in, or to any Tythes, which ſhall ariſe, accrue, or grow due from the ſeveral Allotments of the ſaid Chaſe, hereby aſſigned to or for the Benefit of the ſaid Pariſhes of *Enfield*, *Edmonton*, and *Monken Hadley*, and the Incumbent of *Monken Hadley*, or either of them (excepting only as to the ſaid two hundred Acres, Part of the ſaid *Enfield* Allotment, herein-after directed to be incloſed); but that the ſaid Maſter, Fellows, and Scholars, and their Succeſſors and Leſſees, and the Vicar of *Enfield* and his Succeſſors, ſhall be intitled unto and ſhall have, receive, and take, in and upon the ſaid ſeveral laſt-mentioned Allotments, and every Part thereof reſpectively (except as to the ſaid two hundred Acres), all and all Manner of Tythes, which ſhall ariſe and accrue thereon or therefrom, in as ample and beneficial Manner, to all Intents and Purpoſes, as they would ſeverally and reſpectively have been intitled unto, in caſe this Act had not been made; any Thing herein before contained to the contrary thereof in any-wiſe notwithſtanding.

Powers to compound for Tythes of Enfield Allotment.

XXI. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Maſter, Fellows, and Scholars of the ſaid College, and their Succeſſors, and the Vicar of *Enfield*, or his Succeſſors, at any Time hereafter, to compound and agree with the Freeholders and Copyholders of the ſaid Pariſh of *Enfield*, for diſcharging the remaining one thouſand five hundred and thirty-two Acres, two Roods, and ſix Perches, of the ſaid Allotment, aſſigned to or for the Benefit of that Pariſh, or any Part thereof, from the Payment of Tythes, and to accept, in lieu thereof, ſuch Share and Proportion of the ſaid laſt-mentioned Allotment, or ſuch other Compoſition, as ſhall be ſettled and agreed upon between the ſaid Parties for that Purpoſe; which Agreement, being reduced into Writing, and ſealed with the Common Seal of the ſaid Maſter, Fellows, and Scholars, and ſigned, ſealed, and executed by the Vicar of *Enfield* for the Time being, and alſo by four Parts in five of the Owners and Proprietors of Meſſuages, Lands, and Tene-

ments, in the ſaid Pariſh of *Enfield*, not being within or Part of the ſaid Chaſe, who ſhall be aſſeſſed to the Land Tax for the ſaid Meſſuages, Lands, and Tenements, and which Majority ſhall be determined by the Land Tax Aſſeſſment for the Year next preceding the making of the ſaid Agreement; and ſuch Agreement being alſo approved by the Lord Biſhop of *London* for the Time being, teſtified by his ſigning his Conſent and Approbation thereto at the Foot of ſuch Agreement, and being inrolled in his Majeſty's Court of Duchy Chamber of *Lancaſter*, ſhall be for ever thereafter legal, valid, and effectual, to all Intents and Purpoſes, notwithſtanding any Infancy, Coverture, Lunacy, or other Diſability whatſoever.

The like Power as to Edmonton and Hadley Allotments.

XXII. Provided always, and be it enacted, That the ſaid Maſter, Fellows, and Scholars, and their Succeſſors, and the Vicar of *Enfield*, and his Succeſſors, and a major Part in Number and Value of the Freeholders and Copyholders of the ſaid reſpective Pariſhes of *Edmonton* and *Monken Hadley*, ſhall ſeverally have the like Powers and Abilities to compound and agree for the Tythes of the ſaid Allotments or Portions of the ſaid Chaſe, hereby aſſigned to or for the Benefit of the ſaid Pariſhes of *Edmonton* and *Monken Hadley* reſpectively, in Diſcharge of ſuch Tythes, in all Reſpects as are herein-before given to the ſaid Maſter, Fellows, and Scholars, and their Succeſſors, and the ſaid Vicar, and his Succeſſors, and to four Parts in five of the Freeholders and Copyholders of the ſaid Pariſh of *Enfield*, in reſpect to the Tythes of the Reſidue and Remainder of the ſaid *Enfield* Allotment; and ſuch Agreement being executed, approved, and inrolled, and undergoing the ſame Ceremonies and Forms as are herein-before directed in reſpect to the Tythes of the Remainder of the ſaid Allotment to the ſaid Pariſh of *Enfield*, ſhall for ever thereafter be valid and effectual to all Intents and Purpoſes, notwithſtanding any Infancy, Coverture, Lunacy, or other Diſability whatſoever.

The like for Hadley Incumbent's Allotment.

XXIII. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Maſter, Fellows, and Scholars, and their Succeſſors, and the Vicar of *Enfield*, and his Succeſſors, at any Time hereafter, to compound and agree with the Incumbent of the Peculiar Donative or Pariſh Church of *Monken Hadley* for the Time being, for diſcharging the ſaid Allotment of fifty Acres hereby aſſigned to the ſaid Incumbent of *Monken Hadley*, or any Part thereof, from the Payment of Tythes, and to accept, in lieu thereof, ſuch Share and Proportion of the ſaid laſt-mentioned Allotment, or ſuch other Compoſition as ſhall be ſettled and agreed upon between the ſaid Parties for that Purpoſe; which Agreement being reduced into Writing, and ſealed with the Common Seal of the ſaid Maſter, Fellows, and Scholars, and ſigned, ſealed, and executed by the Vicar of *Enfield*, and by the Incumbent of the Peculiar Donative or Pariſh Church of *Monken Hadley* for the Time being, and by the Patron thereof; and ſuch Agreement being alſo, in reſpect of the ſaid Vicar of *Enfield*, approved by the ſaid Biſhop of *London* for the Time being, teſtified by his ſigning his Conſent and Approbation thereto at the Foot of ſuch Agreement, and being inrolled in his Majeſty's Court of Duchy Chamber of *Lancaſter*, ſhall be for ever thereafter legal, valid, and effectual, to all Intents and Purpoſes, notwithſtanding any Infancy, Coverture, Lunacy, or other Diſability whatſoever.

The like for the Owners of Incroachments.

XXIV. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Maſter, Fellows, and Scholars, and their Succeſſors, and the Vicar of *Enfield*, and his Succeſſors, or any of them, according to their reſpective Rights, at any Time hereafter, to compound and agree with the Owners of any Incroachments within the ſaid Chaſe, which are not by this Act diſcharged from Tythes, for diſcharging his, her, or their reſpective Incroachment or Incroachments, from the Payment of Tythes, and to accept in lieu thereof ſuch annual Compoſition in Money as ſhall be ſettled and agreed upon between the ſaid Parties for that Purpoſe; which Agreement being reduced into Writing, and ſealed with the Common Seal of the ſaid Maſter, Fellows, and Scholars, and ſigned, ſealed, and executed by the Vicar of *Enfield* for the Time being; and being alſo, in reſpect of the ſaid Vicar of *Enfield*, approved by the ſaid Biſhop of *London* for the Time being, teſtified by his ſigning his Conſent and Approbation thereto at the Foot of ſuch Agreement, and the ſame being inrolled in his Majeſty's Court of Duchy Chamber of *Lancaſter*, ſhall be for ever thereafter legal, valid, and effectual, to all Intents and Purpoſes, notwithſtanding any Infancy, Coverture, Lunacy, or other Diſability whatſoever.

Compoſitions for Tythes not to prejudice Leſſees.

XXV. Provided always, and be it enacted, That in caſe the Great Tythes of the ſaid Pariſh of *Enfield* ſhall happen to be in Leaſe or Demiſe from the ſaid College to any Perſon or Perſons whatſoever, at the Time or Times of making any Compoſition or Agreement in lieu or diſcharge of Tythes of the ſaid ſeveral Allotments of the ſaid Chaſe, or any of them, under or by virtue of any Proviſions or Powers contained or given in and by this Act; that then, and in ſuch Caſe, ſuch Agreement or Agreements ſhall be of no Force or Effect in reſpect of Great Tythes, during the Term and Intereſt of the Leſſee or Leſſees of the ſaid Great Tythes, unleſs ſuch Leſſee or Leſſees ſhall be conſenting thereto, and be made a Party or Parties to ſuch Agreement, and ſhall ſign, ſeal, and duly execute the ſame, any Thing herein-before contained to the contrary notwithſtanding.

Allotments to the King.

XXVI. And be it further enacted, That all the Reſidue and Remainder of the ſaid Chaſe, not herein-before aſſigned, with all Incroachments thereon, ſhall, from and after, and ſo ſoon as the ſame ſhall be completely ſevered with Fences from the ſaid other Shares or Allotments herein-before aſſigned, become and remain the excluſive and abſolute Property of the King's Majeſty, his Heirs and Succeſſors, as Parcel of the Poſſeſſions of the Duchy of *Lancaſter*, freed, exonerated, and for ever diſcharged of and from all Tythes whatſoever; and alſo of and from all Rights of Common, and other Rights, of what Kind or Nature ſoever, as well of the Freeholders, Copyholders, Leſſees, Tenants and Inhabitants of the aforeſaid Pariſhes of *Enfield*, *Edmonton*, *South Mimms*, and *Monken Hadley*, and every of them, their Heirs, Succeſſors, and Aſſigns, as of the preſent and future Owners, Proprietors, Leſſees, Tenants, and Occupiers of *Enfield Old Park* and *Old Fold Farm*, or either of them, their Heirs and Aſſigns; ſubject nevertheleſs to ſuch parliamentary and parochial Taxes, Rates, and Aſſeſſments, as are herein-after particularly mentioned.

XXVII. And

Fences to be made at his Majeſty's Expence. Except, &c.

XXVII. And be it further enacted, That all the Fences neceſſary to be made for ſevering and dividing from each other all and every the Allotments of the ſaid Chaſe, herein-before aſſigned (ſave and except the Fence for dividing the Allotment to the Maſter, Fellows, and Scholars of *Trinity College*, and their Leſſee, from the Allotment to be aſſigned to the Vicar of *Enfield*; and alſo ſave and except the Fence for dividing the ſaid Allotment of fifty Acres, aſſigned to the Incumbent of *Monken Hadley*, from the Reſidue of the Allotment of two hundred and forty Acres aſſigned to the ſaid Pariſh of *Monken Hadley*, which ſaid laſt-mentioned Fence is to be made by and at the Expence of the ſaid Pariſh of *Monken Hadley*) ſhall be made and completed at his Majeſty's Expence; and that all ſuch Parts of the ſaid Fences as ſhall abut and adjoin upon any of the Lands within the ſaid Chaſe, belonging or to belong to his Majeſty, his Heirs and Succeſſors, and alſo all the Fences of Poſts and Rails which ſhall be made under the Directions of this Act, for guarding the Quickſets to be planted for ſuch laſt-mentioned Fences, until ſuch Quickſets ſhall have formed a ſufficient Fence of themſelves, ſhall be kept up, maintained and repaired at the Expence of his Majeſty, his Heirs and Succeſſors, or his or their Grantees, Leſſees, or Tenants thereof reſpectively: And to that End it ſhall and may be lawful to and for the King's Majeſty, his Heirs and Succeſſors, by his or their Letters Mandate or Commiſſion, to be iſſued under the Seal of the ſaid Duchy, to authoriſe ſuch Perſon or Perſons, as ſhall be therein named, to make and erect, at his Majeſty's Expence, fit and proper Fences, Hedges, Ditches, Banks, and Mounds, as well for ſevering, ſeparating, and dividing his Majeſty's ſaid Allotments or Portions of the ſaid Chaſe from the ſeveral other Portions and Allotments thereof, as for the ſeparating and dividing the ſaid Portions or Allotments ſet apart to the ſaid Maſter, Fellows, and Scholars, and Vicar, and to the ſaid ſeveral Pariſhes, Park, and Manor where ſuch Allotments adjoin to each other (except the Fence dividing the Vicar's Allotment from the Allotment to the ſaid Maſter, Fellows, and Scholars); and to cut down, grub up, tranſplant, and convert ſuch fit and proper Buſhes and Thorns, in and upon any Parts of the ſaid Chaſe, where the ſame may be moſt conveniently taken for that Purpoſe, as they ſhall find neceſſary and expedient, and actually uſe in and about the making the ſaid Fences, always having Regard to the Preſervation of young Trees; and alſo for erecting, laying out, and making fit and proper Gates, Inlets, Ways, and Paſſages, for the convenient Acceſs to and Occupation of his Majeſty's ſaid Allotments; which ſaid Letters Mandate or Commiſſion ſhall be a full and ſufficient Authority for ſo doing.

The Nature of the Fences deſcribed.

XXVIII. Provided always, and be it enacted, That all the Fences by this Act directed to be made at his Majeſty's Expence, ſhall conſiſt either of a Brick Wall or Park Pale, or of fit and proper Ditches and Mounds, with Quickſets to be planted thereon in an huſband-like Manner; and that, for the better Protection thereof, all ſuch Quickſets as ſhall be planted at his Majeſty's Expence for Fences to divide his Majeſty's Lands from the Allotments of the Pariſh of *South Mimms*, and of the Maſter, Fellows, and Scholars of *Trinity College*, and their Leſſee, and of the Vicar of *Enfield*, ſhall be guarded with a ſubſtantial Fence of Poſts, and a double Rail, to be ſet and placed at his Majeſty's Expence upon the ſaid laſt-mentioned Allotments, at ſome convenient Diſtance from the ſaid Ditches not exceeding three Feet; and that all ſuch Quickſets as ſhall be planted at his Majeſty's Expence, as well for the Reſidue of the Boundary or Ring-fences of the Allotments to the ſaid Maſter, Fellows, and Scholars, and their Leſſee, and the ſaid Vicar of *Enfield*, as for the Fences of the Allotments of the Owners of *Enfield Old Park* and Manor of *Old Fold*, and of the Incumbent of *Monken Hadley*, ſhall be reſpectively guarded with a like ſubſtantial Fence of Poſts and double Rail to be ſet up and placed at his Majeſty's Expence on that Side of the ſaid ſeveral and reſpective Quickſets and Ditches which the ſeveral and reſpective Owners of the ſaid laſt-mentioned Allotments for the Time being ſhall, by Notice in Writing under their Hands, to be delivered on or before the firſt Day of *October*, one thouſand ſeven hundred and ſeventy-ſeven, to his Majeſty's Surveyor of Lands for the South Parts of the ſaid Duchy, ſpecify, deſire, or direct, and for Want of any ſuch Notice or Notices, the ſaid Fence of Poſt and Rail ſhall be placed in ſuch Manner as the ſaid Surveyor ſhall think fit. Provided alſo, That, in making the aforeſaid Fences, all the Quickſets ſhall be planted on the Lines ſtaked or marked out as the Boundaries of the ſaid reſpective Allotments; and that the ſeveral Ditches ſhall be dug and made within the Allotments of ſuch of the reſpective Owners, who, under the Proviſions of this Act, will not be bound to keep ſuch reſpective Fences in Repair; and that the Ground and Soil to be dug in making ſuch Ditches ſhall be formed into Banks on the Side of ſuch Ditches next to the ſaid Quickſets; ſo as nevertheleſs the Ground to be uſed and taken for ſuch Ditches ſhall in no-wiſe exceed the Width of ſix Feet in the Whole; and that, for the better Protection of ſuch Quickſets as are not herein-before directed to be guarded with Poſt and Rail Fences, it ſhall be lawful for the reſpective Owners of the ſaid Fences to erect and ſet up Poſts and Rails on the Outſides of ſuch Ditches, and from Time to Time to repair or remove the ſame; and that from Time to Time, as his Majeſty's ſaid Portions or Allotments, or any Part or Parts thereof, ſhall be completely fenced in and ſevered from the Reſidue of the ſaid Chaſe, the ſame ſhall be diſcharged from all Rights of Common, and other Rights, of all the ſaid Freeholders and Copyholders, their Heirs, Leſſees, Tenants, and Aſſigns, and be held and enjoyed in Severalty by the King's Majeſty, his Heirs and Succeſſors, and his and their Leſſees and Tenants, without Diſturbance or Interruption. Provided always, That no Buſhes or Thorns ſhall be cut or taken on the *Enfield* Allotment at any greater Diſtance than within one hundred Yards of the Fence to be made againſt their ſaid Allotment, or for any other Fence but the Fence of the ſaid Allotment.

Directions for planting Quickſets, &c.

By whom the Fences are to be repaired.

XXIX. And be it further enacted, That one Moiety or Half-part of the Fence (the Whole containing twelve Chains in Length) which ſhall divide the *Enfield* Allotment from the *Edmonton* Allotment, (that is to ſay) that Moiety or Half-part of the ſaid Fence neareſt to *Enfield Old Park* Allotment, ſhall be for ever repaired by the Pariſh of *Enfield*; and that the other Moiety or Half-part of the ſaid Fence ſhall be repaired by the Pariſh of *Edmonton*; and that the Gate, to be erected between the ſaid Allotments of *Enfield* and *Edmonton*, ſhall be kept in Repair at the joint Expence of the ſaid two Pariſhes: And that the Fences of the Allotment, aſſigned to the Owner of *Enfield Old Park*, ſhall be for ever repaired by the

Owner or Occupier of the ſaid Allotment for the Time being: And that one Moiety or Half-part of the ſeveral Fences for dividing the *South Mimms* Allotment from the ſeveral Allotments aſſigned to the Incumbent of the Pariſh of *Monken Hadley*, and to the Owner of the Manor of *Old Fold*, ſhall be for ever repaired by the Owners or Occupiers of ſuch Parts of the *South Mimms* Allotment as ſhall adjoin to the ſaid laſt-mentioned Fences reſpectively; and that ſo much of the other Moiety or Half-part of the ſaid Fences as ſhall abut upon the ſaid Incumbent's Allotment, and alſo one Moiety or Half-part of the Fences dividing the ſaid Incumbent's Allotment from the Allotment to the Manor of *Old Fold*, and alſo the Fence at the Southern Extremity of the ſaid Incumbent's Allotment (excepting ſuch Part thereof as abuts upon certain Incloſures called *Mount Pleaſant*; which Part, and all other Fences ſurrounding the ſaid Lands called *Mount Pleaſant*, ſhall be repaired by the Occupier of the ſaid Incloſures for the Time being), ſhall be for ever repaired by the Incumbent of *Monken Hadley* and his Succeſſors; and that the Reſidue of the Fences dividing the *South Mimms* Allotment and the ſaid Incumbent's Allotment from the *Old Fold* Allotment, and alſo the Fences of the ſaid *Old Fold* Allotment, where the ſame abut upon the Great North Road, ſhall be for ever repaired by the Owners or Occupiers of the ſaid *Old Fold* Allotment for the Time being.

His Majeſty, &c. impowered to grant Leaſes for ninety-nine Years,

'XXX. And to the End his Majeſty, his Heirs and Succeſſors, may be enabled to make and grant 'Leaſes of his and their Parts and Shares of the ſaid Chaſe, for ſuch Terms of Years, and with ſuch Pri-'vileges, as will make it anſwer to, and thereby encourage and induce the Leſſees and Tenants thereof to 'erect and build ſubſtantial Houſes and Offices, and to make Drains and other Improvements therein, and 'to enter into Covenant with his Majeſty, his Heirs and Succeſſors, for that Purpoſe;' be it further enacted, That it ſhall and may be lawful to and for the King's Majeſty, his Heirs and Succeſſors, to make and grant Leaſes, under the Seal of the ſaid Duchy, of his Majeſty's ſaid Share and Portion of the ſaid Chaſe, or any Parts thereof, and of any Lodges, Houſes, or Erections now ſtanding or hereafter to be built thereon, and of any Royalties, Seigniories, Lands, and Incloſures within the ſaid Chaſe, with Licenſe for the Leſſees to get and take Sand, Earth, and Clay, to make Bricks and Tiles to be uſed in and upon the Premiſes, to ſuch Perſon or Perſons as to him or them ſhall ſeem meet and expedient, for any Term or Number of Years in Poſſeſſion, not exceeding ninety-nine Years; and from Time to Time to renew ſuch Leaſe or Leaſes, ſo that, at the Time of any ſuch Renewal, the Term in Poſſeſſion or remaining unexpired, together with the Term or Terms to be granted in Reverſion by ſuch renewed Leaſe or Leaſes, do not exceed in the whole ninety-nine Years; and ſo as ſuch Term or Terms to be granted in Reverſion, be made to commence and take Effect on the Expiration of the Term or Terms before granted; and ſo as all and every ſuch Leaſe or Leaſes, whether in Poſſeſſion or Reverſion, be in all other Reſpects made and granted agreeable and conformable to the Terms and Conditions preſcribed and directed by a certain Act of Parliament, of the firſt Year of the Reign of Queen *Anne*, intituled, *An Act for the better Support of her Majeſty's Houſehold, and the Honour and Dignity of the Crown.*

and to renew the ſame.

Clauſe for encouraging Growth of Timber on the King's Allotments.

'XXXI. And for encouraging the Leſſees of his Majeſty, his Heirs and Succeſſors, to plant and raiſe 'young Trees, and to protect and encourage the Growth of Timber Trees on the Lands ſo to be demiſed 'to them by ſuch Leaſes;' be it further enacted, That it ſhall and may be lawful to and for the Chancellor and Council of his Majeſty's Duchy of *Lancaſter* for the Time being, by their Order to be made in Court of Revenue, to authoriſe and direct the Surveyor of the Woods for the South Parts of the ſaid Duchy, for the Time being, to treat with, and to enter into any Contract or Agreement, on the Part of his Majeſty, his Heirs and Succeſſors, to and with ſuch Leſſee or Leſſees, for ſecuring unto ſuch Leſſee or Leſſees, and his, her, and their Executors, Adminiſtrators, and Aſſigns, ſuch a fair and reaſonable Allowance or Proportion of all Monies which ſhall at any Time, during the Term and Intereſt of ſuch Leſſee or Leſſees, under their reſpective Leaſes, ariſe by Sale of Timber within the Lands ſo to be held and occupied by him, her, or them, as ſhall be ſettled and agreed upon between the ſaid Surveyor and the ſaid Leſſee or Leſſees, or any of them: And alſo for allowing unto ſuch Leſſee or Leſſees, at the End and Expiration of their reſpective Leaſes, a like fair and reaſonable Allowance and Proportion in Money for all Timber and Trees which ſhall be then left ſtanding and growing in and upon their reſpective Farms, according to the Value of ſuch Timber and Trees reſpectively; which Agreements, being confirmed by the Order of the ſaid Chancellor and Council, ſhall be valid and effectual to all Intents and Purpoſes.

His Majeſty's Rights of Chaſe reſerved for a limited Time.

XXXII. And be it further enacted and declared, That his Majeſty's Rights of Chaſe within and over the ſaid Chaſe of *Enfield*, ſhall remain and continue veſted in his Majeſty, his Heirs and Succeſſors, and all and every the Laws and Statutes of this Realm, now in Force for the Protection of Deer, and for puniſhing Perſons guilty of any Offence in Breach of ſuch Laws, ſhall remain and continue in full Force and Effect for the Protection of his Majeſty's Deer within the ſaid Chaſe, and for the Puniſhment of Offenders therein, until the ſeveral and reſpective Times herein-after mentioned; (that is to ſay) as to ſuch Parts of the ſaid Chaſe as are by this Act aſſigned to the ſaid Pariſh of *South Mimms*, and to the Maſter, Fellows, and Scholars of *Trinity College*, and their Leſſee, and to the Vicar of *Enfield*, and to the Owners of *Enfield Old Park* and Manor of *Old Fold*, and to the Incumbent of *Monken Hadley*, until the firſt Day of *January*, one thouſand ſeven hundred and ſeventy-eight, and no longer; and as to all the Reſt, Reſidue, and Remainder of the ſaid Chaſe, until the firſt Day of *January*, one thouſand ſeven hundred and ſeventy-nine; any Thing in this Act contained to the contrary thereof in anywiſe notwithſtanding. Provided always, That it ſhall and may be lawful to and for the Owners and Occupiers of any Allotment or Allotments of the ſaid Chaſe, by this Act authorized or directed to be incloſed, to hunt and kill any Deer upon their own Lands, before the ſaid firſt Day of *January*, one thouſand ſeven hundred and ſeventy-nine, when and ſo ſoon as the reſpective Fences of ſuch Allotments ſhall be made and completed; and that ſuch Owners or Occupiers, or any of them, ſhall not be ſubject to any Pain, Penalty, or Puniſhment for ſo doing.

Owners of Allotments may kill Deer upon their own Lands.

Enfield Chaſe, after Jan. 1, 1779, to be diſchaſed.

XXXIII. And be it further enacted, That, from and after the firſt Day of *January*, one thouſand ſeven hundred and ſeventy-nine, the whole of the Diſtrict called *Enfield Chaſe* ſhall be, and the ſame is hereby diſchaſed to all Intents and Purpoſes whatſoever; and that from thenceforth no Perſon or Perſons ſhall be

queſtioned

queſtioned or liable to any Pain, Penalty, or Puniſhment, for hunting, courſing, killing, deſtroying, or taking any Deer whatſoever, within the ſame; ſave and except within ſuch Part or Parts thereof as ſhall be incloſed with Pales, and kept for a Park or Parks, as herein-after is authoriſed and directed.

Certain Parts of the Chaſe may be imparked.

XXXIV. And be it further enacted, That when and ſo often as any of his Majeſty's Lands within the ſaid Chaſe ſhall, by virtue of or under any Licenſe, Grant, or Commiſſion, Licenſes, Grants, or Commiſſions, from his Majeſty, his Heirs or Succeſſors, under the Seal of the ſaid Duchy of *Lancaſter*, be incloſed with Pales, and converted into a Park or Parks; that then, and from thenceforth, all and all Manner of Deer, kept or to be kept in ſuch Park or Parks, ſhall be protected by the Laws and Statutes of this Realm, as if the ſame was or were an ancient Park or ancient Parks; and that all and every Perſon and Perſons, who ſhall unlawfully hunt, courſe, kill, ſhoot, take, or deſtroy any Deer within the ſame, or attempt ſo to do, or ſet any Snares or Engines therein, ſhall be ſubject and liable to all ſuch Pains, Penalties, and Puniſhments, as ſuch Offender or Offenders would have been ſubject and liable to, in caſe and as if ſuch Park or Parks was or were or had been an ancient Park or ancient Parks reſpectively.

Fiſheries reſerved to his Majeſty for a limited Time.

XXXV. And be it further enacted, That all that Fiſhery called *New Pond*, within the ſaid *Enfield* Allotment, and all that Fiſhery alſo called *New Pond*, within the ſaid *Hadley* Allotment, ſhall remain the Property of and be veſted in the King's Majeſty, his Heirs and Succeſſors, until the firſt Day of *January*, one thouſand ſeven hundred and ſeventy-eight; and that from thenceforth the ſaid Fiſheries ſhall be taken and enjoyed by the ſaid Pariſhes of *Enfield* and *Monken Hadley* reſpectively, as Part of and belonging to their ſaid reſpective Allotments, within which the ſame are ſituate, any Thing herein-before contained to the contrary thereof notwithſtanding.

Timber reſerved to the Crown for a limited Time.

XXXVI. And be it further enacted, That it ſhall and may be lawful to and for the proper Officer or Officers of his Majeſty's ſaid Duchy for the Time being, or ſuch other Perſon or Perſons as his Majeſty ſhall thereunto authoriſe, for the Space of two Years, to be computed from the laſt Day of this preſent Seſſion of Parliament, with Workmen or Labourers, Servants and Agents, Horſes, Carts, and Carriages, to have and take free Ingreſs and Egreſs into and upon the ſaid ſeveral Allotments hereby aſſigned to the Freeholders and Copyholders of the Pariſhes of *Edmonton*, *South Mimms*, and *Monken Hadley*, and to the Maſter, Fellows, and Scholars of *Trinity College*, and their Leſſee, and the Vicar of *Enfield*; and alſo upon ſo much and ſuch Part of the ſaid *Enfield* Allotment as lieth to the North of the Gutter running into *New Pond*, and to the North of *Eaſt Lodge* Farm (which Part containeth two hundred Acres), as well to pill, fell, cut down, grub up, burn to Charcoal, remove and diſpoſe of all ſuch Oak and Beech Trees, ſtanding and growing within and upon the ſaid ſeveral laſt-mentioned Allotments and Lands reſpectively, as have been already marked and numbered, and not herein-before made the Property of the ſaid Pariſhes of *Edmonton* and *South Mimms*, but none others: And that from and after the End and Expiration of that Term, all the Timber, and other Trees, Woods, and Underwoods, which ſhall be then left ſtanding and growing, or ſhall at any Time thereafter ſtand and grow, within and upon the ſaid ſeveral laſt-mentioned Allotments and Lands, ſhall become and remain the Property of the Perſons intitled to ſuch Lands, whereon the ſame ſhall be ſo ſtanding and growing reſpectively: And that all the Money to ariſe by Sale of the ſaid Trees, or a ſufficient Part thereof, ſhall be applied and diſpoſed of by the Receiver-general of the Revenues of the ſaid Duchy, under the Order and Direction of the Chancellor and Council of the ſaid Duchy for the Time being; in the firſt Place, in defraying the Expences already incurred in ſurveying the ſaid Chaſe, and in ſetting out the ſeveral Allotments thereof; and then, in defraying the Expences of obtaining this Act, and making the Fences, Roads, Bridges, and Gates, by this Act directed to be made at his Majeſty's Expence: And in caſe there ſhall be any Overplus, the ſame ſhall be accounted for and anſwered by the ſaid Receiver-general to the King's Majeſty, his Heirs and Succeſſors, as Part of the Revenues of the ſaid Duchy; but in caſe the ſame ſhall be inſufficient for the Purpoſes aforeſaid, ſuch Deficiency ſhall be made good out of the other Revenues of his Majeſty's ſaid Duchy, in ſuch Manner as the Chancellor and Council of the ſaid Duchy ſhall direct.

Application of Monies ariſing from Sale of Timber.

The Crown impowered to ſell certain Parts of the Chaſe, &c.

'XXXVII. And whereas the King's Majeſty is ſeized in Fee of and in divers ſmall Tenements hereto-
'fore incroached upon the ſaid Chaſe, conſiſting of Cottages and Incloſures held by ſundry Perſons, as
'Tenants thereof to his Majeſty, by Leaſe or otherwiſe, being within and Part of his Majeſty's Allotments
'of the ſaid Chaſe, and of and in divers Parcels of unincloſed Land, lying detached from the main Part of
'his Majeſty's ſaid Allotment: And whereas the greater Part of the ſaid Cottages were built and erected,
'and the Incloſures held therewith, made by the Permiſſion of the Officers of the Crown intruſted with
'the Care of the ſaid Chaſe, at the Expence of the preſent Tenants thereof, or of thoſe under whom they
'claim; ſome of whom have laid out their whole Subſtance therein, and others of them have expended
'conſiderable Sums of Money in the Improvements thereof; and the Reſidue of the ſaid Incloſures conſiſt
'chiefly of Gardens, and Outlets or Parts of Gardens, and Outlets belonging to the adjoining Freehold
'Manſions of ſundry Perſons, which have been incloſed and laid thereto, in order to make ſuch Gardens
'and Outlets more convenient and uniform: And whereas the ſaid Parcels of unincloſed Land being near
'adjoining to the Freehold Tenements of divers Perſons, it will tend to the manifeſt Advantage of ſuch
'Tenants and Freeholders, if they were permitted to purchaſe of the King's Majeſty, as well the ſeveral
'Incroachments by them reſpectively held as aforeſaid, as alſo the ſaid other detached Parcels of unincloſed
'Land: And whereas the Sale and Diſpoſal of ſuch Incroachments and Lands will not interfere with, or
'be any ways detrimental to the main Part of his Majeſty's Eſtates and Poſſeſſions within the ſaid Chaſe;'
be it therefore enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Chancellor and Council of his Majeſty's Duchy of *Lancaſter* for the Time being, in Court of Revenue of the ſaid Duchy, from Time to Time, to make ſuch Orders for the Sale and Diſpoſal, as well of all Cottages, Buildings, Incloſures, and Incroachments, within and upon and being Part of his Majeſty's Allotment of the ſaid Chaſe, with their Appurtenances, as of any other Parts and Parcels of his Majeſty's ſaid Allotment or Allotments, unto ſuch Perſons, and at and for ſuch Prices, as the ſaid Chancellor and Council ſhall think

think fit, giving nevertheleſs unto every Tenant and Tenants of his Majeſty the Preference and Option of purchaſing the reſpective Incroachment or Incroachments held or occupied by ſuch reſpective Tenant or Tenants, at ſuch fair and reaſonable Price or Prices, as ſhall be ſo put or ſet thereon by the ſaid Chancellor and Council: And that upon Payment by the reſpective Purchaſers of ſuch Sums of Money, as ſhall be ſo agreed upon as the Prices for the Purchaſes of the Premiſes reſpectively, into the Hands of the Receiver-general of the Revenues of the ſaid Duchy for the Time being, it ſhall and may be lawful to and for the Chancellor of the ſaid Duchy for the Time being, by Deed or Writing under the Seal of the ſaid Duchy, to grant, convey, and releaſe, in the Name of his Majeſty, his Heirs and Succeſſors, unto ſuch ſeveral and reſpective Purchaſers, and their Heirs, in Fee-ſimple, the ſeveral and reſpective Cottages, Buildings, and Incloſures, and Parcels of Land or Ground, by him, her, or them reſpectively purchaſed, free from all Rents and Payments whatſoever; which ſaid Deeds or Writings, ſo ſealed as aforeſaid, ſhall be effectual and ſufficient in Law to veſt in every ſuch Perſon, and his Heirs, the Fee-ſimple and Inheritance of the ſeveral Cottages, Buildings, Incloſures, and Lands, therein to be comprized and deſcribed, notwithſtanding the aforeſaid Act of the firſt Year of the Reign of Queen *Anne*, or any other Act or Acts, or other Impediment or Diſability whatſoever.

Purchaſers on Payment of Purchaſe-money, to be veſted in Fee-ſimple, &c.

XXXVIII. Provided always, and be it enacted, That nothing herein contained ſhall extend, or be conſtrued to extend, to give unto the ſaid Chancellor and Council any Power or Authority to make Sale or convey beyond the Quantity, in the whole, of two hundred and fifty Acres of his Majeſty's ſaid Allotment, over and beſides the Incroachments thereon.

The Crown not to ſell more than 250 Acres, beſides Incroachments.

XXXIX. And be it further enacted, That all the Monies which ſhall ariſe by Sale of the ſaid Cottages, Buildings, Incloſures, and Parcels of Land, ſhall be paid into the Hands of the Receiver-general of the Revenues of the ſaid Duchy of *Lancaſter* for the Time being, whoſe Receipts and Acquittances ſhall be entered as of Record by the Clerk of the Council of the ſaid Duchy; and the ſame, or a Copy of ſuch Receipts or Acquittances, ſhall be full and ſufficient Diſcharges to the Perſons ſo paying the ſame; and ſuch Monies ſhall be applied and diſpoſed of by the ſaid Receiver-general, under the Order and Direction of the ſaid Chancellor and Council, in Aid of the Fund herein-before provided by or from the Sale of Timber, and as Part of ſuch Fund, to and for the like Uſes and Purpoſes to which the ſaid Fund is herein-before directed to be applied.

Application of the Purchaſe-money.

XL. And be it further enacted, That the Portion or Allotment of the ſaid Chaſe hereby aſſigned to or for the Benefit of the Pariſh of *Edmonton*, and all Incroachments which ſhall become veſted in the Churchwardens of that Pariſh (ſave and except in reſpect of the Tythes of the ſaid Allotment, or of Lands which may be ſet apart in lieu of ſuch Tythes), and all Meſſuages, Buildings, and Incloſures whatſoever, within the Circuit or Limits of the ſaid laſt-mentioned Allotments, which are now Part of the ſaid Pariſh of *Enfield*, ſhall be for ever hereafter annexed to and become Part of the ſaid Pariſh of *Edmonton*, and be rated and aſſeſſed to all parliamentary and parochial Taxes, Rates, and Aſſeſſments, in and for the ſaid Pariſh of *Edmonton*, and in and for no other Pariſh, Townſhip, Precinct, or Diſtrict; and that all ſuch of the Owners and Occupiers of the ſaid Meſſuages, Buildings, and Incloſures, annexed to the ſaid Pariſh of *Edmonton*, as are, in reſpect thereof, intitled to a Right of Common within the ſaid Chaſe (if any ſuch there be), ſhall have and be intitled to the ſame Right of Common upon the ſaid *Edmonton* Allotment, as they or any of them would have been intitled unto, within and upon the ſaid Chaſe, in caſe this Act had not been made.

Edmonton Allotment annexed to that Pariſh.

XLI. And be it further enacted, That all the aforeſaid Portion or Allotment of the ſaid Chaſe, hereby aſſigned to or for the Benefit of the Freeholders and Copyholders of the Pariſh of *South Mimms*, and all Meſſuages, Buildings, Incloſures, and Incroachments whatſoever, within the Circuit or Limits of the ſaid laſt-mentioned Allotment, which are now within and Part of the Pariſh of *Enfield*; and alſo the Portion or Allotment of the ſaid Chaſe herein-before aſſigned to the Owner of the Manor of *Old Fold*, and every of them, ſhall be for ever hereafter annexed to and become Part of the ſaid Pariſh of *South Mimms*, and be rated and aſſeſſed to all parliamentary and parochial Taxes, Rates, and Aſſeſſments, in and for the ſaid Pariſh of *South Mimms*, and in and for no other Pariſh, Townſhip, Precinct, or Diſtrict.

South Mimms and Old Fold Allotments annexed to South Mimms Pariſh.

XLII. And be it further enacted, That the ſaid ſeveral Portions or Allotments of the ſaid Chaſe, containing together two hundred and forty Acres, hereby aſſigned to or for the Benefit of the Incumbent of the peculiar Donative or Pariſh Church of *Monken Hadley*, and his Succeſſors, and the Freeholders, Copyholders, Leſſees, and Tenants of the ſaid Pariſh of *Monken Hadley*, together with all ſuch Lands abutting upon the ſaid Pariſh of *Monken Hadley* as are hereafter enfranchiſed to the ſeveral Owners or Poſſeſſors thereof, ſhall be for ever hereafter annexed to and become Part of the ſaid Pariſh of *Monken Hadley*, and be rated and aſſeſſed to all parliamentary and parochial Taxes, Rates, and Aſſeſſments, within and for the ſaid Pariſh of *Monken Hadley*, and in and for no other Pariſh, Townſhip, Precinct, or Diſtrict.

Monken Hadley Allotments annexed to Monken Hadley Pariſh.

XLIII. And be it further enacted, That all the Reſidue and Remainder of the ſaid Chaſe, and all other Houſes, Lodges, Buildings, Incloſures, and Incroachments thereon, which ſhall not become veſted in the Churchwardens of the ſaid ſeveral Pariſhes of *Edmonton*, *South Mimms*, and *Monken Hadley*, or the Incumbent of *Monken Hadley*, or the Owner or Proprietor of the Manor of *Old Fold*, ſhall be for ever hereafter aſſeſſed and rated to all parliamentary and parochial Taxes, Rates, and Aſſeſſments, within and for the ſaid Pariſh of *Enfield* (Aſſeſſments to the Highways of the ſaid Pariſh, in reſpect of ſuch Parts of the ſaid Chaſe as are herein-after erected into a ſeparate Diſtrict, only and always excepted); and that all ſuch uninclоſed Parts of the ſaid Chaſe as are by this Act aſſigned to his Majeſty, his Heirs and Succeſſors, ſhall be ſubject and liable to all parliamentary and parochial Taxes, Rates, and Aſſeſſments, to the ſaid Pariſh of *Enfield*, from the twenty-fifth Day of *March*, one thouſand ſeven hundred and ſeventy-eight; and that from thenceforth, for and during the Term of thirty Years next following, all the ſaid Lands within the ſaid Chaſe hereby aſſigned to his Majeſty, except the ſeveral Lodges and Lands thereto belonging, ſhall be deemed and conſidered as Lands let to Tenants at a Rack Rent of ten Shillings *per* Acre *per Annum*, and

The reſt of the Chaſe to belong to Enfield Pariſh.

no more nor leſs; and ſhall, during the ſaid Term, be rated and aſſeſſed (including all Houſes and Buildings thereon erected, or to be erected) to all parliamentary and parochial Taxes in the Pariſh of *Enfield*, in the ſame Manner as if the ſaid Lands were actually held by Tenants at the annual Rent of ten Shillings *per* Acre, and in like Manner as other Lands in the Pariſh of *Enfield*, occupied by Tenants at a Rack Rent of ten Shillings *per* Acre, are or ought to be aſſeſſed and rated; and that the ſaid Lodges and Lands thereto belonging, ſhall be rated in the ſame Manner as other Houſes and Lands now are rated and aſſeſſed in the ſaid Pariſh of *Enfield*; and that the Reſidue of the King's Allotment, after the Expiration of the ſaid Term of thirty Years, ſhall be rated and aſſeſſed in the ſame Manner as other Houſes and Lands ſhall be then rated and aſſeſſed in the ſaid Pariſh of *Enfield*. Provided always, That all that Meſſuage, with the Lands incloſed and held therewith, called *Mount Pleaſant*, ſituate within or near unto the Allotment of the Incumbent of *Monken Hadley*, and alſo all Tythes which ſhall at any Time grow, ariſe, or accrue from or upon the Portions or Allotments aſſigned to or for the Benefit of the Freeholders and Copyholders within the ſaid Pariſhes of *Edmonton* and *Monken Hadley*, their Heirs, Leſſees, and Tenants, and to the Incumbent of *Monken Hadley*, and his Succeſſors, and all Lands or Compoſitions which ſhall or may be hereafter ſet out, made, or allowed, in lieu of ſuch Tythes, ſhall be aſſeſſed and rated to all parliamentary and parochial Taxes, Rates, and Aſſeſſments, within and for the ſaid Pariſh of *Enfield*, and within or for no other Pariſh, Townſhip, Precinct, or Diſtrict, any Thing herein-before contained to the contrary notwithſtanding.

Directions for aſſeſſing the King's Allotment.

XLIV. And be it further enacted, That the ſeveral publick Roads, Highways, and Bridges, through and over the Allotments of his Majeſty, and of the ſaid Maſter, Fellows, and Scholars, and the Vicar of *Enfield*, within and upon the ſaid Chaſe, herein-after deſcribed and mentioned, together with ſubſtantial Gates and Gateways where ſuch Roads open upon and communicate with the ſaid ſeveral Pariſh Allotments, ſhall be made at his Majeſty's Expence; and the ſaid Roads ſhall contain forty Feet in Breadth, betwixt the Fences thereof, at the leaſt; (that is to ſay) one Road in the Way from *Southgate* to *Bohungate*, commencing at the Boundary of the *Edmonton* Allotment, near the Houſe of Maſter *Arnold*, and extending Northwards, by *Cock-ſoſters*, and *Weſt Lodge Farm*, towards *Potter's Bar*, until it meets the Eaſtern Boundary of the *South Mimms* Allotment; in which Road is or are to be made one or more Bridge or Bridges, as ſhall be found neceſſary, for the ſafe Paſſage of Carriages over the Brook or Gutter, Brooks or Gutters, betwixt *Sloper's Pond*, *Fenny Slade*, and the *Great Lawn:* One other Road, branching from the ſaid laſt-mentioned Road near *Bohun-gate*, and extending Northwards for the convenient Occupation of certain Cottages there: One other Road to branch forth from the ſaid laſt-mentioned Road, near unto *Cock-ſoſters*, for the convenient Occupation of and Acceſs to the Houſes there: One other Road, called *Camlot-way*, commencing at the Eaſtern Boundary of the *Monken Hadley* Allotment, near the Town of *Monken Hadley*, and extending from thence Eaſtward, by *Weſt Lodge Farm*, and *Camlot-moat*, through the Tythe Allotment, towards *New-lane*, until it meets the Weſtern Boundary of the *Enfield* Allotment, in which Road two Carriage Bridges are to be made; (that is to ſay) one Bridge to paſs the Gutter or Brook running from *Monkey-mead Pond* to *Tail Pond*; and the other Bridge to paſs the Gutter or Brook croſſing the ſaid Road within the Tythe Allotment, near unto the Weſtern Boundary of the *Enfield* Allotment: One other Road, commencing at the North-weſt Corner or Boundary of the *Enfield* Allotment, to the Weſt of *Cattle gate*, and extending from thence by *Cooper's Lane-gate*, to the great Turnpike Road at the North End of *Potter's Bar:* One other Road, commencing at the North-weſt Corner of the *Weſt Lodge Farm*, and extending from thence Weſtward by *Monkey-mead* towards *Gannick-corner*, until it meets the Eaſtern Boundary of the *South Mimms* Allotment: One other Road, called *The Ridge-way*, commencing at the Weſtern Boundary of the *Enfield* Allotment, and extending Weſtward or North-weſt towards *Potter's Bar* and *Gannick-corner*, until it meets the Eaſtern Boundary of the *South Mimms* Allotment: And one other Road branching forth from the laſt-mentioned Road, called *The Ridge-way*, near the Weſtern Corner of the *Eaſt Lodge Farm*, and extending Northwards or North-eaſt by Part of *Eaſt Lodge* Incloſures, until it meets the Boundary of the *Enfield* Allotment: All which ſaid ſeveral Roads or Highways, Gutters and Brooks, are deſcribed and delineated on the aforeſaid Survey or Plan of the ſaid Chaſe; and that all other Roads over the Allotments of his Majeſty and the ſaid Owners of Tythes, ſhall be ſhut up and diſcontinued.

Roads and Bridges to be made at his Majeſty's Expence.

A Deſcription thereof.

'XLV. And, for the Purpoſe of keeping the ſaid ſeveral Roads, when ſo made, in good Repair,' be it further enacted, That, from and after the twenty-fifth Day of *March*, one thouſand ſeven hundred and ſeventy-eight, all and ſingular his Majeſty's Lodges and Houſes upon the ſaid Chaſe, with all Lands and Incloſures held and occupied therewith; and alſo all the Lands within the ſaid Chaſe, which ſhall become the ſeparate Property of his Majeſty, his Heirs and Succeſſors; and alſo all the Lands aſſigned to the ſaid Maſter, Fellows, and Scholars of *Trinity College*, and their Succeſſors and Leſſees, and to the Vicar of *Enfield* and his Succeſſors, ſhall be erected into a ſeveral Diſtrict, and remain for ever a ſeparate and diſtinct Diſtrict, in reſpect to the Highways within the ſame, from the ſaid Pariſh of *Enfield*, and from all other Diſtricts, Pariſhes, Townſhips and Precincts whatſoever, and ſhall be called *Enfield Chaſe Diſtrict*; and that it ſhall and may be lawful to and for the Chancellor of his Majeſty's Duchy of *Lancaſter* for the Time being, within one Calendar Month next after the aforeſaid twenty-fifth Day of *March*, one thouſand ſeven hundred and ſeventy-eight, to appoint, by Writing under his Hand, ſuch two Perſons, being Tenants or Occupiers of Lands within the ſaid new Diſtrict, as the ſaid Chancellor ſhall think fit, to be the Surveyors of the Highways within and for the ſaid Diſtrict, and ſuch Surveyors ſhall continue in Office, until the then next Special Seſſions of the Juſtices of the Peace to be held for the Highways within the Limits of the Hundred of *Edmonton*, in the Week next after the *Michaelmas* General Quarter Seſſions of the Peace; at which Special Seſſions new Surveyors of Highways ſhall be appointed for the ſaid Diſtrict, and ſo continue from Year to Year to be appointed in the Manner directed and preſcribed by an Act of the thirteenth Year of his Majeſty's Reign, intituled, *An Act to explain, amend, and reduce into one Act of Parliament, the Sta-*

The King's and Tythe Allotments erected into a Diſtrict for Repair of Roads.

Two Surveyors to be appointed.

*tutes*

*tutes now in being for the Amendment and Preſervation of the public Highways within that Part of* Great Britain *called* England, *and for other Purpoſes:* And that the Perſons to be from Time to Time appointed at ſuch ſpecial Seſſions to be Surveyors of the Highways for the ſaid Diſtrict, on Refuſal to ſerve the ſaid Office, ſhall be liable to all the Pains, Penalties, and Duties, by the ſaid Act, or any other Act or Acts reſpecting Highways, in ſuch Caſes impoſed or inflicted; or accepting the ſaid Office, ſhall remain and continue therein, and in all Reſpects conform themſelves to the ſaid Act or Acts, and be deemed and conſidered in Law, in reſpect of the ſaid Office of Surveyor of Highways for the ſaid Diſtrict, as inveſted with the ſame Powers and Authorities, and intitled to the ſame Immunities, and to be in the ſame Plight and Condition, as in other Diſtricts, Pariſhes, or Places; and the ſaid Diſtrict ſhall, from and after the Appointment of ſuch Surveyors by the Chancellor of the ſaid Duchy, be aſſeſſed to the Highways within the ſame; and ſuch Aſſeſſment ſhall be made, paid, recovered, applied, diſpoſed of, and accounted for, in the ſame Manner and Form, to all Intents and Purpoſes, as if the ſaid Diſtrict had been erected before the paſſing the ſaid laſt-mentioned Act: And that no Meſſuages, Lands, or Tenements, within the ſaid Diſtrict, or any Part thereof, nor any Tenant or Inhabitant within the ſame, ſhall be aſſeſſable or chargeable, in reſpect of the ſaid Diſtrict, or of any Meſſuages, Lands, Tenements, or Hereditaments therein, to any Rates or Aſſeſſments to the Highways of the ſaid Pariſh of *Enfield*, or compellable to do any Statute-duty or Labour in the Reſidue or other Parts of the ſaid Pariſh of *Enfield*, in reſpect of any Lands, Tenements, or Hereditaments lying within the ſaid Diſtrict.

Surveyors, &c. impowered to get Materials from Commons,

XLVI. Provided always, and be it enacted, That it ſhall and may be lawful to and for the ſeveral and reſpective Perſons employed or authoriſed for the making the ſeveral public Roads through and over the ſaid new Diſtrict, by this Act directed to be made at his Majeſty's Expence; and alſo for any Surveyor or Surveyors of Highways to be appointed within and for the ſaid new Diſtrict, with their ſeveral and reſpective Servants and Labourers, Horſes, Carts, and Carriages, from Time to Time, for the Space of three Years, to be computed from the firſt Day of *May*, one thouſand ſeven hundred and ſeventy-ſeven, to ſearch for, dig, get, take, and carry away, ſuch Stones, Gravel, Ballaſt, and other Materials, as they ſhall think fit, within and from ſuch Parts of the ſeveral Allotments hereby aſſigned to the ſaid Pariſhes of *Enfield*, *Edmonton*, and *Monken Hadley*, as ſhall remain and be kept in Common as aforeſaid, for the forming, making, and completing, the ſaid ſeveral new Roads, by this Act directed to be made at his Majeſty's Expence as aforeſaid; and that ſuch Surveyors and other Perſons having the Care of the ſaid Roads, ſhall, from Time to Time, cauſe all Holes or Pits, to be made or uſed in the getting the ſaid Gravel, Ballaſt, or other Materials, to be ſloped down, levelled, filled up, or otherwiſe effectually ſecured, in the Manner directed and preſcribed in and by the aforeſaid Act of the thirteenth Year of his Majeſty's Reign; and in Default thereof, every ſuch Surveyor, and other Perſon or Perſons employed in getting ſuch Materials, ſhall be ſubject and liable to the ſeveral Pains and Penalties in and by the ſaid Act, in ſuch Caſes, directed to be impoſed and inflicted, any Thing herein contained to the contrary thereof notwithſtanding.

filling up Pits, &c.

Roads over the other Parts of the Chaſe, by whom to be made.

XLVII. And be it further enacted, That in caſe the ſaid ſeveral Allotments hereby made to the Freeholders and Copyholders of the ſaid ſeveral Pariſhes of *Enfield*, *Edmonton*, *South Mimms*, and *Monken Hadley*, or any of them, or any Part thereof reſpectively, ſhall be incloſed, that then, and on every ſuch Event, proper and ſufficient public Highways, of the Breadth of forty Feet at the leaſt, ſhall be ſet out, through and over the Lands which ſhall be ſo incloſed, to communicate with the Mouths or Ends of the ſeveral Roads herein-before deſcribed and directed, or as nearly correſponding therewith as conveniently may be; and alſo fit and convenient private Roads, Ways, Paths, and Paſſages, for the Uſe and Occupation of Houſes and Lands within the ſaid new Diſtrict ſhall be made: And that all the public Roads and Highways within and over ſuch or ſuch Parts of the ſaid Allotments to the ſaid Pariſhes as ſhall be ſo incloſed, ſhall, from and immediately after ſuch Incloſure, be made and repaired by that Pariſh to which the Lands ſo incloſed ſhall, under this Act, be aſſeſſed or aſſeſſable to parochial Taxes. Provided always, That in caſe the ſaid Lines, ſo delineated on the ſaid Survey or Plan for Roads over any of ſuch Allotments to the ſaid Pariſhes, ſhall, on any Incloſure thereof, be found inconvenient, that then, and in every ſuch Caſe, the Juſtices of the Peace for the ſaid County of *Middleſex* ſhall have the like Power and Authority to ſtop up, change, and turn ſuch Roads, or to alter and vary the Lines deſcribed for Roads as aforeſaid, as the ſaid Juſtices would have had in caſe the Roads had been actually made in the Direction of ſuch Lines, before the paſſing of the ſaid Act of the thirteenth Year of the Reign of his preſent Majeſty, herein-before mentioned.

Ridgeway Road to be continued to Enfield Town.

XLVIII. And be it further enacted, That a public Highway or Road, not leſs than forty Feet in Breadth, ſhall, as ſoon as may be after the paſſing this Act, be made, at the Expence of the ſaid Pariſh of *Enfield*, from the Bridge over the *New River*, at or near a Place there called *The Blue Houſes*, within the Town of *Enfield*, over and acroſs the ſaid *Enfield* Allotment, to the Weſtern Boundary of the ſame Allotment, ſo as to join and communicate with the aforeſaid Road called *Ridgeway*, herein-before directed to be made at his Majeſty's Expence; and that the Expence of making the ſaid Highway or Road over the ſaid *Enfield* Allotment, ſhall be paid by the Churchwardens for the Time being of the ſaid Pariſh of *Enfield*, or their Succeſſors, out of the firſt Monies which ſhall be received by them, by virtue of or in conſequence of this Act: And that ſuch Road or Way ſhall afterwards be deemed a public Road or Highway, and be repaired and kept in Repair at the Coſts and Charges of the ſaid Pariſh of *Enfield*, any Thing herein-before contained to the contrary thereof notwithſtanding.

Quarter Seſſions may convert certain private Roads into public Roads.

XLIX. And be it further enacted, That in caſe any private Roads or Ways ſhall be made by, or for the Uſe of the Tenants and Occupiers of any Lands within the ſaid new Diſtrict, and any of ſuch Roads or Ways ſhall afterwards be found of public or general Convenience, it ſhall and may be lawful to and for the Court of Quarter Seſſion for the County of *Middleſex*, with the Conſent of the Owners of ſuch reſpective Roads or Ways, to declare the ſame, or any of them, by their Order, to be a public Road or Way, or public Roads or Ways, and from thenceforth the ſame ſhall be deemed a public Road or Way, or public

lic Roads or Ways, for the free Paſſage of all his Majeſty's Liege Subjects; and ſhall be from thenceforth repaired at the general Expence of the ſaid Diſtrict, in the ſame Manner as other public Roads within the ſaid Diſtrict are directed to be repaired.

Owners of Lands now Part of the Chaſe excluded from Rights of Common in Marſhes, &c.

L. And be it further enacted, That as well the King's Majeſty, his Heirs and Succeſſors, as the ſaid Maſter, Fellows, and Scholars of *Trinity College*, and their Succeſſors, and the Vicar of *Enfield*, and his Succeſſors, and the Owners and Proprietors of the ſaid Park and Manor, their Heirs and Aſſigns, their and every of their Tenants, Grantees, and Leſſees; and alſo all Perſons whatſoever who now are, or ſhall at any Time hereafter become poſſeſſed of or intitled unto any of the Lodges within the ſaid Chaſe, or any Lands held and occupied with the ſaid Lodges, or any Incroachments on his Majeſty's Allotments of the ſaid Chaſe, by what Tenures ſoever the ſame are or may hereafter be held, ſhall be excluded and totally debarred in reſpect of ſuch their ſeveral Lodges, Lands, and Incroachments, within the ſaid Chaſe, of and from all Claim, Challenge, Title, and Demand whatſoever, of or to any Right of Common upon or within any of the ſaid Pariſh Allotments, or upon or within the Marſhes, Common Fields, or other commonable Grounds, within the Manors or Pariſhes of *Enfield*, *Edmonton*, *South Mimms*, and *Monken Hadley*, or any of them.

Proviſions for Poſſeſſors of Incroachments on the Pariſh Allotments.

LI. And whereas ſundry ſmall Parcels of Land, within and Parcel of the Portions or Allotments of the ſaid Chaſe, hereby aſſigned to the ſeveral Pariſhes of *Enfield* and *Edmonton*, have been heretofore incloſed and incroached, and divers Cottages and other Buildings erected thereon: And whereas the Owners, or pretended Owners, of ſome Part of ſuch Incroachments, have been admitted thereto by Copy of Court-roll, with the Conſent of the Homage of the Manor of *Enfield*; and others of ſuch Incroachments are held by Leaſes thereof granted by his Majeſty under the Duchy Seal, to or for the Benefit of the preſent Poſſeſſors thereof, for certain Terms of Years yet to come, at and under divers reſerved Rents; and others of the ſaid Incroachments are held by the preſent Poſſeſſors as Tenants at Will, or by the Year, at annual Rents payable to his Majeſty for the ſame, or by Perſons whoſe Titles thereto are not certainly known: And whereas many of the Leſſees and Tenants, or other Poſſeſſors of the ſaid Incroachments, are poor labouring Perſons, ſome of whom, under an Expectation that they ſhould not be removed therefrom, purchaſed the Poſſeſſion thereof for Sums of Money, or have laid out their Subſtance in erecting Cottages thereon for their Dwellings; therefore, to the End the Title of the ſeveral Poſſeſſors of ſuch Incroachments, as are held by Copy of Court-roll, may be confirmed; and that all other the Poſſeſſors of Incroachments, who have no Leaſes, may be enabled to obtain Leaſes thereof, upon the Terms and Conditions hereafter ſpecified;' be it further enacted and declared, That the ſeveral Grants of Incroachments on the ſaid Chaſe, at any Time heretofore made by the Steward of the Manor of *Enfield*, by Copy of Court-roll of the ſaid Manor, and now ſubſiſting, and by virtue whereof any Incroachments on the Allotments hereby aſſigned to the ſaid Pariſhes of *Enfield* and *Edmonton*, or either of them, are now actually held and enjoyed, ſhall be good, valid, and effectual; and that the ſeveral Cottages, Lands, and Tenements therein reſpectively comprized and mentioned, ſhall be, remain, and continue as of the Nature of Copyholds, and be from Time to Time held, ſurrendered, ſold, conveyed, paſſed, and deviſed as ſuch, according to the Cuſtom of the Manor of *Enfield*, and be ſubject to all the Cuſtoms thereof, in the ſame Manner and Form as if ſuch Incroachments had been, from Time immemorial, held and paſſed by Copy of Court-roll of the ſaid Manor, any Thing contained in the ſaid Act of the firſt Year of the Reign of Queen *Anne* to the contrary thereof notwithſtanding; and that as well all Fines payable to the Lord on Alienations and Admiſſions of or to ſuch Copyholds, to be aſſeſſed by the Steward of the Manor of *Enfield* for the Time being, as all Rents thereout iſſuing and payable, ſhall be paid to and be received by the Churchwardens of the ſaid reſpective Pariſhes, whoſe Receipts ſhall be ſufficient Diſcharges for the ſame, and ſhall be applied as herein-after directed; and that in caſe and ſo often as any Forfeitures to the Lord ſhall happen of any Copyhold Tenement within the ſaid Allotment to the ſaid Pariſh of *Enfield*, every ſuch forfeited Copyhold Tenement, inſtead of enuring to the Benefit of the Lord, ſhall become veſted, in Fee-ſimple, in the Churchwardens of the ſaid Pariſh of *Enfield*, and their Succeſſors, in Truſt, for the Benefit of the ſaid Pariſh, and as Part of their ſaid Allotment.

Confirmation of Grants by Copy of Court-roll.

Confirmation of Crown Leaſes.

LII. And be it further enacted, That all and every Leaſe and Leaſes, granted by the King's Majeſty, or any of his Royal Predeceſſors, under Seal of the ſaid Duchy, to any Perſon or Perſons whatſoever, of any Incroachments on the ſaid Chaſe, lying within or being Parcel of the ſeveral Allotments hereby aſſigned to or for the Benefit of the ſeveral Pariſhes of *Enfield* and *Edmonton*, or either of them, for any Term or Number of Years now ſubſiſting, ſhall remain and continue in full Force, and the King's Majeſty's Right and Intereſt therein ſhall be veſted in the Churchwardens of the reſpective Pariſhes of *Enfield* and *Edmonton*, within which ſuch Incroachments are ſituate, for the Benefit of the ſaid Pariſhes reſpectively. Provided always, That all the Rents, reſerved in and by ſuch Leaſes, which ſhall accrue and become due from and after the twenty-fifth Day of *March*, one thouſand ſeven hundred and ſeventy-ſeven, ſhall be paid and anſwered by the ſeveral Perſons claiming the Benefit of ſuch Leaſes, unto the Churchwardens of the reſpective Pariſh to which ſuch Incroachments ſhall by virtue of this Act belong, to be applied as herein-after mentioned.

On what Terms Poſſeſſors of other Incroachments may obtain Leaſes.

LIII. And be it further enacted, That all and ſingular Perſons, who now hold or occupy any Incroachments within the ſaid ſeveral Allotments hereby aſſigned to or for the Benefit of the ſaid Pariſhes of *Enfield* and *Edmonton*, or either of them, and who ſhall be deſirous of acquiring to themſelves a Leaſehold Property therein, ſhall, on or before the twenty-ninth Day of *September*, one thouſand ſeven hundred and ſeventy-eight, deliver to the Churchwardens of the Pariſh whereto ſuch Incroachments ſhall reſpectively belong, a Propoſal or Petition, under the Hand of the Party making the ſame, for taking a Leaſe of his or her reſpective Incroachment for a Term of twenty-one Years; and ſhall thereby agree to enter into Covenant to pay, by quarterly Payments, to the Churchwardens of ſuch Pariſh for the Time being, and their Succeſſors, during ſuch Leaſe, the Rent now payable by him or her to the King's Majeſty for ſuch reſpective Incroachment;

croachment; or where no ſuch Rent is now payable, to pay by quarterly Payments ſuch reaſonable Rent as ſhall be ſet thereon by ſuch Churchwardens, together with the major Part of the Inhabitants in Veſtry aſſembled, and ſhall alſo agree to enter into Covenant for keeping the Buildings and Fences of the Premiſes in good Repair, and ſo to leave the ſame at the End and Expiration of the ſaid Term; that then, and in every ſuch Caſe, the ſaid Churchwardens ſhall, and are hereby authoriſed and directed to make and execute, unto and at the Coſts of every ſuch Perſon, a Leaſe of the reſpective Incroachment ſo by him or her held or occupied, for a Term of twenty-one Years, commencing on the Day of the Date thereof, with proper Covenants on the Part of the Leſſees to the Purport and Effect aforeſaid; and that every ſuch Leaſe ſhall be valid and effectual.

On what Terms Copyhold Incroachments may be enfranchiſed;

LIV. Provided always, and be it enacted, That in caſe all or any of the Perſons, who now hold any Houſes, Lands, or Incroachments, on the ſaid *Enfield* and *Edmonton* Allotments, or either of them, by Copy of Court-roll of the Manor of *Enfield* (being a Pariſhioner or Pariſhioners of the ſaid Pariſhes of *Enfield* or *Edmonton*, or being the Owner or Owners of any Freehold Eſtate within either of the ſaid Pariſhes), ſhall be deſirous of procuring ſuch Houſes, Lands, or Incroachments reſpectively to be enfranchiſed (ſuch Perſons firſt paying and diſcharging the Rents and Arrears of Rents now payable by them to the King's Majeſty, in reſpect of ſuch Houſes, Lands, or Incroachments, up to *Lady-day*, one thouſand ſeven hundred and ſeventy-ſeven) it ſhall and may be lawful to and for ſuch Perſon and Perſons, on or before the firſt Day of *January*, one thouſand ſeven hundred and ſeventy-eight, to pay into the Hands of the Churchwardens of the reſpective Pariſh, within which his, her, or their Houſes, Lands, or Incroachments, are reſpectively ſituate, after the Rate of fifty Years Purchaſe, or Amount of the groſs annual Rent or Rents now payable to the Crown for the ſame; which Sum or Sums ſhall be accepted as the Price or Prices of the abſolute Enfranchiſement of ſuch Houſes, Lands, and Incroachments, for or in reſpect of which ſuch Sum or Sums ſhall have been ſo paid; and ſuch Houſes, Lands, and Incroachments, ſhall from thenceforth be deemed of Freehold Tenure, and ſhall be diſcharged of all Fines, Rents, and other Payments to the Crown (Suit and Service to the Manor Courts of *Enfield* only excepted).

or the Fee-ſimple of other Incroachments may be purchaſed,

LV. Provided alſo, and be it further enacted, That in caſe all or any of the Perſons who now hold and occupy any Incroachments on the ſaid *Enfield* and *Edmonton* Allotments, or either of them, under any Leaſe or Leaſes thereof granted, under the Seal of the Duchy of *Lancaſter*, or as Tenant or Tenants at Will, or by the Year, to the King's Majeſty at annual or other Rent or Rents (ſuch Leſſee or Leſſees, Tenant or Tenants, being a Pariſhioner or Pariſhioners of the ſaid Pariſhes of *Enfield* and *Edmonton*, or either of them, or being the Owner or Owners of any Freehold or Copyhold Eſtate or Eſtates within either of the ſaid Pariſhes), ſhall be reſpectively deſirous of converting their ſaid reſpective Incroachments into Fee-ſimple Eſtates (and firſt paying and diſcharging all Rents and Arrears of Rents, due to the King's Majeſty, in reſpect of ſuch Incroachments, up to *Lady-day*, one thouſand ſeven hundred and ſeventy-ſeven), it ſhall and may be lawful to and for ſuch Leſſees and Tenants reſpectively, or any of them, on or before the firſt Day of *January*, one thouſand ſeven hundred and ſeventy-eight, to pay into the Hands of the Churchwardens of the reſpective Pariſh within which his, her, or their Incroachments are reſpectively ſituate, after the Rate of thirty Years Purchaſe, or Amount of the groſs annual Rent or Rents now payable to the Crown for the ſame; which Sums ſhall be reſpectively accepted as the Price or Prices of the Fee-ſimple and Inheritance of the ſaid reſpective Incroachments for which the ſame ſhall be ſo paid; and ſuch Incroachments ſhall, from and immediately after the Payment of ſuch Purchaſe-money, be veſted in Fee-ſimple in the ſaid ſeveral and reſpective Purchaſers thereof, free from all Rents now payable for the ſame.

Receipts to be given for Purchaſe Monies.

LVI. And be it further enacted, That, upon Payment of every ſuch Sum or Sums of Money as aforeſaid, whether it be for the Enfranchiſement of Houſes, Lands, or Incroachments, held by Copy of Court-roll as aforeſaid, or for the Purchaſe of the Fee-ſimple and Inheritance of Incroachments held by Leaſe or at Will, or by the Year, as aforeſaid, the ſaid Churchwardens are hereby authorized and required to give unto every ſuch Perſon making ſuch Payment as aforeſaid a Receipt or Acquittance under their Hands in the Form or to the Effect following; (that is to ſay)

The Form thereof.

'RECEIVED the Day of of *A. B.* the Sum of
'being Years Purchaſe or Amount of the Rent of
'*per Annum*, payable to the Pariſh of for a certain Incroachment (*or* certain Incroachments) on *Enfield Chaſe*, held by him (*or* her) as Tenant thereof, by Copy of Court-roll (*or* by Leaſe, *or* at Will) in purſuance of an Act of Parliament of the ſeventeenth Year of the Reign of King *George* the Third, *for dividing the Chaſe of* Enfield, *in the County of* Middleſex; *and for other Purpoſes therein mentioned*; and which Incroachment (*or* Incroachments) is (*or* are) marked on a certain Survey or Plan of the ſaid Chaſe, in the ſaid Act mentioned, with the Number or Figure (*or* Numbers or Figures)
'and conſiſteth (*or* conſiſt) of Acres, Roods, and
'Perches of Land (*as the Caſe may be*).
Witneſs our Hands.

Which Receipt or Acquittance, ſigned as aforeſaid, with or without Stamps, and being regiſtered in the Regiſter's Office for the County of *Middleſex*, in the ordinary Courſe of regiſtering Deeds in the ſaid Office, ſhall be a ſufficient Diſcharge to every ſuch Purchaſer; and the ſaid Regiſter is hereby required to regiſter ſuch Receipts and Acquittances accordingly.

Rights reſerved till Fences made.

LVII. And be it further enacted, That until the Fences of the ſeveral Allotments hereby aſſigned in lieu of Rights of Common, and other Rights upon the ſaid Chaſe, directed to be made at his Majeſty's Expence, ſhall have been made and completed, all Rights of Common upon the ſaid Chaſe ſhall remain unaffected, and be enjoyed by the Perſons intitled thereto, in as full and ample Manner as if this Act had not been made, any Thing herein contained to the contrary notwithſtanding.

LVIII. Provided

Enfield vicarial Dues reſerved.

LVIII. Provided always, and be it further enacted, That nothing herein contained ſhall affect, leſſen, diminiſh, prejudice, or take away, the Right of the Vicar of *Enfield*, or his Succeſſors, to any Surplice-fees, Eaſter-offerings, Oblations, or Obventions, to him or them due or to ariſe within ſuch Parts of the ſaid Chaſe as ſhall by virtue of this Act remain within the Pariſh of *Enfield*; but ſuch Surplice-fees, Eaſter-offerings, Oblations, and Obventions, and all other Vicarial Dues and Duties (Tythes of ſuch Parts of the ſaid Chaſe as are by this Act diſcharged therefrom, only excepted) ſhall be paid unto and received by the ſaid Vicar of *Enfield*, and his Succeſſors, in the like Manner and Form as within the other Parts of the ſaid Pariſh of *Enfield*.

Dues to the other Vicars.

LIX. Provided alſo, and be it enacted, That the Cure of Souls within the ſeveral Allotments of the ſaid Chaſe, by this Act annexed to the ſaid Pariſhes of *Edmonton*, *South Mimms*, and *Monken Hadley*, ſhall become and remain Part of the Cure of Souls of the ſaid reſpective Pariſhes: And, in Conſideration thereof, the Vicar of the Pariſh of *Edmonton*, and his Succeſſors, within the ſaid Allotment annexed to that Pariſh; the Vicar of the Pariſh of *South Mimms*, and his Succeſſors, within the ſaid ſeveral Allotments annexed to that Pariſh; and the Incumbent of the Pariſh of *Monken Hadley*, and his Succeſſors, within the ſaid Allotments annexed to that Pariſh; ſhall ſeverally and reſpectively have and be intitled to all Surplice-fees, Eaſter-offerings, Oblations, and Obventions, and other Vicarial Dues and Duties, to ariſe and accrue within the ſaid ſeveral and reſpective Allotments ſo annexed to their ſaid reſpective Pariſhes (Tythes only excepted), as the Vicar of *Enfield* and his Succeſſors would have been intitled unto, in caſe the ſaid Allotments had remained Part of the ſaid Pariſh of *Enfield*.

Powers for the Pariſhes to make Rules and Orders concerning their reſpective Allotments:

LX. And be it further enacted, That it ſhall and may be lawful to and for any ten or more Perſons reſiding within the ſeveral Pariſhes of *Enfield*, *Edmonton*, and *Monken Hadley* reſpectively, and aſſeſſed to the Poor's Rates thereof reſpectively, at the Rate of ten Pounds *per Annum* Rent each or upwards, together with the Churchwardens or with the Overſeers of the Poor of the ſaid Pariſh reſpectively for the Time being, from Time to Time to form ſuch Rules or Orders as ſhall be thought neceſſary or expedient for enfranchiſing to the reſpective Owners or Poſſeſſors ſuch of the ſaid Incroachments within their reſpective Allotments, as are held by Copy of Court-roll, and for the abſolute Sale, leaſing, letting, or other Diſpoſition of the Reſidue of the ſaid Incroachments belonging to the ſaid reſpective Pariſhes; ſo as no ſuch Rule or Order ſhall be prejudicial to any Tenant or Tenants of any Incroachment or Incroachments, who ſhall be intitled to and accept the Benefit of the aforeſaid Proviſions of this Act, in reſpect thereof; and alſo for the Incloſure of ſuch Parts and Proportions of the ſaid Allotments hereby aſſigned to ſuch reſpective Pariſhes, not exceeding one-ſeventh Part thereof reſpectively, for the Increaſe and Preſervation of Timber and young Trees; and for the making, repairing, and fencing of any Road or Roads on the Borders of, or in, through, or over their reſpective Allotments aforeſaid, ſo as ſuch Roads be made to contain forty Feet in Breadth at the leaſt; and for agreeing or compounding with the Owners of the Tythes of the ſaid Allotments for the Diſcharge of ſuch Tythes; and for the Uſe, Management, Regulation, or Stint of the Commonage of ſuch Parts thereof as ſhall be kept commonable; and for the Protection or Preſervation of the Herbage, Turf, Ground and Soil thereof; and for preſerving, raiſing, cutting down, grubbing up, ſelling or diſpoſing of the Trees, Woods, Underwoods, Buſhes, Fern and Covert which ſhall become the Property of ſuch reſpective Pariſh, growing or to grow upon ſuch reſpective Allotments; and for ſetting out and aſſigning fit and proper Places on the ſaid reſpective Allotments, for getting Gravel and Ballaſt for the public Roads of the ſaid reſpective Pariſhes; or for Sale of any ſuch Materials for private Uſes to any of the Inhabitants thereof; and for the Appointment or Employment of fit and proper Perſons to execute ſuch Rules and Orders, and from Time to Time to overlook the Common, and the Trees, Woods, and Fences within the ſame; and for impounding Cattle having no Right of Common thereon; and for the Diſpoſal and Application as well of the Money which ſhall ariſe by the Enfranchiſement and Sale of ſuch Incroachments, and the Rents and Profits thereof reſpectively, or any Part thereof, as of the Money to ariſe by Sale of any ſuch Trees, Woods, Underwoods, Buſhes, Fern, and Covert, Gravel, and Ballaſt, or otherwiſe, by virtue and in conſequence of this Act; and for directing fit and moderate Penalties to be inflicted on ſuch Perſons as ſhall be guilty of any wilful Breach of any ſuch Rules or Orders, ſo as no ſuch Penalty ſhall exceed five Pounds for any one Offence; and from Time to Time, for all or any of the Purpoſes aforeſaid, to call a Meeting or Meetings in Veſtry within ſuch reſpective Pariſh, by giving Notice thereof in the Pariſh Church and public Chapel (if any) on the three *Sundays* preceding every ſuch Meeting, immediately after reading the *Nicene* Creed, in order that ſuch propoſed Rules and Orders may, at ſuch Meeting, be taken into Conſideration by the Perſons there aſſembled; and that every Rule and Order (not being repugnant to Law, nor to any expreſs Proviſions contained in this Act) which ſhall be then and there approved by the major Part of the Perſons aſſembled at ſuch Meeting, intitled to Right of Common upon the Allotment of ſuch Pariſh, and being confirmed as herein-after mentioned, ſhall be a good and ſufficient Warrant to all Perſons acting under the ſame. Provided nevertheleſs, That no ſuch Rule or Order ſhall be valid or effectual before the ſame ſhall be confirmed and ſigned by the major Part of all the Owners and Proprietors of Meſſuages and Lands within ſuch Pariſh, intitled to a Right of Common on the Allotment made from the Chaſe to ſuch Pariſh, who were aſſeſſed to the Land Tax for the preceding Year, at the Rate of ten Pounds *per Annum* Rent each, or more, or their Truſtees, Committees, Guardians, Attornies, or Agents; which major Part ſhall be determined by the Aſſeſſment to the Land Tax for ſuch preceding Year. And, until any ſuch Rules or Orders ſhall be made to the contrary, and confirmed as herein-before is directed, it ſhall and may be lawful to and for all Perſons whatſoever, within the ſaid reſpective Pariſhes of *Enfield*, *Edmonton*, and *Monken Hadley* (other than and except ſuch Perſons as are herein-before excluded and debarred from any Common on the Pariſh Allotments), to have, uſe, enjoy, and take, in and upon the Portion or Allotment hereby aſſigned to or for the Benefit of the reſpective Pariſh within which the Property of ſuch Perſon or Perſons, in reſpect whereof he, ſhe, or they is or are or ſhall or may be intitled to ſuch Right of Common, is ſituate, at all Times whilſt the ſaid Portion or Allotment, or any

Such Rules and Orders to be ſigned by the major Part of Land-owners, &c. aſſeſſed to the Land Tax at 10 l. a Year.

Part thereof, ſhall remain in common to ſuch Pariſh, ſuch and the ſame Right of Common, and to and for the ſame, or the like Number of Horſes, Cows, and other Cattle, as ſuch Perſon or Perſons now is or are or would have been intitled to keep and depaſture, or to have kept and depaſtured on the ſaid Chaſe at large, in caſe this Act had not been made. And further, That until any ſuch Rule or Order ſhall be made to the contrary, and confirmed as before directed, all Monies which ſhall ariſe and accrue from the ſaid Pariſh Allotments, by virtue of this Act, ſhall be from Time to Time received by the Churchwardens of the reſpective Pariſhes for the Time being, and ſhall, together with all Penalties by them to be received under the Authority of this Act, be by them paid over to the Overſeers of the Poor of the ſame Pariſhes reſpectively, to be applied in Aid of the Poor's Rate of ſuch reſpective Pariſh, ſave and except the Monies which ſhall ariſe and accrue from the aforeſaid two hundred Acres (Part of the ſaid *Enfield* Allotment), intended to be incloſed as herein-after mentioned; and alſo except ſuch Monies as ſhall be expended in making and completing a certain Road herein-after directed to be made by or at the Expence of the ſaid Pariſh of *Enfield*; and that all Treſpaſſes, Nuiſances, Surcharges, Waſtes, and other Offences, which ſhall at any Time be committed upon any of the ſaid Allotments, after the Fences thereof by this Act directed ſhall be made and completed, and for which the Offenders, in caſe the ſaid Chaſe had remained in its preſent State, would have been ſubject to any Indictment, Fine, Amerciament, or other Pain, Penalty, Proſecution, or Puniſhment, in the Court of the Manor of *Enfield*, or any other Court, or before any of his Majeſty's Juſtices of the Peace, ſhall and may be preſentable and puniſhable in the ſame Manner as if the ſaid Chaſe had remained undivided.

Monies accruing from Pariſh Allotments, to be paid to Churchwardens, &c. till Order made to the contrary.

Two hundred Acres of Enfield Allotment to be incloſed, and Tythe free.

'LXI. And whereas upon the Treaty for the Diviſion of the ſaid Chaſe between the King's Majeſty and 'the ſeveral other Parties intereſted therein, the aforeſaid two hundred Acres, Part of the ſaid *Enfield* Al-'lotment, were agreed to be allotted to the ſaid Pariſh of *Enfield* (freed from all Tythes), as a Satisfaction 'for the aforeſaid Diſmemberment of their ſaid Pariſh, by the annexing to the ſaid other three Pariſhes 'their aforeſaid reſpective Allotments; and that the ſaid two hundred Acres ſhould be incloſed and let out 'to Tenants, and the Rents and Profits thereof appropriated in Aid of the Land Tax and Poors Rates 'aſſeſſed and raiſed, and to be aſſeſſed and raiſed, within the ſaid Pariſh of *Enfield*;' be it therefore enacted, That the ſaid two hundred Acres ſhall be incloſed in that Part of the ſaid Chaſe, which, after a ſtraight or direct Line to be drawn from *Sanders-corner* to *Poſtern-corner*, ſhall lie to the Eaſt of ſuch Line; and the ſaid two hundred Acres ſhall, after the Incloſure thereof, be for ever freed, exonerated, and diſcharged, of and from all Tythes whatſoever.

Pariſh Officers, with Conſent of the Veſtry, may leaſe the ſame.

LXII. And be it further enacted, That immediately after the paſſing of this Act, it ſhall and may be lawful to and for the Churchwardens and Overſeers of the Poor of the Pariſh of *Enfield* for the Time being, or their Succeſſors, to employ or take to their Aid ſuch experienced Surveyor as they ſhall think fit, and to ſtake out the aforeſaid two hundred Acres of Land into Lots or Parcels, in order to the letting the ſame by Leaſe in ſuch Manner as they ſhall conceive will be moſt advantageous and beneficial to the ſaid Pariſh; and to cauſe a Map or Plan to be made, whereon ſhall be deſcribed or delineated the ſeveral and reſpective Lots or Parcels, and the Quantity by Meaſure of each and every ſuch Lot or Parcel; and thereupon to call a Veſtry of the ſaid Pariſh of *Enfield*, by giving Notice thereof on three *Sundays* as aforeſaid, for the Purpoſe of taking into Conſideration how far ſuch Lots or Parcels are properly laid out; and that it ſhall and may be lawful, from Time to Time, to and for the major Part of the Inhabitants of the ſaid Pariſh, then and there aſſembled in Veſtry, to make ſuch Order as to them ſhall ſeem meet, for impowering and directing the ſaid Churchwardens to let, ſet, leaſe, or demiſe, the ſaid two hundred Acres, either by private Contract or by public Auction, and in ſuch Lots or Parcels as ſhall be then and there ſettled and approved, unto ſuch Perſons, and at ſuch annual Rents, and for ſuch Terms or Number of Years, or for Life or Lives, or by the Year, or at Will, and under ſuch Covenants, Conditions, Proviſoes, and Reſtrictions, as ſhall in and by ſuch Order be directed, expreſſed, or contained.

Qualification of Perſons to vote in Veſtry.

LXIII. Provided always, That no Inhabitant of the ſaid Pariſh aſſembled in ſuch Veſtry, ſhall have a Voice or be at Liberty to vote for making any ſuch Order for letting the ſaid two hundred Acres, as aforeſaid, who ſhall not be aſſeſſed to the Poor's Rate of the ſaid Pariſh for ten Pounds annual Rent, or upwards: and that no ſuch Order ſhall be of any Force or Effect, unleſs there are preſent at every ſuch Veſtry ten or more Freeholders or Copyholders, who are rated and aſſeſſed to the Land Tax and Poor's Rates within the ſaid Pariſh for ten Pounds a Year Rent, or upwards, nor until all and every ſuch Order and Orders be confirmed by a ſubſequent Veſtry of Inhabitants, and ſuch Number of Freeholders or Copyholders reſpectively, rated as aforeſaid, and called by giving ſuch Notice as aforeſaid; and that no ſuch Leaſe or Demiſe ſhall be made or granted for any greater or longer Term or Terms than three Lives or ninety-nine Years, and that, on the Renewal of every ſuch Leaſe or Demiſe, the Term to be granted in Reverſion, together with the Term then in Poſſeſſion, ſhall not exceed three Lives or ninety-nine Years; and that no ſuch Leaſe or Demiſe ſhall be valid or effectual, unleſs the beſt improved yearly Rent that can be reaſonably had or gotten for the ſame be thereby reſerved and made payable, during the Continuance thereof, without taking any Fine, Income, Premium, or Foregift, for or in reſpect of the making or granting ſuch Leaſe or Demiſe; and that every Leſſee of the ſaid two hundred Acres ſhall, at the Time of the granting any ſuch Leaſe, execute a Counterpart thereof, which Counterpart ſhall be depoſited and kept in the public Cheſt of the ſaid Pariſh of *Enfield*.

No Leaſe to be granted for more than three Lives or ninety-nine Years.

Proper Roads to be left.

LXIV. Provided alſo, That in ſetting out the ſaid two hundred Acres into Lots, for the Incloſure thereof as aforeſaid, there ſhall be left open for the convenient Approach to the ſeveral Houſes and incloſed Lands, adjoining to or abutting upon the ſaid two hundred Acres, fit and proper Roads, Ways, and Paſſages, ſo that the Owners and Occupiers of the ſaid Houſes and Lands may not be damnified or prejudiced by ſuch Incloſure; any Thing herein contained to the contrary notwithſtanding.

Churchwardens of Enfield impowered to demiſe twenty

'LXV. And whereas the Right Honourable Sir *Thomas Halifax*, Knight (now Lord Mayor of *London*), 'is ſeized of a capital Meſſuage contiguous to the ſaid two hundred Acres, Parcel of the ſaid Chaſe here-

by

'by directed to be incloſed, and is alſo intitled to the Uſe of a certain Conduit or Spring of Water ariſing 'upon the ſaid Chaſe, in the Front or View from the ſaid capital Meſſuage: And whereas it is fit and 'reaſonable that a ſuitable Portion of the ſaid two hundred Acres ſhould be ſet apart to be enjoyed with 'the ſaid capital Meſſuage on reaſonable and equitable Terms, and the ſaid Conduit and Watercourſe 'maintained and preſerved for the Benefit of the Owner and Occupier of the ſaid capital Meſſuage for the 'Time being, and for the Benefit of the Inhabitants of the ſaid Town of *Enfield*, as the ſame is now 'taken and uſed;' be it therefore enacted, That it ſhall and may be lawful for the ſaid Sir *Thomas Halifax*, his Heirs or Aſſigns, to take up and incloſe ſuch Portion of Ground, Parcel of the ſaid two hundred Acres, as fronts the ſaid capital Meſſuage, including the ſaid Conduit or Spring of Water, which ſhall contain twenty Acres or thereabouts, as the ſame is for that Purpoſe marked out, delineated, and deſcribed, in and upon the ſaid Map or Survey of the ſaid Chaſe; which ſaid twenty Acres ſhall be demiſed by Leaſe to the ſaid Sir *Thomas Halifax*, and his Aſſigns, by the Churchwardens of the ſaid Pariſh of *Enfield*, or their Succeſſors, for a Term of ninety-nine Years, at and under ſuch annual Rent to be thereby reſerved and made payable to the ſaid Churchwardens, and their Succeſſors, for the Benefit of the ſaid Pariſh, as ſhall be agreed upon by a Majority of the Pariſhioners of the ſaid Pariſh, in Veſtry to be aſſembled, ſo as ſuch Rent ſhall not exceed the Rate of thirty-five Shillings *per* Acre, clear of Land Tax, and all Repriſals, and that the ſaid Rent ſhall be made payable quarterly; and that there ſhall be contained in ſuch Leaſe, ſuch Covenants, Proviſoes, and Agreements, as are uſual in like Caſes; and alſo a ſpecial Covenant on the Part of the ſaid Sir *Thomas Halifax*, and his Aſſigns, to continue, at his and their Coſts and Charges, a Pipe and Cock from the Main of the ſaid Conduit, for the Uſe and Benefit of the Inhabitants of the ſaid Pariſh of *Enfield*, in the Manner the ſame is now or hath been uſed and enjoyed.

Acres to Sir Thomas Halifax, for 99 Years;

'LXVI. And whereas *Humphry Bache*, of the Pariſh of *Enfield*, Eſquire, is ſeized of certain incloſed 'Lands, containing three Acres, or thereabouts, adjoining upon the aforeſaid two hundred Acres of Land 'intended to be incloſed; upon which Lands the ſaid *Humphry Bache* hath erected a capital Dwelling-'houſe, in which he now reſides: And to the End that the ſaid *Humphry Bache* may not be injured in his 'Property, or incommoded with any Erections, Buildings, Annoyances, or Nuiſances, that may affect 'or detriment the ſame;' be it therefore enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid *Humphry Bache* to incloſe and take into his Poſſeſſion the Land adjoining to or ſurrounding his ſaid Dwelling-houſe; (that is to ſay,) The Land lying South of the Road intended to be made from *Parſon's-lane-end* Weſtward on *Enfield* Chaſe, to another Road which is intended to be made on the South Side of the aforeſaid Houſe, about one hundred Yards Diſtance from the ſame; and alſo the Land lying Eaſt and abutting on Part of the Land ſet out for the Owners or Proprietors of the Tythes, and on the Weſt of the Premiſes belonging to the ſaid *Humphry Bache*, the Land laying about one hundred and forty Yards (be the ſame more or leſs) from the ſame between the two intended new Roads aforeſaid; all which are deſcribed or delineated on the aforeſaid Plan or Survey of the ſaid Chaſe; all which Lands, to be incloſed by the ſaid *Humphry Bache*, contain together twenty Acres, or thereabouts; which ſaid Lands ſhall be demiſed by Leaſe to the ſaid *Humphry Bache*, and his Aſſigns, by the Churchwardens of the ſaid Pariſh of *Enfield*, or their Succeſſors, for a Term of ninety-nine Years, at and under ſuch an annual Rent to be thereby reſerved and made payable to the ſaid Churchwardens, and their Succeſſors, for the Benefit of the ſaid Pariſh, as ſhall be agreed upon by a Majority of the Pariſhioners of the ſaid Pariſh, in Veſtry to be aſſembled; ſo as ſuch Rent ſhall not exceed the Rate of thirty-five Shillings *per* Acre, clear of all Taxes and Repriſals, payable quarterly, and that there ſhall be contained in ſuch Leaſe, ſuch Covenants, Proviſoes, and Agreements, as are uſual in like Caſes.

and 20 Acres to Humphry Bache Eſq; for the ſame Term.

LXVII. And be it further enacted, That all the Rents and Profits which ſhall ariſe and accrue from the ſaid two hundred Acres, ſhall be received by the Churchwardens of the ſaid Pariſh of *Enfield* for the Time being, and their Succeſſors, and ſhall (after Payment of the Coſts and Charges they ſhall be actually and neceſſarily put unto, in and about the ſurveying, ſtaking out, and letting the ſame), from Time to Time, at *Michaelmas* and *Lady-day* in every Year, be paid over by them in equal Portions or Moieties, in Manner following; (that is to ſay,) one Moiety or Half-part of each and every Half-year's Rents and Profits ſhall be paid to the Overſeers of the Poor of the ſaid Pariſh for the Time being, to be by them applied in and towards the Poor's Rates of the ſaid Pariſh: and the other Moiety or Half-part of each and every Half-year's Rents and Profits ſhall be paid over to the Collector of the Land Tax of the ſaid Pariſh for the Time being, to be by him applied towards the Aſſeſſment for the Land Tax within the ſaid Pariſh.

Application of the Rents of the 200 Acres.

LXVIII. And be it further enacted, That the ſaid Allotment hereby aſſigned to the ſaid Pariſh of *Edmonton*, ſo intended to lie Common for the Benefit of the Freeholders and Copyholders of the ſaid Pariſh, their Tenants and Leſſees, ſhall, from and after the making and completing the Fences thereof, be ſhut up from the ſecond Day of *February* in every Year to the twelfth Day of *May* in every Year; and that, during the ſaid Time, no commonable or other Cattle whatſoever ſhall be turned out, kept, or depaſtured thereon by any Perſon whatſoever; and in caſe any Horſes, Cows, or other Cattle, ſhall, during the Time aforeſaid, be found depaſturing or ſtraying thereon, the ſame ſhall be deemed Treſpaſſers, and be impounded, and the Owners thereof ſhall be ſubject to ſuch Penalties as ſhall, in and by any ſuch Rule or Order, to be made for the Regulation and Management of the ſaid Common, under the Authority of this Act, be directed to be inflicted.

Edmonton Common to be ſhut up 14 Weeks every Year.

LXIX. Provided always, and be it enacted, That the ſeveral Penalties, to be by any ſuch Rules or Orders directed to be inflicted, ſhall not exceed the Rate of two Shillings *per* Head *per* Day for any Horſes, Cows, or other Cattle, which ſhall be unlawfully kept or turned on any of the ſaid Allotments hereby aſſigned to the ſaid Pariſhes of *Enfield*, *Edmonton*, and *Monken Hadley*, whilſt the ſame ſhall be reſpectively kept in Common, over and beſides the Coſts of Conviction; and the ſame ſhall be recoverable before any one or more Juſtice or Juſtices of the Peace for the County of *Middleſex*, not intereſted in the Premiſes, in the Manner herein-after directed; and ſhall be paid into the Hands of the Churchwardens of the reſpective

Limitation of Penalties for Cattle treſpaſſing on the Commons.

ſpective Pariſhes for the Time being; and ſhall, together with any other Penalties which ſhall, under the Directions of this Act, be paid to the ſaid Churchwardens, to be by them applied and diſpoſed of to and for ſuch Uſes and Purpoſes, and in ſuch Manner, as ſhall, in and by ſuch Rules and Orders, be directed.

Freeholders, &c. to have the ſame Rights to recover as the Crown would have had.

LXX. And be it further enacted, That the Freeholders, Copyholders, Leſſees, and Tenants of the ſaid ſeveral Pariſhes of *Enfield*, *Edmonton*, and *Monken Hadley*, and every of them, ſhall have full Power and Authority, by Order of Veſtry, and in the Name or Names of the Churchwardens of each Pariſh, to bring, commence, maintain, or defend any Suits or Actions for recovering the Poſſeſſion of Incroachments, Rents, Monies, or other Matter or Thing, belonging or ſuppoſed to belong, or to be due unto ſuch Pariſh, by Force or Virtue of this Act; or reſpecting or concerning any Claims or Rights of Common, or other Privileges within any of the ſaid Pariſh Allotments, or any Treſpaſs or Treſpaſſes committed thereon, whilſt the ſame ſhall remain in Common reſpectively; and in caſe of any Trial or Trials of any ſuch Suits or Actions, wherein the Title to any Incroachment or Claim of Common ſhall be in Queſtion; that then, and in every ſuch Caſe, ſuch Pariſh ſhall have and be intitled to recover and be relieved in as large and ample Manner, and in like Manner and Form, as the King's Majeſty, his Heirs or Succeſſors, would have been intitled to Relief, or to have recovered, in caſe this Act had not been made.

No new Gates to be ſet up, or Ways made, without Leave of the Veſtry. Exceptions.

'LXXI. And, for the better Preſervation of the ſeveral Allotments hereby aſſigned to the ſaid Pariſhes 'of *Enfield*, *Edmonton*, and *Monken Hadley*, or ſuch Parts thereof as ſhall be kept in Common, and of 'the Soil and Herbage thereof,' be it further enacted, That no Owner or Occupier of any Lands bordering upon or adjoining to the ſame, or any of them, ſhall have or be intitled to have, make, or uſe, any Gates, Ways, and Paſſages, (ſave and except ſuch Gates, Ways, and Paſſages, as have been made and uſed for ſeven Years paſt or upwards, or ſuch as may be neceſſary to lead into any Houſe or Outhouſe, or into any Court or Yard belonging to any Houſe or Outhouſe now or hereafter to be erected, or ſuch as may be neceſſary for the Occupation of any new Incloſures within the ſaid Chaſe, to be made under the Authority of this Act) without firſt obtaining an Order of the Veſtry of that Pariſh which may be immediately affected by the erecting, making, or uſing any ſuch new Gates, Ways, or Paſſages, authoriſing or licenſing the ſame; and in caſe and ſo often as any Gate, Way, or Paſſage, ſhall be erected or uſed without ſuch Order (except in the Caſes aforeſaid), it ſhall be lawful for any Perſon or Perſons, intitled to a Right of Common in and upon the Allotment, or otherwiſe affected thereby, to make Complaint thereof upon Oath to any one or more Juſtice or Juſtices of the Peace for the County of *Middleſex* not intereſted in the Premiſes, which Juſtice or Juſtices is and are hereby authoriſed and required to view ſuch Gate, Way, or Paſſage, and to ſummon and call the Parties concerned and all neceſſary Witneſſes before him or them, and to examine ſuch Witneſſes upon Oath, as ſuch Juſtice or Juſtices ſhall think fit; and thereupon, by his or their Order or Warrant, to cauſe ſuch Gates, Ways, or Paſſages, to be wholly taken away, deſtroyed, or diſcontinued, and to inflict ſuch Penalty or Penalties on the Perſon or Perſons making the ſame, not exceeding five Pounds, as ſuch Juſtice or Juſtices in his or their Diſcretion ſhall think fit; or in caſe ſuch Juſtice or Juſtices ſhall find that any ſuch Gates, Ways, or Paſſages, are neceſſary to be continued for the private Convenience of the Perſon or Perſons making the ſame, and ſuch Perſon or Perſons ſhall thereupon give Security, to the Satisfaction of ſuch Juſtice or Juſtices, for the Payment to the Churchwardens of the reſpective Pariſhes affected thereby, of ſuch an annual Acknowledgment or Satisfaction for the Uſe of the ſaid Gates, Ways, or Paſſages, as the ſaid Juſtice or Juſtices ſhall order and direct, then, and in every ſuch Caſe, it ſhall be lawful for ſuch Perſons to uſe and continue ſuch Gates, Ways, and Paſſages, in ſuch Manner, and at ſuch Times or Seaſons, and under ſuch Reſtrictions, as the ſaid Juſtice or Juſtices ſhall think fit, and by his or their Order or Warrant in that Behalf directed.

Penalty on Offenders.

Recitals in reſpect of South Mimms Pariſh.

'LXXII. And whereas the aforeſaid Allotment, herein-before aſſigned to or for the Benefit of the 'Freeholders and Copyholders of the Pariſh of *South Mimms*, adjoins upon and lies open to a Piece of 'open commonable Ground within and belonging to the ſaid Pariſh of *South Mimms*, called *Bentley-heath*, 'or by ſome other Name or Names, containing eighty-ſeven Acres, or thereabouts, being Parcel or re'puted Parcel of the Manor of *South Mimms*: And whereas the Freeholders and Copyholders of the ſaid 'Pariſh of *South Mimms*, and their Tenants, are intitled, in Excluſion of all other Perſons, to the like 'Rights within and upon the ſaid Heath or commonable Ground, as they are intitled unto within and 'upon the ſaid Chaſe: And whereas the Right Honourable *James* Earl of *Saliſbury* is Lord of the ſaid Ma'nor of *South Mimms*, and is alſo Impropriator and Owner of all the rectorial or Great Tythes ariſing 'within the ſaid Pariſh of *South Mimms*: And whereas the Reverend *John Heathfield* Clerk is Vicar, for 'the Time being, of the ſaid Pariſh of *South Mimms*, and as ſuch is intitled to all vicarial or Small Tythes 'ariſing within the ſaid Pariſh: And whereas the ſaid *James* Earl of *Saliſbury*, *Thomas Allen* Eſquire, *Chri'ſtopher Bethel* Eſquire, and divers other Perſons, are Owners and Proprietors of Freehold and Copyhold 'Lands, Tenements, and Hereditaments, within the ſaid Pariſh of *South Mimms*, and, by virtue thereof, 'are intitled to a Right of Common, or other Rights, as well within the ſaid Chaſe of *Enfield*, as within 'and over the ſaid Parcel of Waſte Grounds: And whereas it will be of Benefit and Advantage to all Per'ſons intereſted therein, if the aforeſaid Allotment of one thouſand and twenty-ſix Acres, and three 'Perches, Parcel of the ſaid Chaſe, herein-before aſſigned to the ſaid Pariſh of *South Mimms*, and the ſaid 'Heath or commonable Ground, containing eighty-ſeven Acres, more or leſs, making together one 'thouſand one hundred and thirteen Acres, and three Perches (be the ſame more or leſs), were deemed 'and conſidered as one intire Common or Waſte Ground, the Property of the ſaid Pariſh of *South Mimms*, 'and divided and ſet out into ſpecific Shares and Allotments to and amongſt the ſeveral Perſons having 'Right of Common or other Intereſts in and upon the ſame, in order to the Incloſure and Cultivation 'thereof;' be it therefore enacted and declared by the Authority aforeſaid, That the ſaid Allotment of the

ſaid Chaſe of *Enfield*, containing one thouſand and twenty-ſix Acres, and three Perches, herein-before aſſigned to the ſaid Pariſh of *South Mimms*, and the ſaid Heath or commonable Ground adjoining thereto, containing eighty-ſeven Acres (be it more or leſs), ſhall from henceforth, for the Purpoſes of dividing, ſetting out, and allotting the ſame, as herein-after is directed, be deemed, taken, and conſidered as one intire Common or Waſte Ground belonging to the Freeholders and Copyholders of the ſaid Pariſh of *South Mimms*.

South Mimms Allotment, and Bentley-heath, to be divided and allotted among the Freeholders, &c.

LXXIII. And be it further enacted, That *George Maxwell* of *Gravely* in the County of *Hertford*, *John Bocket* of *South Mimms* in the County of *Middleſex*, and *Robert Weſton* of *Brackley* in the County of *Northampton*, and their Succeſſors, to be elected in Manner herein-after mentioned, ſhall be, and they are hereby appointed Commiſſioners for dividing, ſetting out, and allotting the ſaid Common or Waſte Ground, containing one thouſand one hundred and thirteen Acres, and three Perches (be the ſame more or leſs), in Manner herein-after directed.

Commiſſioners appointed.

LXXIV. Provided always, That no Perſon ſhall be capable of acting as a Commiſſioner in the Execution of this Act (unleſs it be the Power hereby given of adminiſtering Oaths, and of giving Notice of the firſt Meeting of the ſaid Commiſſioners) until he ſhall have taken and ſubſcribed an Oath to the following Effect:

Commiſſioners to be ſworn.

'I *A. B.* do ſwear, That I will faithfully, impartially, and honeſtly, according to the beſt of my Skill and Judgment, execute the ſeveral Powers and Truſts repoſed in me as a Commiſſioner, by virtue of an Act of Parliament, of the ſeventeenth Year of the Reign of his Majeſty King *George* the Third, *for dividing the Chaſe of* Enfield, *in the County of* Middleſex; *and for other Purpoſes therein mentioned*; without Favour or Affection to any Perſon whomſoever.'

Oath of Commiſſioners.

Which Oath it ſhall and may be lawful for any one of the ſaid Commiſſioners to adminiſter to any other of the ſaid Commiſſioners; and the ſaid Oath, ſo taken and ſubſcribed by each Commiſſioner, ſhall be inrolled in the ſame Place, and at the ſame Time, as the Award or Inſtrument herein-after directed to be made by the ſaid Commiſſioners, is, in and by this Act, directed to be inrolled.

LXXV. And be it further enacted, That when any one or more of the Commiſſioners appointed by this Act, or to be elected in Manner herein-after mentioned, ſhall die, or refuſe to act, the ſurviving or acting Commiſſioner or Commiſſioners ſhall, from Time to Time, within one Calendar Month next after the Death, or Refuſal to act, of any ſuch Commiſſioner or Commiſſioners, or as ſoon after as Occaſion may require, by Writing under his or their Hand and Seal, or Hands and Seals, appoint one or more Commiſſioner or Commiſſioners, not intereſted in the Incloſure of the ſaid Common or Waſte Ground, in the Room of ſuch Commiſſioner or Commiſſioners dying, or refuſing to act, as aforeſaid; and every ſuch Commiſſioner or Commiſſioners, ſo to be appointed, ſhall have the like Powers and Authorities, by virtue of this Act, as the Commiſſioner or Commiſſioners, in whoſe Place or Places he or they ſhall ſucceed, was or were inveſted with; provided that Notice be given in the Pariſh Church of *South Mimms* aforeſaid, of the Time and Place of every ſuch Election, at leaſt ten Days before the ſame ſhall be made.

When Commiſſioners die, or refuſe to act, new ones to be choſen.

LXXVI. Provided alſo, and be it enacted, That all and every the Powers, Authorities, and Directions, and other Matters and Things by this Act given to, or veſted in, or directed to be done and executed by or before the ſaid Commiſſioners and their Succeſſors, ſhall and may be done and executed by or before any two of them, and that the Act and Acts of any two of the ſaid Commiſſioners ſhall be of as full Force and Effect as if done by or before all the ſaid Commiſſioners; any Thing herein contained to the contrary notwithſtanding.

Two Commiſſioners to be a Quorum.

LXXVII. And be it further enacted, That the ſaid Commiſſioners ſhall, and they are hereby required to give public Notice in the Pariſh Church of *South Mimms* aforeſaid, upon ſome *Sunday* immediately after Divine Service, and alſo to affix a like Notice in Writing upon the Door of the ſaid Church, of the Time and Place of their firſt and every ſucceeding Meeting for the executing the Powers hereby veſted in them, at leaſt ſix Days before every ſuch Meeting (Meetings by Adjournment only excepted); and that if at any Time appointed for any ſuch Meeting no more than one of the ſaid Commiſſioners ſhall attend, then, and in every ſuch Caſe, ſuch Commiſſioner ſhall and may adjourn the ſaid Meeting to ſuch future Day as he ſhall think fit; and all the Meetings of the ſaid Commiſſioners for executing the Truſts repoſed in them by this Act, ſhall be held within the ſaid Pariſh of *South Mimms*, or at ſome Place or Places within the Diſtance of ten Miles from the ſaid Pariſh.

Notice of Meetings, and Limitation of Diſtance.

LXXVIII. And be it further enacted, That the ſaid Commiſſioners, ſhall, as ſoon as conveniently may be after paſſing of this Act, make, or cauſe to be made, a Survey, Admeaſurement, and Valuation of the ſaid Common or Waſte Ground, which Survey, Admeaſurement, and Valuation ſhall be reduced into Writing, and the Number of Acres, Roods, and Perches, contained in the ſaid Common or Waſte Ground, ſhall be therein ſpecified and deſcribed; and the ſaid Survey, Admeaſurement, and Valuation ſhall be verified by the Oath of the Perſon or Perſons making the ſame (which Oath any one or more of the ſaid Commiſſioners is and are hereby impowered to adminiſter); and the ſaid Survey, Admeaſurement, and Valuation, ſhall be laid before the ſaid Commiſſioners at their Meetings to be held in purſuance of this Act.

Survey, Admeaſurement, &c. to be made.

LXXIX. Provided always, and be it further enacted, That all Incloſures and Incroachments which were taken from or made upon the ſaid Common or Waſte Ground before the twenty-ninth Day of *September*, in the Year of our Lord one thouſand ſeven hundred and ſeventy-ſix (ſave only certain Lands uſed as a Coney-warren, and certain Lands heretofore incloſed for the fothering his Majeſty's Deer) ſhall not be deemed any Part of the Lands intended to be divided and allotted by virtue of this Act, but ſhall be deemed the Property of the reſpective Perſons who now enjoy the ſame, and their reſpective Heirs, Executors,

Incroachments made before September 29, 1776, to be the Property of the Perſons in Poſſeſſion. Exceptions.

cutors, and *ceſtuique* Truſts, according to the ſeveral Tenures and in Manner herein-after mentioned; (that is to ſay,) That all ſuch of the ſaid Incloſures and Incroachments as are held by Copy of Court-roll of the Manor of *South Mimms*, and the Manor of *Williotts*, or either of them, ſhall be continued to be held by the preſent Copyhold Tenants thereof, to them and their Heirs, by Copy of Court-roll, according to the Cuſtom of the reſpective Manors whereof they are ſo held by the Rents and Services therefore due and accuſtomed; ſubject nevertheleſs to the ſeveral Truſts, Limitations, Uſes, and Eſtates, in and by ſuch Copies of Court-roll, or by any Deed or Will thereof lawfully declared; and that all the Reſt and Reſidue of the ſaid Incloſures and Incroachments (ſave and except certain Cottages and Lands held by Leaſe from the Duchy of *Lancaſter* herein-after particularly mentioned) ſhall be deemed and from henceforth become the Freehold and Inheritance of the reſpective Perſons who now hold and enjoy the ſame, their reſpective Heirs and Aſſigns.

Parish Rents reserved.

LXXX. Provided nevertheleſs, and be it enacted, That all ſuch Rents, or other annual Outgoings, as are now rendered and paid or payable to or for the general Benefit of the ſaid Pariſh of *South Mimms*, for or in reſpect of any Incroachments or Incloſures made upon or taken from any Common or Waſte Land within the ſaid Manor of *South Mimms*, ſhall continue to be paid for and out of the ſaid reſpective Incroachments and Incloſures, to or for the Benefit of the ſaid Pariſh; and, for the better Recovery thereof, the ſaid Rents ſhall be, and the ſame are hereby veſted in the Churchwardens of the ſaid Pariſh of *South Mimms*, and their Succeſſors; and that all other Rents, now paid or payable for or in reſpect of Incloſures or Incroachments within the ſaid Common or Waſte Land, to be incloſed by virtue of this Act, not being of Copyhold Tenure (ſave and except the Rent of Six Pounds reſerved on the Leaſe herein-after particularly mentioned), ſhall be diſcharged, and the ſaid Incroachments and Incloſures be from henceforth freed and exonerated therefrom.

Commiſſioners to appoint Roads, Fences, Bridges, &c.

LXXXI. And be it further enacted, That the ſaid Commiſſioners ſhall and may, and they are hereby impowered and required, in the firſt Place, to ſet out and appoint ſuch Public and Private Roads or Ways, and alſo ſuch Ditches, Mounds, Fences, Common Drains, and Common Sewers, Watercourſes, Banks, Bridges, Gates, and Stiles, in, over, or upon the ſaid Common or Waſte Ground intended to be divided and incloſed by virtue of this Act, as they in their Diſcretion ſhall think requiſite, ſo as all ſuch Public Roads ſhall be and remain forty Feet in Breadth at the leaſt between the Ditches or Fences, and that the ſaid Private Roads or Ways ſhall be of ſuch Breadth as the ſaid Commiſſioners ſhall order and direct; and

At whoſe Expence Roads to be made and repaired.

all ſuch Public Roads ſhall be made, and at all Times hereafter repaired, by the ſaid Pariſh of *South Mimms* (except as herein-after is provided), in like Manner as other Public Roads within the ſaid Pariſh are made and repaired, or ought ſo to be; and that the ſaid Private Roads or Ways ſhall be made at the Expence of ſuch Perſon and Perſons to whom the ſaid Common or Waſte Ground ſhall be allotted, or to whom any Compenſation ſhall be made by virtue of this Act, in ſuch Shares and Proportions as the ſaid Commiſſioners ſhall order, direct, and appoint; and that, after ſuch Public and Private Roads or Ways ſhall be ſet out and made, it ſhall not be lawful for any Perſon or Perſons to uſe any other Roads or Ways, either Public or Private, in, over, through, or upon the ſaid Common or Waſte Ground, or any Part or Parts thereof, either on Foot or with any Horſes, Cattle, or Carriages; and that all former Roads and Ways, that ſhall not be ſet out and appointed as the Roads and Ways through the ſaid intended Incloſure, ſhall be deemed Part of the Common or Waſte Ground to be divided and incloſed by virtue of this Act, and ſhall be allotted and divided accordingly as Part thereof; and that all Private Ways, Hedges, Ditches, Walls, Fences, Banks, Drains, Bridges, Gates, and Stiles, to be ſet out, erected, and appointed as aforeſaid, ſhall be made, and at all Times thereafter repaired, cleanſed, maintained, and kept in Repair, by ſuch Perſon or Perſons, and in ſuch Manner, as the ſaid Commiſſioners ſhall, in and by their Award or Inſtrument herein-after mentioned, order, direct, and appoint.

Vicarage of South Mimms to be augmented.

'LXXXII. And whereas the Inhabitants of the ſaid Pariſh of *South Mimms* are numerous, and the 'annual Income of the ſaid Vicarage is inadequate to the Duty belonging to the Vicar thereof; and, in 'Conſideration thereof, the Freeholders and Copyholders of the ſaid Pariſh are deſirous of augmenting 'the Glebe Land belonging to the ſaid Vicarage with an Allotment from the ſaid Common or Waſte 'Ground;' be it therefore enacted, That the ſaid Commiſſioners ſhall, and they are hereby authoriſed and required, in the next Place, to aſſign, ſet out, allot, and appoint, unto the ſaid *John Heathfield*, and his Succeſſors, Vicars of the ſaid Pariſh of *South Mimms*, in Lieu, Satisfaction, and Diſcharge, as well of all Rights of Common and other Rights of the ſaid Vicarage, within and upon the ſaid Chaſe of *Enfield*, and the Waſtes of the ſaid Pariſh of *South Mimms*, as of all vicarial or Small Tythes ariſing within, upon, or from ſuch Part of the ſaid Common or Waſte Ground, intended to be incloſed, as before the paſſing of this Act was within the Pariſh of *South Mimms*, ſuch Parcel of the ſaid Common or Waſte Ground as they ſhall adjudge (Quantity, Quality, Situation, and Convenience conſidered) to be equal in Value to twenty-five Acres, upon an Average Value of the Whole of the ſaid Common or Waſte Ground ſo intended to be incloſed; which ſaid Allotment of twenty-five Acres ſhall be from thenceforth for ever thereafter held and enjoyed by the Vicar of the ſaid Pariſh of *South Mimms*, and his Succeſſors, as Parcel of the Glebe of the ſaid Pariſh. Provided always, That it ſhall be lawful for the Vicar of *South Mimms*, for the Time being, with the Conſent of the Patron and Ordinary, to exchange any Allotment of Lands that ſhall be made to him by virtue of this Act, for other Lands lying and being within the ſaid Pariſh of *South Mimms* nearer to the Vicarage-houſe of the ſaid Pariſh of *South Mimms*; and the Act or Inſtrument, whereby ſuch Exchange or Exchanges ſhall be effected, ſhall be inrolled in the ſame Place as the Award of the ſaid Commiſſioners is directed to be inrolled; and all and every ſuch Exchange or Exchanges ſhall be good, valid, and effectual in Law, to all Intents and Purpoſes whatſoever.

Vicar, with Conſent of the Patron, &c. may exchange Lands allotted to him.

Appointment of the Reſidue of the Waſte.

LXXXIII. And be it further enacted, That the ſaid Commiſſioners ſhall, in the next Place, ſet out, allot, and appoint, unto and for the Owners of all Dwelling-houſes, Cottages, and Lands, which, before the paſſing of this Act, were within and Parcel of the ſaid Pariſh of *South Mimms*, whether Freehold

or Copyhold, ſuch Allotments or Parcels of the ſaid Common or Waſte Ground, as ſhall, in the Judgment of the ſaid Commiſſioners (Quality and Situation conſidered), be equal in Value to the ſeveral and reſpective Quantities after mentioned, upon the Average Value of the whole of the ſaid Common or Waſte Ground, in lieu of their Rights and Claims in and upon the ſame, without having any Regard to the real Value of ſuch Houſes or Cottages; (that is to ſay) To the Owner of every Dwelling-houſe or Cottage not aſſeſſed or rated to the Land Tax, and alſo to the Owner of every Dwelling-houſe, Cottage, or Land, aſſeſſed or rated to the Land Tax at any annual Value or Sum not exceeding forty Shillings, an Allotment, after the Rate of one Acre and one Quarter of an Acre, on the Average Value of the whole Common, as aforeſaid: To the Owner of every Dwelling-houſe, Cottage, or Land, aſſeſſed or rated to the Land Tax at any annual Value or Sum above forty Shillings, and not exceeding five Pounds, an Allotment after the Rate of one Acre and an Half, on the Average Value of the whole Common, as aforeſaid: To the Owner of every Dwelling-houſe, Cottage, or Land, aſſeſſed or rated to the Land Tax at any annual Value or Sum above five Pounds, and not exceeding ten Pounds, an Allotment after the Rate of two Acres on the Average Value of the whole Common, as aforeſaid: And to the Owner of every Dwelling-houſe, Cottage, or Land, aſſeſſed or rated to the Land Tax at any annual Value or Sum above ten Pounds, and not exceeding fourteen Pounds, an Allotment after the Rate of two Acres and an Half, on the Average Value of the whole Common, as aforeſaid. Provided always, That in every Caſe where any ſuch Owner will not, under the Proviſions aforeſaid, be intitled to an Allotment of the ſaid Common or Waſte Ground, amounting in the whole to three Acres, then, and in every ſuch Caſe, the ſaid Commiſſioners ſhall allot to each and every of ſuch Owners one Quarter of an Acre in Addition to his or her reſpective Allotment or Allotments. Provided alſo, That the ſaid Commiſſioners ſhall not allot any Part of the ſaid Common or Waſte, for or in reſpect of any Cottage erected on the Waſte of the Manor of *South Mimms*, or the Manor of *Williotts*, ſince the twenty-ninth Day of *September*, one thouſand ſeven hundred and ſeventy-ſix. Allotments for Cottages, &c.

LXXXIV. And be it further enacted, That the ſaid Commiſſioners ſhall, and they are hereby authoriſed and directed to aſſign, ſet out, allot, and appoint, all the Reſidue and Remainder of the ſaid Common or Waſte Ground to and amongſt the ſaid *James* Earl of *Saliſbury*, and all other the Owners and Proprietors of Meſſuages, or Dwelling-houſes, Lands, and Tenements, within the ſaid Pariſh of *South Mimms* (the Vicar of the ſaid Pariſh, and the ſeveral Perſons to whom ſuch Allotments ſhall be made under the Proviſions aforeſaid, only excepted), according and in proportion to the annual Sums or Rates at which the ſaid Owners and Proprietors are, in reſpect of their ſeveral Meſſuages, Lands, Tenements, and Hereditaments, within the ſaid Pariſh of *South Mimms*, ſet, aſſeſſed, and rated to the Land Tax for the ſaid Pariſh (ſave and except as herein-after is otherwiſe provided); and that in allotting the ſame, the ſaid Commiſſioners ſhall have due Regard to the Quantity, Quality, Situation, and Convenience of every Perſon's Allotment and Allotments. Allotments to other Perſons.

LXXXV. Provided always, and be it enacted, That where any Meſſuages, Dwelling-houſes, Cottages, or Lands, in the ſaid Pariſh of *South Mimms*, being the Property of one and the ſame Perſon, ſhall happen to be aſſeſſed and rated to the Land Tax in ſeparate and diſtinct Sums; then, and in every ſuch Caſe, the ſaid Commiſſioners ſhall conſider every ſuch Perſon as intitled to one groſs Allotment, according and in proportion to the whole Amount of ſuch ſeveral diſtinct Aſſeſſments, when added together and made one Sum, and not according to ſuch ſeparate or diſtinct Aſſeſſments. Aſſeſſments to be conſolidated.

LXXXVI. Provided alſo, and be it enacted, That in caſe the ſaid Commiſſioners ſhall find that any Owner of two or more Dwelling-houſes or Cottages within the ſaid Pariſh of *South Mimms*, whoſe Aſſeſſments to the Land Tax ſhall not exceed fourteen Pounds a Year, will not receive, or be intitled under the Proviſions aforeſaid, to an Allotment in reſpect of ſuch Dwelling-houſes or Cottages, equal, on an Average Value of the whole Common as aforeſaid, to the Rate or Proportion of one Acre for each of ſuch Dwelling-houſes or Cottages; then, and in every ſuch Caſe, the ſaid Commiſſioners ſhall, and they are hereby authoriſed and directed to ſet out, aſſign, and allot unto every ſuch Owner, after the Rate or Proportion of one Acre for and in reſpect of each and every of ſuch Dwelling-houſes or Cottages, to be taken on an Average Value of the Whole of the ſaid Common or Waſte Ground, as aforeſaid. Owners of two or more Cottages to be allotted one Acre for each.

LXXXVII. Provided alſo, and be it enacted, That every Dwelling-houſe, Cottage, or Building, under one Roof, though occupied or divided into two or more Dwellings, and being the Property of one Owner or Proprietor, ſhall be deemed and conſidered only as one Dwelling-houſe or Cottage, any Thing herein before contained to the contrary notwithſtanding. Two Dwellings under one Roof but one Cottage.

LXXXVIII. Provided alſo, and be it further enacted, That in caſe the ſaid Commiſſioners ſhall find that any Meſſuage, Dwelling-houſe, Cottage, or Land, within the ſaid Pariſh of *South Mimms*, was not aſſeſſed or rated to the Land Tax at the Time of paſſing this Act, on account of the ſame being untenanted or uninhabited, that then, and in every ſuch Caſe, every ſuch Meſſuage, Dwelling-houſe, Cottage, and Land, ſhall be intitled to its Share and Proportion of the ſaid Common or Waſte Ground, according to the Rate or Aſſeſſment at which the ſame was laſt ſet and rated to the Land Tax reſpectively, any Thing herein contained to the contrary notwithſtanding. Proviſion for untenanted Houſes.

LXXXIX. Provided alſo, and be it enacted, That in ſetting out and allotting the ſaid Common or Waſte Ground, the Farms and Lands of *Thomas Allen* Eſquire, ſhall be conſidered by the ſaid Commiſſioners (in regard the ſame are let and aſſeſſed at an Under-value) as aſſeſſed and rated to the Land Tax at fifty Pounds a Year more than the ſame are really aſſeſſed and rated at; and that ſuch of the Farms and Lands, whereof the Corporation called *The Brewers Company* is ſeiſed, in Truſt for certain charitable Uſes (in regard the ſaid Farms and Lands are not aſſeſſed and rated to the Land Tax), ſhall be conſidered by the ſaid Commiſſioners as actually aſſeſſed and rated to the Land Tax at fifty-ſix Pounds and ten Shillings a Year, over and above other Farms and Lands of the ſaid Corporation, which are aſſeſſed and rated to the Land Tax; and that the Tenement in the ſaid Pariſh of *South Mimms* belonging to the Pariſh or to An Exception as to Mr. Allen, the Brewers Company, and Shenley Pariſh.

the Poor of the Pariſh of *Shenley* in the County of *Hertford* (in regard the ſame is not aſſeſſed or rated to the Land Tax), ſhall be conſidered by the ſaid Commiſſioners as actually aſſeſſed and rated to the Land Tax at five Pounds a Year; and that the ſaid Commiſſioners ſhall allot to the ſaid *Thomas Allen*, his Heirs and Aſſigns, and to the ſaid Corporation, and to the ſaid Pariſh of *Shenley*, their Shares and Proportions of the ſaid Common or Waſte Ground accordingly, any Thing herein-before contained to the contrary thereof notwithſtanding.

'XC. And whereas the ſaid *James* Earl of *Saliſbury* is aſſeſſed and rated to the Land Tax within the 'ſaid Pariſh, as well for the ſaid Manor of *South Mimms*, as for his Great Tythes and other Tythes, 'Lands and Tenements, within the ſaid Manor and Pariſh, and will therefore, under the Proviſions 'aforeſaid, become intitled to an Allotment of the ſaid Common or Waſte Ground according to ſuch As-'ſeſſment;' be it therefore enacted, That the Allotment to be ſo made to the ſaid Earl of *Saliſbury*, his Heirs and Aſſigns, ſhall be deemed, taken, and accepted, in Lieu, Satisfaction, and Diſcharge, as well of all Right of Common within and upon the ſaid Common or Waſte Ground, as of all Right of Soil, and of all rectorial and other Tythes whatſoever, of, from, within, or out of ſuch and ſo much of the ſaid Common or Waſte Ground, as before the paſſing of this Act was ſituate within and Parcel of the ſaid Pariſh of *South Mimms*.

Earl of Saliſbury's Allotment, in diſcharge of manerial Rights and Tythes.

XCI. And be it further enacted, That the ſaid Commiſſioners, in making the Diviſions and Allotments of the ſaid Common or Waſte Ground, ſhall have a due Regard to the Quality and Situation, as well as the Quantity of the Lands ſo to be divided and allotted, and alſo to the Conveniency of the Parties concerned; and ſhall ſet out the Part or Share of every Perſon reſpectively in one entire Plot or Parcel, where the ſame can be conveniently done, and as near to each particular Perſon's Lands, Tenements, or Hereditaments reſpectively, as conveniently may be, without Preference or Partiality to any of the Parties or Perſons intereſted in the ſaid Diviſion and Incloſure; except in the Caſes herein-after ſpecially provided for. Provided always nevertheleſs, That in reſpect of the particular Situation of the Capital Meſſuage and Lands of *George Byng* Eſquire, called *Wrotham Park*, the ſaid Commiſſioners ſhall be and are hereby authoriſed and required to appoint, allot, and ſet out, unto the ſaid *George Byng*, his Heirs and Aſſigns, towards his and their Share and Allotment, ſo much and ſuch Part of the ſaid Common or Waſte Ground as doth abut on the South and Weſt Parts thereof upon *Wrotham Park*, further South upon the Road leading from an Houſe called *The May-pole* at *Kicks-end*, on the North Part thereof upon the Road leading from *Gannock-corner* to *Green-dragon-lane*, and on the Eaſt Part thereof upon the Great North Road leading from *Barnet* to *Hatfield*, and containing fifty-two Acres, or thereabouts; which Part it ſhall be lawful for the ſaid *George Byng*, his Heirs and Aſſigns, to incloſe and hold in Severalty, when and ſo ſoon as the ſaid Commiſſioners ſhall, by their Order in Writing, authoriſe and direct; and, in Conſideration thereof, the ſaid Commiſſioners ſhall be and are hereby authoriſed to lay the Reſidue of the Allotment, appertaining to the Eſtates and Hereditaments of the ſaid *George Byng* and his Heirs, at any remote Diſtance from his ſaid Lands and Eſtates, ſo as to render the Allotments of all other Perſons as advantageous and convenient to them as may be.

Commiſſioners to have Regard to the Quality and Situation of the Lands, &c.

Mr. Byng's Allotment.

XCII. And be it further enacted, That the ſeveral Roads and Footpaths in and over the ſaid Portion of Land herein-before deſcribed and directed to be aſſigned unto the ſaid *George Byng*, and his Heirs, towards his and their Allotment of the ſaid Common or Waſte Ground, ſhall, from and after the Incloſure thereof, and Notice thereof given by the ſaid Commiſſioners in Writing, under their Hands, by affixing the ſame upon the moſt public Door of the Pariſh Church of *South Mimms* aforeſaid, be wholly diſcontinued; and that, in lieu thereof, the ſaid *George Byng*, his Heirs or Aſſigns, ſhall, before the Incloſure of the ſaid Portion of Land, at his and their own proper Coſts and Charges, make a good and ſubſtantial public Road from the Great North Road leading from *Barnet* to *Hatfield* to the Road leading from *Gannock-corner* to *Green-dragon-lane*, and make a good and ſubſtantial Foot-path at or near the preſent Carriage-road over the ſaid Heath, in ſuch Manner as the ſaid Commiſſioners ſhall direct, and to their Satisfaction; and which ſaid Road, hereby ſo to be made at the Expence of the ſaid *George Byng*, his Heirs and Aſſigns, ſhall be, from Time to Time, for the Space of ſeven Years, to be computed from *Midſummer-day*, one thouſand ſeven hundred and ſeventy-ſeven, kept in good Repair and Condition at his and their own proper Coſts and Charges; and from and after that Term the ſaid Road ſhall be kept in Repair at the general Expence of the ſaid Pariſh of *South Mimms*, and as other Roads in and upon the ſaid Common or Waſte Ground are to be repaired; and the ſaid Foot-path ſhall be for ever repaired at the Expence of the ſaid *George Byng*, his Heirs and Aſſigns, Owners of *Wrotham Park* aforeſaid.

Mr. Byng to make a certain Part of the Road, and to keep it in Repair for ſeven Years.

XCIII. Provided always, That in reſpect to the particular Situation of the Farm and Lands of *John Wyndham Bowyer* Eſquire, called *Gannock farm*, the ſaid Commiſſioners ſhall be and are hereby authoriſed and required to appoint, allot, and ſet out, unto the ſaid *John Wyndham Bowyer*, his Heirs and Aſſigns, his or their Share and Allotment, out of ſuch Part of the Common called *Bentley-heath*, as doth abut on the North Part on the ſaid Farm and Lands, on the South Part on the Road leading from *Green-dragon-lane* to *Gannock-corner*, and on the Weſt Part on the Road leading from the ſaid Farm-houſe to *Green-dragon-lane*; which Part it ſhall be lawful for the ſaid *John Wyndham Bowyer*, his Heirs and Aſſigns, to incloſe and hold in Severalty when and ſo ſoon as the ſaid Commiſſioners ſhall, by their Order in Writing, authoriſe and direct the ſame.

Allotment to Mr. Bowyer.

'XCIV. And, for the more convenient Situation and Diſpoſition of the ſeveral Lands and Grounds 'within the ſaid Pariſh of *South Mimms*,' be it further enacted, That it ſhall and may be lawful to and for the King's Majeſty, his Heirs and Succeſſors, and all or any of the Proprietors or Owners of Lands and Grounds within the Pariſh of *South Mimms* aforeſaid, and his, her, or their Guardians, or Perſons acting as ſuch, Huſbands, Truſtees, and Committees reſpectively, to exchange all or any of his, her, or their Meſſuages, Tenements, Old Incloſures, or other Lands and Grounds within the ſaid ſeveral Pariſhes of *Enfield* and *South Mimms*, or any Allotment or Allotments, Part or Share of the ſaid Common or Waſte Ground,

Power to exchange Lands.

Ground, to be made under the Proviſions of this Act; for any other Meſſuages, Tenements, Old Incloſures, or other Lands, Grounds, or Allotments, within the ſame Pariſhes of *Enfield* and *South Mimms* aforeſaid, or either of them, ſo as all and every ſuch Exchange and Exchanges be made by and with the Conſent and Approbation of the ſaid Commiſſioners, and be aſcertained and declared in their ſaid Award, or ſome Act or Inſtrument to be inrolled in the ſame Place as the Award of the ſaid Commiſſioners is directed to be inrolled, and all and every ſuch Exchange and Exchanges ſhall be good, valid, and effectual in the Law, to all Intents and Purpoſes whatſoever.

Allotments to be incloſed, &c.

XCV. And be it further enacted, That all and every Perſon and Perſons, to whom any Part of the ſaid Common or Waſte Ground ſhall be allotted in purſuance of this Act, ſhall incloſe and well and ſufficiently fence and ditch their ſeveral and reſpective Parts, Shares, and Allotments thereof, within ſuch Time and in ſuch Manner as the ſaid Commiſſioners ſhall order and direct; and that the ſaid Commiſſioners, in apportioning and ſettling the Fences of the ſaid Allotments, ſhall order and direct a Quickfence to be made and repaired on each Side of every public Road which ſhall be ſet out in, over, and upon the ſaid Common or Waſte Ground, by the Owners of the ſeveral and reſpective Allotments abutting upon or adjoining to the ſaid public Roads, and duly apportion the Reſidue of the Fences for ſeparating ſuch laſt-mentioned Allotments from the Allotments adjoining thereto, to and amongſt the reſpective Owners thereof accordingly: And in caſe any Perſon or Perſons ſhall not incloſe, hedge, ditch, or fence, his, her, or their Allotment or Allotments, within ſuch Time and in ſuch Manner as the ſaid Commiſſioners ſhall order and direct, then, and in every ſuch Caſe, it ſhall and may be lawful to and for the Owner or Occupier of the Lands or Grounds next adjoining to the Allotment or Allotments of the Perſon or Perſons who ſhall not have ſo incloſed, hedged, ditched, or fenced the ſame, as aforeſaid, to exhibit a Complaint upon Oath againſt ſuch Perſon or Perſons before one or more of his Majeſty's Juſtice or Juſtices of the Peace for the County of *Middleſex*, not being intereſted in the Lands or Grounds ſo intended to be incloſed, who is and are hereby impowered and required to ſummon the Parties concerned, and to examine Witneſſes upon Oath, as to the Juſtice of the Complaint, and order, direct, and appoint the Perſon or Perſons exhibiting ſuch Complaint, to make, repair, and maintain the Hedges, Ditches, and Fences, of the Perſon or Perſons who ſhall not have ſo incloſed, hedged, ditched, or fenced as aforeſaid; and alſo ſhall and may, by Warrant under his or their Hand and Seal or Hands and Seals, directed to the Perſon or Perſons exhibiting ſuch Complaint as aforeſaid, cauſe the Charges and Expences of making, repairing, and maintaining the Hedges, Ditches, or Fences of the Perſon or Perſons who ſhall not have ſo incloſed, hedged, ditched, or fenced as aforeſaid, to be levied by Diſtreſs and Sale of the Goods and Chattels of ſuch Perſon or Perſons ſo neglecting or refuſing to pay the ſame upon Demand, rendering the Overplus (if any), after Payment of ſuch Charges and Expences, and of the Coſts and Charges of taking and making ſuch Diſtreſs and Sale, to the Owner or Owners of ſuch Goods and Chattels; or otherwiſe the ſaid Juſtice or Juſtices ſhall and may, by Writing under his or their Hand and Seal or Hands and Seals, authoriſe and impower the Perſon or Perſons exhibiting ſuch Complaint, to enter into and upon the Premiſes, ſo to be allotted to ſuch Perſon or Perſons neglecting or refuſing to pay as aforeſaid, and to receive and take the Rents and Profits of the ſame Premiſes reſpectively, until thereby or therewith the Charges and Expences of making, repairing, and maintaining the ſaid Hedges, Ditches, or Fences, which ought to have been made, repaired, and maintained by the Perſon or Perſons who ſhall ſo neglect or refuſe to pay the ſame as aforeſaid, together with the Coſts and Charges occaſioned by or attending ſuch Entry upon, and Perception of the Rents and Profits of the ſame Premiſes, ſhall reſpectively be fully paid and ſatisfied.

Penalty on Perſons neglecting to incloſe.

May be levied by Diſtreſs, &c.

Gaps to be left in the Fences.

XCVI. And be it further enacted, That convenient Gaps and Openings ſhall be left in the Fences and Incloſures of the ſaid Common or Waſte Ground, to be made by virtue of this Act, for the Space of twelve Calendar Months next enſuing the Execution of the ſaid Award, for the Paſſage of Cattle, Carts, and Carriages, in and through the ſame, unleſs the ſaid Commiſſioners ſhall order and award to the contrary, and then for ſuch Time only as they ſhall ſo order and award; and that all and every the Proprietors of the ſaid new Incloſures ſhall have full Power and Liberty to erect or ſet up any Gate or Gates acroſs any Part of the Road or Roads to be made through or againſt his, her, or their Allotments, for keeping out Sheep and Cattle, and to prevent their deſtroying any Banks, Drains, Plants, Quickſets, or Fences, which ſhall be made or planted for the Purpoſes of this Act, for the Space of ſeven Years.

Allotments to be accepted within a certain Time.

XCVII. And be it further enacted, That all and every Perſon and Perſons intitled to any ſuch Allotment or Allotments of the ſaid Common or Waſte Ground as aforeſaid, ſhall, and they are hereby required to accept his, her, and their reſpective Allotments within the Space of three Calendar Months next after the Execution of the ſaid Award or Inſtrument, and Notice in Writing affixed on the Door of the Pariſh Church of *South Mimms* aforeſaid for that Purpoſe, under the Hands of the ſaid Commiſſioners: And in caſe any Perſon or Perſons ſhall refuſe or neglect to accept his, her, or their Allotment or Allotments within the Time before mentioned, ſuch Perſon or Perſons, ſo neglecting or refuſing, ſhall be totally excluded from having or receiving any Benefit or Advantage from any Eſtate, Intereſt, or Right of Common whatſoever, of, in, or to any of the Lands or Grounds ſo aſſigned or allotted to any other Perſon or Perſons by virtue of this Act.

Guardians, &c. may accept.

XCVIII. Provided always, and be it further enacted, That the Guardians, Huſbands, Truſtees, Committees, or Attornies of any Perſon or Perſons being a Minor or Minors, under Coverture, or beyond the Seas, or otherwiſe incapable by Law to accept ſuch Allotment or Allotments ſo to be made as aforeſaid, ſhall be, and is and are hereby enabled and required to accept thereof, for the Uſe of the Perſon or Perſons under any of the Diſabilities aforeſaid, or otherwiſe incapacitated; and every ſuch Acceptance reſpectively ſhall be, and is hereby declared to be, as valid and effectual as if the Perſon or Perſons, to whom the ſame ſhall be made reſpectively, was or were capable of acting for himſelf, herſelf, or themſelves, any Thing herein contained to the contrary in any-wiſe notwithſtanding. Provided alſo, That the

Non-acceptance of Guardians not to prejudice Infants, &c.

Non-claim or Non-acceptance of any Guardian, Huſband, Truſtee, Committee, or Attorney, ſhall not exclude or prejudice the Claim or Acceptance of any Infant, Feme-covert, or any other Perſon under ſuch Diſability or Incapacity as aforeſaid, who ſhall claim or accept, within one Year next after ſuch Diſability or Incapacity ſhall be removed, or of any Perſon or Perſons intitled as Heir, or in Remainder or Reverſion after the Death of any Perſon or Perſons dying under ſuch Diſability or Incapacity, who ſhall claim or accept within one Year after his, her, or their Right, Title, or Intereſt, ſhall have deſcended, veſted, or accrued.

This Act not to affect Wills or Settlements, &c.

XCIX. Provided alſo, and be it enacted and declared, That nothing herein contained ſhall extend, or be conſtrued, adjudged, deemed, or taken, to revoke, make void, or annul any Settlement, Deed, Will, or Leaſe whatſoever, or to prejudice any Perſon or Perſons having any Right or Claim of Dower, Jointure, Rent, Service, Debt, Charge, or Incumbrance in, out of, upon, or affecting the ſaid Common or Waſte Ground to be divided and incloſed as aforeſaid, or any Part or Parcel thereof; but that the ſeveral Shares and Allotments, ſo to be aſſigned and allotted upon ſuch Diviſion and Incloſure thereof to the ſeveral Proprietors reſpectively, ſhall, immediately after ſuch Allotments ſhall be made and ſet out, be, remain, and enure, and be held and enjoyed, and the ſeveral Perſons, to whom the ſame ſhall be aſſigned and allotted as aforeſaid, ſhall from thenceforth ſtand and be ſeiſed and poſſeſſed thereof reſpectively to ſuch and the ſame Uſes, and to and for ſuch and the ſame Eſtates, and with ſuch and the ſame Powers and Authorities for making Leaſes and otherwiſe, and ſubject to the ſame Wills, Limitations, Conditions, Settlements, Truſts, Proviſoes, Remainders, Reverſions, Debts, Charges, and Incumbrances (Right of Common under any ſubſiſting Leaſe or Leaſes, and Allotments to be made in lieu thereof, only excepted), as the ſeveral Meſſuages, Dwelling-houſes, Cottages, Lands, Tenements, or Hereditaments, in reſpect or in lieu whereof ſuch Allotments were made to them reſpectively, were and ſtood ſeverally limited, or ſubject and liable unto at the Time of making ſuch Allotments reſpectively.

Allotments to be Freeholds.

C. Provided always, and be it further enacted, That all and every the Allotments of the ſaid Common or Waſte Ground, which ſhall, by virtue of this Act, be ſet out, aſſigned, and allotted to the ſaid Owners and Proprietors, in reſpect as well of their Freehold as of their Cuſtomary or Copyhold Meſſuages, Dwelling-houſes, Cottages, and Lands, within the ſaid Pariſh of *South Mimms*, ſhall be deemed, conſidered, and taken as of Freehold Tenure, and not of Copyhold or Cuſtomary Tenure, any Thing herein contained to the contrary notwithſtanding.

Allotments to be the immediate Property of the Landlords.

CI. And be it further enacted, That all the Allotments to be made of the ſaid Common or Waſte Ground by virtue of this Act, in reſpect of any Meſſuages, Dwelling-houſes, Cottages, or Lands, held by Leaſe or Leaſes at Rack-rent, or for which Leaſes no Fines were paid to the Grantors as the Conſiderations for the ſame, ſhall be allotted unto and held by the ſeveral Owners and Proprietors of ſuch Meſſuages, Dwelling-houſes, Cottages, and Lands, freed and diſcharged from all Right or Claim of ſuch reſpective Leſſees to, in, or upon the ſaid Allotments, or any Part thereof, to be derived under or by virtue of ſuch Leaſes; and in caſe any of ſuch Leſſees ſhall think himſelf, herſelf, or themſelves aggrieved thereby, and ſuch Landlords and Tenants ſhall not ſettle the ſame to their mutual Satisfaction, then, and in every ſuch Caſe, it ſhall and may be lawful to and for the ſaid Commiſſioners, on Application to them made by either Party, to take the Matters in queſtion into their Conſideration, and by their Order to make unto every ſuch Leſſee, for his, her, and their Loſs of Commonage, or other Loſſes by means of the ſaid Diviſion, ſuch a fair and adequate Allowance, by way of Abatement or Reduction in the Rack-rents, by ſuch Leaſes reſerved, as the ſaid Commiſſioners ſhall think juſt and equitable.

Leſſees may appeal to Commiſſioners.

Tenants for Life, &c. impowered to borrow Money to incloſe, &c.

CII. And be it further enacted, That it ſhall and may be lawful to and for the Huſbands, Guardians, Truſtees, or Committees, of the ſaid Owners or Proprietors, being under Coverture, Minors, Ideots, Lunatics, or beyond the Seas, or being under any other Diſability whatſoever, and to and for any of the ſaid Proprietors being Tenants in Tail or for Life only, by and with the Conſent of the ſaid Commiſſioners teſtified in Writing under their Hands and Seals, from Time to Time, to charge their reſpective Allotments of the ſaid Common or Waſte Ground with ſuch Sum or Sums of Money as the ſaid Commiſſioners ſhall, in their Diſcretion, judge neceſſary for the Purpoſes of this Act, not exceeding the Rate of forty Shillings *per* Acre; and, for ſecuring the Repayment of ſuch Sum or Sums of Money with Intereſt, to grant, mortgage, leaſe, or demiſe, or otherwiſe ſubject the ſaid Allotments unto ſuch Perſon or Perſons as ſhall reſpectively advance and lend ſuch Money, his, her, and their reſpective Executors, Adminiſtrators, and Aſſigns, to or for any Term or Number of Years, ſo as every ſuch Grant or Demiſe be made with a Proviſo or Condition to ceaſe and be void, or with an expreſs Truſt to be ſurrendered, when ſuch Sum or Sums of Money thereby to be ſecured, with the Intereſt thereof, ſhall be fully ſatisfied and paid, and ſo as in every ſuch Grant or Demiſe which ſhall be made by any Perſon or Perſons intereſted in or intitled to any ſuch mortgaged Premiſes for the Term of his, her, or their natural Life or Lives only, or by his, her, or their Guardian or Guardians, Truſtee or Truſtees, Committee or Committees, there be contained a Covenant to pay and keep down the Intereſt of the ſaid Money to be thereby ſecured during his, her, or their reſpective Life or Lives, in ſuch Manner that no Perſon afterwards becoming poſſeſſed of ſuch Allotments ſhall be ſubject or liable to pay any further or larger Arrear of Intereſt than for one Year preceding the Time when the Title to ſuch Poſſeſſion ſhall accrue and commence; and every ſuch Grant, Mortgage, Leaſe, or Demiſe, of the ſaid Allotments and Premiſes, or any Part or Parts thereof, ſo to be made in purſuance of this Act, ſhall be good, valid, and effectual in the Law, for the Purpoſes thereby intended, notwithſtanding the Want of Title in the ſaid Huſbands, Guardians, Truſtees, or Committees, or in the Perſons acting as ſuch, or in the ſaid Tenants in Tail or for Life, or any Settlement, Will, Truſt, Uſe, Remainder, Limitation, or other Impediment or Incumbrance, of or concerning the ſaid Lands, Grounds, or Premiſes, or any Part or Parcel thereof then in being, or capable of taking Effect, to the contrary: And all and every ſuch Perſon and Perſons, to whom any ſuch Grant, Mortgage, Leaſe, or Demiſe, ſhall be made, or who ſhall for the Time being be intitled to the Money thereby to be ſecured,

and to mortgage the Allotments for a Security.

Intereſt to be kept down.

Mortgages, &c. may be aſſigned.

ſecured, ſhall and may, from Time to Time, by any Deed or Deeds, Writing or Writings, under his, her, or their Hand and Seal, or Hands and Seals, to be executed in the Preſence of two or more credible Witneſſes, aſſign or transfer the ſaid Security or Securities, and the principal Money and Intereſt thereby ſecured, and all Benefit and Advantage thereof, and all his, her, or their Right, Title, and Intereſt, in and to the ſame, unto any Perſon or Perſons whomſoever, who may again in like Manner aſſign the ſame, and ſo from Time to Time as Occaſion ſhall require; and ſuch Mortgagee or Mortgagees, Aſſignee or Aſſignees, his, her, or their Executors and Adminiſtrators, and all Perſons claiming under him, her, or them, ſhall and may uſe, take, and purſue all ſuch Methods in Law and Equity for recovering and obtaining Poſſeſſion of the Premiſes ſo to be mortgaged, demiſed, or aſſigned as aforeſaid, in caſe of Non-payment of the Principal Money and Intereſt to be thereby ſecured, or any Part thereof, as is or are taken and purſued in Caſes of the like Nature.

Commiſſioners to make an Award.

CIII. And be it further enacted, That, as ſoon as conveniently may be after the ſaid Commiſſioners ſhall have completed and finiſhed the Diviſion and Allotments of the ſaid Common or Waſte Ground, purſuant to the Directions of this Act, they the ſaid Commiſſioners ſhall form and draw up, or cauſe to be formed and drawn up, an Award or Inſtrument in Writing, which ſhall expreſs, ſpecify, and contain the Quantity and Number of Acres, Roods, and Perches, of the ſaid Common or Waſte Ground aſſigned and allotted to each and every of the Parties intitled to and intereſted in the ſame reſpectively, and a Deſcription of the Situation, Buttals, and Boundaries of the ſame Parcels and Allotments reſpectively, and proper Orders and Directions for fencing and mounding the ſame, and for keeping the ſaid Mounds and Fences in Repair, and alſo for making, laying out, and repairing proper Roads, Ways, Common Drains, Sewers, Watercourſes, and Paſſages in and through the ſame Premiſes, and alſo all ſuch other Orders, Regulations, and Determinations, as ſhall be neceſſary or proper to be inſerted therein, reſpecting or concerning the ſeveral Powers and Truſts by this Act repoſed in them, according to the Tenor or Purport thereof; which ſaid Award or Inſtrument ſhall be fairly ingroſſed or written on Parchment, and ſigned and ſealed by the ſaid Commiſſioners, and ſhall, within ſix Calendar Months next after the ſame ſhall be ſo ſigned and ſealed as aforeſaid, be inrolled in his Majeſty's Court of Duchy Chamber of *Lancaſter*; and after the Inrolment thereof, the ſaid original Award ſhall be kept and depoſited in the Pariſh Cheſt of the ſaid Pariſh of *South Mimms*, to the End Recourſe may be had to the ſame by any Perſon or Perſons intereſted in the ſaid intended Diviſion and Incloſure; for the Inſpection and Peruſal whereof the Sum of one Shilling ſhall be paid, and no more; and a Copy thereof, or of the Inrolment thereof, or of any Part or Parts thereof, ſhall, from Time to Time, and at all Times thereafter, be admitted and allowed in all Courts whatſoever as legal Evidence; which Copy the Clerk of the Council of the Duchy of *Lancaſter*, or his Deputy, or the Veſtry-clerk of the ſaid Pariſh for the Time being, is and are hereby reſpectively required to make and deliver to any Perſon or Perſons requiring the ſame, he, ſhe, or they paying for ſuch Copy, to the ſaid Veſtry-clerk, after the Rate of Two-pence *per* Sheet, each Sheet containing ſeventy-two Words, and ſo in proportion for any Number of Sheets or Words; and the ſaid Award or Inſtrument ſo to be executed, or the Inrolment thereof as aforeſaid, ſhall be, and is hereby declared to be, binding and concluſive unto and upon all and every of the Parties intereſted in the ſaid Common or Waſte Ground ſo intended to be divided and incloſed as aforeſaid.

Award to be ingroſſed, and inrolled in the Duchy Court.

Right of Common, &c. to ceaſe.

CIV. And be it further enacted, That all Right of Common in, over, and upon the ſaid Common or Waſte Ground, ſo intended to be divided and incloſed, ſhall, from and after ſuch Time as the ſaid Commiſſioners ſhall order and direct, ceaſe, determine, and be for ever extinguiſhed.

'CV. And whereas by Indenture under the Seal of the Duchy of *Lancaſter*, bearing Date on or about 'the third Day of *July*, one thouſand ſeven hundred and ſeventy-one, the King's Majeſty, for the Con'ſiderations therein mentioned, did grant and demiſe unto *Thomas Nuthall* Eſquire (ſince deceaſed), amongſt 'other Incroachments, All that Cottage or Dwelling-houſe, with the Appurtenances, ſituate upon the 'ſaid Chaſe of *Enfield*, adjoining to the Road leading from *Barnet* to *Hatfield*, now in the Occupation of '*William Baſtick*, with two Pieces of Garden Ground behind the ſame, containing one Rood and twenty 'Perches, together with another Cottage adjoining thereto, now in the Occupation of *Elizabeth Tyler* 'and *Thomas Paternoſter*, with a Garden and Cloſe contiguous thereto, containing one Acre, one Rood, 'and five Perches; and alſo certain Lands within and Parcel of the ſaid Chaſe, therein deſcribed to have 'been then and for ſome Time paſt uſed as a Coney-warren, together with Licence to keep a Stock of 'Coneys thereon; and alſo one Cottage or Dwelling-houſe near the Chaſe-pound, now occupied by '*Charles Woods*, with ſeven Acres of Land thereto adjoining; To hold the ſame unto the ſaid *Thomas* '*Nuthall* and his Aſſigns, from the Date of the ſaid Leaſe, for the Term of thirty-one Years, under the 'yearly Rent of ſix Pounds: And whereas the ſaid Coney-warren, Cottages, and Lands, lie within and 'are Parcel of the Portion or Allotment of the ſaid Chaſe, by this Act aſſigned to the ſaid Pariſh of *South* '*Mimms*: And whereas the ſaid Cottage or Dwelling-houſe near the Chaſe-pound, and the ſaid ſeven 'Acres of Land, are now veſted in *John Nicoll* Eſquire, for the Remainder of the ſaid Term of thirty-one 'Years, ſubject to the whole of the ſaid Rent of ſix Pounds; and the Reſidue of the ſaid Leaſehold Pre'miſes herein-before particularly deſcribed are veſted in *Francis Ruſſell* Eſquire, for the Reſidue of the ſaid 'Term of thirty-one Years therein to come and unexpired: And whereas the deſtroying of the ſaid 'Coney-warren will be of Benefit to the ſaid Allotment:' Be it therefore enacted, That the ſaid Leaſe, ſo far as the ſame relates to the ſaid Coney-warren, ſhall, from and after the firſt Day of *October*, one thouſand ſeven hundred and ſeventy-ſeven, be vacated, determined, and extinguiſhed, and the ſaid Coney-warren become, remain, and be conſidered as Part of the ſaid Common or Waſte Ground, and be allotted and incloſed as Parcel thereof, freed and abſolutely diſcharged from the ſaid yearly Rent of ſix Pounds.

The Leaſe of the Coney-warren to be vacated from Oct. 1, 1777.

For ſelling Mr. Nicoll's Cottage and Land.

CVI. And be it further enacted, That the ſaid Rent of ſix Pounds reſerved by the ſaid Leaſe ſhall be charged and chargeable upon the ſaid Cottage in the Occupation of the ſaid *Charles Woods*, and the ſaid ſeven Acres of Land thereto adjoining, and be paid by the Leſſee thereof unto the Overſeers of the Poor of

of the Pariſh of *South Mimms*, to be by them applied towards the Poor's Rate of the ſaid Pariſh, until the ſaid Cottage and ſeven Acres of Land ſhall be ſold and diſpoſed of, in Manner herein-after directed; and that the ſaid Commiſſioners ſhall, as ſoon as conveniently may be after the paſſing of this Act, ſet a fair Price upon the Fee-ſimple and Inheritance of the ſaid Cottage and Land (ſubject to the Term therein to come under the ſaid Leaſe): And in caſe the ſaid *John Nicoll*, or his Aſſigns, ſhall be deſirous to become the Purchaſer of the Fee-ſimple and Inheritance of the ſaid Cottage and Land, at the Price ſo ſet thereon by the ſaid Commiſſioners, they the ſaid Commiſſioners ſhall, and they are hereby required to accept the ſame of the ſaid *John Nicoll*, or his Aſſigns, in full for the abſolute Purchaſe of the Fee-ſimple and Inheritance thereof; and the Receipt of the ſaid Commiſſioners for ſuch Purchaſe-money ſhall be deemed and taken as a ſufficient Title to veſt in the ſaid *John Nicoll*, his Heirs and Aſſigns, the abſolute Fee-ſimple and Inheritance of the ſaid Cottage and Lands, freed and diſcharged from the ſaid reſerved Rent; but in caſe the ſaid *John Nicoll*, or his Aſſigns, ſhall decline ſuch Purchaſe of the Premiſes, then, and in ſuch Caſe, the ſaid Commiſſioners ſhall ſell and diſpoſe thereof, in one intire Lot by public Auction, at one of their public Meetings, upon fourteen Days previous Notice to be given by Advertiſement in *The London Gazette*, and affixing a Copy of ſuch Notice or Advertiſement upon the Church-door of the ſaid Pariſh of *South Mimms*, on the two *Sundays* immediately preceding ſuch Sale; and that the Receipt of the ſaid Commiſſioners for the Purchaſe-money ſhall be a ſufficient legal Title to veſt the abſolute Fee-ſimple and Inheritance of the Premiſes (ſubject to the ſaid Leaſe), in the Purchaſer or Purchaſers thereof, his, her, and their Heirs and Aſſigns.

For Sale of Mr. Ruſſell's Cottages and Lands.

CVII. And be it further enacted, That in caſe the ſaid *Francis Ruſſell*, or his Aſſigns, ſhall be deſirous of purchaſing the Fee-ſimple and Inheritance of the Premiſes ſo occupied by the ſaid *William Baſtick*, *Elizabeth Tyler*, and *Thomas Paternoſter*, and the Gardens and Cloſe thereto adjoining, with their Appurtenances, and ſhall, on or before the firſt Day of *July*, one thouſand ſeven hundred and ſeventy-ſeven, pay into the Hands of the ſaid Commiſſioners the Sum of one hundred Pounds as the Purchaſe-money for the ſame, it ſhall and may be lawful to and for the ſaid Commiſſioners, and they are hereby authoriſed and directed to accept thereof in full for the abſolute Fee-ſimple and Inheritance of the ſaid Meſſuage, Dwelling-houſe, Tenement, Cottages, Buildings, Gardens, Yards, and Cloſe thereto adjoining, with their Appurtenances, and that the Receipt of the ſaid Commiſſioners for the ſaid Purchaſe-money ſhall be deemed and taken as a ſufficient Title to veſt in the ſaid *Francis Ruſſell*, his Heirs and Aſſigns, the abſolute Fee-ſimple and Inheritance thereof reſpectively; but in caſe the ſaid *Francis Ruſſell*, or his Aſſigns, ſhall not pay the ſaid Sum of one hundred Pounds to the ſaid Commiſſioners within the Time above limited for that Purpoſe; then, and in ſuch Caſe, the ſaid Commiſſioners ſhall, and they are hereby authoriſed and required to ſell and diſpoſe of the Fee-ſimple and Inheritance of the ſaid Meſſuage, Dwelling-houſe, Tenement, Cottages, Buildings, Gardens, Yards, Cloſe, and Premiſes laſt-mentioned, in like Manner, and with the like Powers, as is or are herein-before directed and given for Sale by public Auction of the ſaid other Cottage and ſeven Acres of Land, ſubject nevertheleſs to the ſaid Leaſe thereof, ſubſiſting as aforeſaid.

Valuation of Timber to be made, on Oath.

CVIII. And be it further enacted, That when and ſo ſoon as the ſaid Commiſſioners ſhall have ſtaked and ſet out the ſeveral Allotments of the ſaid Common or Waſte Ground in Manner herein-before directed, the ſaid Commiſſioners ſhall, and they are hereby required to cauſe and procure a fair Valuation of all Oak, Aſh, Elm, Beech, and Hornbeam Trees ſtanding upon each ſeparate Allotment (except ſuch Trees as are herein-before reſerved to the King's Majeſty), to be made and taken by ſome able and experienced Perſon well ſkilled in the Value of Timber and Wood, whom they ſhall nominate and appoint for that Purpoſe; which Valuation ſhall be reduced into Writing, and ſigned by the Perſon making the ſame, and ſhall be verified and authenticated by the Oath of ſuch Perſon (and which Oath the ſaid Commiſſioners are hereby impowered to adminiſter to him), in the Words or to the Effect following:

The Oath.

'I *A. B.* do ſwear, That the Account in Writing, ſigned by me, and now produced and delivered by me to the Commiſſioners named and appointed in and by an Act of Parliament of the ſeventeenth Year of the Reign of his Majeſty King *George* the Third, *for dividing the Chaſe of* Enfield, *in the County of* Middleſex; *and for other Purpoſes therein mentioned*; purporting to be a Valuation of the Oak, Aſh, Elm, Beech, and Hornbeam Trees ſtanding on certain Allotments of Land heretofore Part of the ſaid Chaſe, is and containeth a true and faithful Valuation or Eſtimate of all the Oak, Aſh, Elm, Beech, and Hornbeam Trees ſtanding on each reſpective Allotment therein mentioned, according to the beſt of my Skill and Judgment; and that the ſame was made by me without Favour, Affection, or Prejudice to any Perſon whatſoever.'

Commiſſioners to notify the Value of the Trees on each Perſon's Allotment.

If Owners of Land decline the Purchaſe, the Trees to be ſold by public Auction.

CIX. And be it further enacted, That the ſaid Commiſſioners ſhall, as ſoon as conveniently may be after the taking of ſuch Valuation and Eſtimate, give unto each Owner or Proprietor an Account in Writing of the Value ſo ſet on the ſaid Trees, on his, her, or their reſpective Allotment, and appoint a Day and Place for every ſuch Owner and Proprietor to agree with the ſaid Commiſſioners for the Purchaſe of the ſaid Trees, giving every ſuch Owner or Proprietor the Refuſal of the ſaid Trees ſtanding on his or her Allotment, at the Valuation or Price ſo ſet thereon: And in caſe any of ſuch Owners or Proprietors ſhall decline the Purchaſe of the ſaid Trees at the ſaid Valuation, then, and in ſuch Caſe, the ſaid Commiſſioners ſhall proceed to ſell and diſpoſe thereof by public Auction, in like Manner as is herein-before directed for the Sale of the ſaid Cottage and Land; and the Perſons who ſhall be the beſt Bidders ſhall be declared the Purchaſers of the ſaid Trees, and ſhall be allowed, on Payment to them of the Monies agreed to be given for ſuch Trees, ſuch reaſonable Time, not exceeding ſix Calendar Months, for cutting down and removing the ſame, as the ſaid Commiſſioners ſhall, by their Order, direct and appoint; and that the ſaid Purchaſers ſhall not be liable to any Action of Treſpaſs or Damages whatſoever, doing therein no wilful Waſte or Spoil.

CX. And

CX. And be it further enacted, That all the Monies which ſhall ariſe and be paid into the Hands of the ſaid Commiſſioners, by the ſeveral Sales of the ſaid Cottage, Land, Timber, and Trees aforeſaid, ſhall be made a Fund, and applied and appropriated by them in or towards Payment and Diſcharge of all the Coſts and Expences attending ſuch Sales, and of ſurveying, planning, meaſuring, valuing, dividing, allotting, and ſetting out of the ſaid Common or Waſte Ground, and of the making the ſeveral public Roads and Ways over the ſame (ſave and except the ſaid Road and Footpath herein-before directed to be made by the ſaid *George Byng*, his Heirs and Aſſigns, Owners of *Wrotham-park)*, and of the preparing, making, and inrolling the ſaid Award or Inſtrument of the ſaid Commiſſioners, and all the Charges and Expences incident to and attending the Execution of the ſeveral other Powers and Truſts by this Act veſted or repoſed in the ſaid Commiſſioners: And in caſe the ſaid Fund ſhall be more than ſufficient for the Purpoſes aforeſaid, then, and in ſuch Caſe, the ſaid Commiſſioners ſhall pay the Overplus into the Hands of the Overſeers of the ſaid Pariſh of *South Mimms* for the Time being, to be by them carried to their Account of Poor's Rate, and laid out and applied in Aid of the Poor's Rate, within the ſaid Pariſh of *South Mimms*; but in caſe the ſaid Fund ſhall be inſufficient for thoſe Purpoſes, then ſuch Deficiency ſhall be borne, paid, and defrayed by the ſeveral Perſons to whom any Allotment of the ſaid Common or Waſte Ground ſhall be made by virtue of this Act, in Proportion to the real Value of their reſpective Allotments, and the Benefits ariſing therefrom (ſave and except the ſaid *John Heathfield*, and his Succeſſors, Vicars of the ſaid Pariſh of *South Mimms*, and alſo ſave and except ſuch of the Owners and Proprietors of Cottages and Lands within the ſaid Pariſh, as are not rated to the Land Tax at ten Pounds a Year, or upwards); all which Charges, Coſts, and Expences, ſhall be ſettled, adjuſted, and aſcertained by the ſaid Commiſſioners, and ſhall be paid to ſuch Perſon or Perſons, and at ſuch Time or Times as the ſaid Commiſſioners ſhall for that Purpoſe nominate, direct, and appoint; and in caſe any of the Perſons aforeſaid ſhall refuſe or neglect to pay his, her, or their Share or Proportion, Shares or Proportions, of ſuch Charges and Expences, within the Time to be limited by the ſaid Commiſſioners, to ſuch Perſon or Perſons as they ſhall appoint to receive the ſame, then the ſaid Commiſſioners ſhall and may, by Warrant or Warrants under their Hands and Seals, directed to any Perſon or Perſons whomſoever, cauſe the ſame to be levied by Diſtreſs and Sale of the Goods and Chattels of the Perſon or Perſons ſo neglecting or refuſing to pay the ſame, or of the Goods and Chattels which ſhall be found upon his, her, or their reſpective Allotment or Allotments, rendering the Overplus (if any) on Demand to the Owner or Owners of ſuch Goods and Chattels, after deducting the Coſts and Charges of taking and making ſuch Diſtreſs and Sale; or otherwiſe it ſhall and may be lawful to and for the ſaid Commiſſioners to enter into and upon the Premiſes ſo to be allotted to ſuch Perſon or Perſons refuſing or neglecting to pay as aforeſaid, and to receive and take the Rents and Profits thereof, until thereby or therewith the Share or Shares, Proportion or Proportions of the ſaid Coſts and Charges ſo directed, awarded, and appointed, by the ſaid Commiſſioners, to be paid by any ſuch Perſon or Perſons as aforeſaid, and alſo all Coſts, Charges, and Expences occaſioned by or attending ſuch Entry upon, and Perception of the Rents and Profits of the Premiſes, ſhall be fully paid and ſatisfied.

*Application of Purchaſe-money of Land, Timber, &c.*

*In caſe of Deficiency, how the ſame ſhall be ſupplied.*

CXI. And be it further enacted, That every of the ſaid Commiſſioners, who ſhall act in the Execution of the Truſts and Powers hereby veſted in them as aforeſaid, ſhall be paid the Sum of one Pound, eleven Shillings, and Sixpence, for each Day he ſhall be employed therein, the ſame to be in full Satisfaction for all the Trouble and Expences which he ſhall be put unto in executing the ſame.

*Allowance to the Commiſſioners.*

CXII. And be it further enacted, That the ſaid Commiſſioners ſhall, and they are hereby required to account as well for all Monies, which, by virtue of this Act, ſhall come to their Hands, as for all Monies which they ſhall lay out and aſſeſs upon the Parties concerned in the ſaid intended Incloſure of the ſaid Common or Waſte Ground; which Account ſhall be by them ſtated and ſet forth in their ſaid Award, or in ſome Schedule to be annexed to the ſame, or Indorſement to be made thereon, and ſhall expreſs and particularize in a Debtor Column or Side, all Sums of Money received by them, and of whom, by Name, and on what Account; and alſo the Names of the ſeveral Perſons whom they ſhall ſo aſſeſs, with the Sums ſo aſſeſſed on or to be paid by them reſpectively, and on what Account or for what Purpoſe; and in a Creditor Column or Side, an Account of the Application of all Monies ſo received, aſſeſſed, raiſed, and paid, and on what Account and for what Purpoſes reſpectively.

*Commiſſioners to account, &c.*

'CXIII. And whereas the Corporation commonly called *The Brewers Company*, in the City of *London*, 'is ſeiſed of the Manor of *Williots* within the ſaid Pariſh of *South Mimms:* And whereas divers ſmall Cot-'tages and Gardens, ſituate on the Eaſt Side of the Great North Road leading towards *Hatfield*, at or near '*Potter's Bar*, are held, by ſundry Perſons, to themſelves and their Heirs, by Copy of Court-roll, of the 'ſaid Manor of *Williots*; and it may be for the Benefit and Convenience of theſe Copyholders to enfran-'chiſe the ſame;' be it therefore enacted, That it ſhall and may be lawful to and for the ſaid Corporation to treat and agree with the ſaid Copyhold Tenants, or any of them, for enfranchiſing to ſuch Tenants, and their Heirs, their ſeveral and reſpective Copyhold Tenements, ſituate on the ſaid Eaſt Side of the ſaid Great North Road, at or near *Potter's Barr* aforeſaid, at and for ſuch Prices or Conſiderations as ſhall be agreed upon by and between the ſaid Corporation and the ſaid reſpective Copyhold Tenants; and thereupon it ſhall and may be lawful to and for the ſaid Corporation, by Writing ſealed with their Common Seal, to enfranchiſe the ſame to the ſaid Tenants; and which Writing ſhall be effectual for that Purpoſe in the Words or to the Effect following:

*Brewers Company to enfranchiſe their Copyhold Tenements, &c.*

'KNOW all Men by theſe Preſents, That we the Maſter and Keepers or Wardens and Commonalty 'of the Myſtery or Art of Brewers of the City of *London*, Lords of the Manor of *Williots*, in the Pa-'riſh of *South Mimms*, in the County of *Middleſex*, in purſuance and by virtue of an Act of Parliament, 'made in the ſeventeenth Year of the Reign of his Majeſty King *George* the Third, *for dividing the Chaſe 'of* Enfield, *in the County of* Middleſex; *and for other Purpoſes therein mentioned*; in Conſideration of the 'Sum of paid to the ſaid Corporation, *A. B.* one of the Copyhold Tenants, have en-'franchiſed,

*Form of Enfranchiſement.*

'franchiſed, and do by theſe Preſents enfranchiſe unto the ſaid *A. B.* and his Heirs, all that Meſſuage, 'Cottage, or Dwelling-houſe, Garden, Lands, and Appurtenances, held by Copy of Court-roll of the 'ſaid Manor by him the ſaid *A. B.* ſituate at or near *Potter's Barr*, in the Pariſh of *South Mimms*, in the 'County of *Middleſex*; to hold the ſame unto the ſaid *A. B.* his Heirs and Aſſigns for ever, in Fee-ſimple, 'freed and diſcharged from all Rents, Suits, and Services whatſoever. In Witneſs whereof, the ſaid Cor- 'poration have hereunto cauſed their Common Seal to be affixed, this Day of 'one thouſand ſeven hundred and ſeventy

Mimms Allotment to be a Seigniory.

'CXIV. And, for the greater Eaſe and Convenience of the preſent and future Freeholders, Tenants, 'Reſiants, and Inhabitants of and within the ſaid Allotment of the ſaid Chaſe by this Act aſſigned to the 'Pariſh of *South Mimms*,' be it further enacted, That the ſaid Allotment of one thouſand and twenty ſix Acres and three Perches, by this Act aſſigned to the ſaid Pariſh of *South Mimms*, ſhall, from and immediately after the paſſing of this Act, be and become, and ſhall from thenceforth be erected into, and ſhall for ever remain, in the Hands of our Sovereign Lord the King, his Heirs and Succeſſors, as Parcel of the Duchy of *Lancaſter*, a ſeveral Manor and Seigniory, and be perpetually called and known by the Name of *The Manor of New Mimms*, diſſevered and diſjoined from the Manor and Lordſhip of *Enfield*; and that the King's Majeſty, his Heirs and Succeſſors, ſhall and may from thenceforth for ever thereafter, by his and their Stewards, Bailiffs, and Officers, hold and keep all ſuch like Court Leet and other Courts, View of Frank-pledge, and Law-day, within and for the ſaid Manor and Seigniory of *New Mimms*, with like Juriſdiction in all Reſpects whatſoever, as could or might, or can or may be lawfully held, kept, or exerciſed, within the ſaid Manor and Lordſhip of *Enfield*; and that all the Freeholders, Tenants, Reſiants, and Inhabitants of and within the ſaid Manor or Seigniory of *New Mimms*, ſhall render and do Suit and Service, and ſhall take upon them and exerciſe all Offices and Duties at the ſaid Court Leet or other Courts, View of Frank-pledge and Law-day, for and within the ſaid New Manor and Seigniory, in like Manner as they would have been ſubject and liable unto at the like Court or Courts holden or to be holden within and for the ſaid Manor and Lordſhip of *Enfield*, in caſe the ſaid Seigniory had remained within and Parcel of the ſaid Manor and Lordſhip of *Enfield*; and that all Freeholders, Tenants, Reſiants, and Inhabitants of and within the ſaid Manor and Seigniory of *New Mimms*, ſhall be for ever, after the paſſing of this Act, freed and diſcharged from all Suits, Services, Offices, and Duties whatſoever, within and for the ſaid Manor and Lordſhip of *Enfield*, or at any Court or Courts to be held within and for the ſame.

Its Name.

Churchwardens incorporated.

CXV. And be it further enacted and declared, That the preſent Churchwardens of the ſaid Pariſh of *Enfield* ſhall be and are hereby incorporated and made one Body Politick and Corporate, by the Name of *The Churchwardens of the Pariſh Church of Enfield, in the County of Middleſex*; and that the preſent Churchwardens of the ſaid Pariſh of *Edmonton* ſhall be, and are hereby incorporated and made one Body Politick and Corporate, by the Name of *The Churchwardens of the Pariſh Church of Edmonton, in the County of Middleſex*; and that the preſent Churchwardens of the ſaid peculiar Donative or Pariſh of *Monken Hadley* ſhall be, and are hereby incorporated and made one Body Politick and Corporate, by the Name of *The Churchwardens of the Pariſh Church of Monken Hadley, in the County of Middleſex*; and that the ſaid ſeveral Corporations ſhall have perpetual Succeſſion, and they and their Succeſſors reſpectively ſhall be enabled to ſue and be ſued by the reſpective Names aforeſaid in any Court of Judicature within the Realm of *Great Britain*.

Clauſe for preſerving new Fences.

CXVI. And be it further enacted, That no Perſon or Perſons ſhall graze or keep any Horſes, Cows, or other Beaſts, Sheep or Lambs, in any Roads, Lanes, or Paſſages, on either Side whereof any new Fences ſhall be made under the Authority of this Act, for the Space of ſeven Years next after the Execution of the ſaid Award, under the Penalty of five Shillings for every ſuch Horſe, Cow, or other Beaſt, and Sixpence for every Sheep or Lamb, to be paid to the Perſon or Perſons injured or liable to be injured thereby; which ſaid Penalty ſhall be recovered by Application and Complaint to one or more of his Majeſty's Juſtices of the Peace in and for the ſaid County of *Middleſex*, not intereſted in the ſaid Lands and Grounds, who is and are hereby required to ſummon the Parties concerned, and examine into the Facts by proper Witneſſes on Oath; and after ſuch Summons and Examination may, if he or they ſhall ſee Cauſe, order the ſame to be levied by Diſtreſs and Sale of the Goods and Chattels of the Perſon or Perſons to whom ſuch Beaſts, Sheep or Lambs, ſhall belong, rendering the Overplus (if any) to the Owner or Owners of ſuch Goods and Chattels, after deducting the Coſts and Charges of taking and making ſuch Diſtreſs and Sale.

No Sheep to be kept in the new Incloſures for ſeven Years: Except, &c.

CXVII. And be it further enacted, That no Sheep or Lambs ſhall be kept in any new Incloſures to be made and held in Severalty, under the Authority of this Act, during the Space of ſeven Years from the Time or Times the Fences thereof ſhall have been made and completed, unleſs the Perſons keeping ſuch Sheep or Lambs ſhall firſt, at their own Expence, fence their Neighbours Quickſets adjoining the Incloſures where ſuch Sheep or Lambs ſhall be kept, ſo as to prevent any Damage being done to ſuch Quickſets by ſuch Sheep or Lambs, on Penalty of paying Treble Damages and Coſts to the Perſon and Perſons who ſhall be damnified thereby, to be recovered by Suit or Action in any of his Majeſty's Courts of Law.

Tenants for Life, &c. impowered to cut down and carry away Trees, Buſhes, &c.

'CXVIII. And to the End the ſeveral Portions of Land by this Act directed to be incloſed may be im- 'proved and reduced to a State of Cultivation,' be it further enacted, That it ſhall and may be lawful to and for all Perſons being Tenants for Life, or having or claiming to have any limited Eſtate in any of the Lands or Allotments by this Act aſſigned to the ſaid Pariſh of *South Mimms*, and the Owners of *Enfield Old Park*, and Manor of *Old Fold*, reſpectively, and alſo for the Leſſee and Leſſees of the great Tythes of the Pariſh of *Enfield* for the Time being, and the ſeveral Vicars of *Enfield* and *South Mimms*, and the Incumbent of *Monken Hadley*, and their ſeveral and reſpective Succeſſors, Leſſees, or Tenants, for the Space of ſeven Years, to be computed from the laſt Day of this preſent Seſſion of Parliament, to grub and ſtock up, fell, cut down, remove, take and carry away, to and for their own proper Uſes, all and all Manner of Trees, Buſhes, Thorns, and Roots, within and upon their ſaid reſpective Allotments (ſave and except

ſuch Trees as are by this Act reſerved to the King's Majeſty), any Law, Uſage, or Preſcription, to the contrary thereof notwithſtanding.

Power for the Vicars of Enfield, &c. and Hadley Incumbent, to grant Leaſes.

CXIX. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Vicar of *Enfield*, and his Succeſſors, and the Vicar of *South Mimms*, and his Succeſſors, with the Conſent of the Lord Biſhop of *London* for the Time being, ſignified by Writing under his Hand, and alſo for the Incumbent of the peculiar Donative or Pariſh Church of *Monken Hadley* for the Time being, and his Succeſſors, with the Conſent of the Patron thereof for the Time being, to grant Leaſes of their reſpective Allotments of the ſaid Chaſe unto ſuch Perſon or Perſons as they ſhall ſeverally and reſpectively think fit, for any Term or Number of Years not exceeding twenty-one Years, to be computed from the Date or Dates thereof reſpectively; ſo as no ſuch Leaſe be made diſpuniſhable of Waſte; and ſo as no Sum of Money or other Gift be taken by Way of Fine for ſuch Leaſe or Leaſes; and ſo as the beſt Rent or Rents that can be gotten for the ſame be reſerved thereon reſpectively; and ſo as ſuch Rent or Rents be made payable quarterly; and the uſual Power of Re-entry for Nonpayment of ſuch Rent or Rents, and ſuch other Clauſes and Covenants be contained therein as are uſually inſerted in Leaſes of Farms in that Neighbourhood; and ſo as the Leſſee or Leſſees, in ſuch Leaſe or Leaſes to be named, do execute and deliver Counterparts of the ſame; any Law, Uſage, or Cuſtom, to the contrary notwithſtanding: And that upon the Death, Ceſſion, or Reſignation of any Vicar of *Enfield*, or Vicar of *South Mimms*, or Incumbent of *Monken Hadley* for the Time being, a juſt Proportion of the Rents and Profits of ſuch Lands and Grounds as ſhall be allotted to the ſaid reſpective Vicars and Incumbent by virtue of this Act, ſhall be paid and received by the ſaid Vicar or Incumbent making ſuch Ceſſion or Reſignation, or to the proper perſonal Repreſentative or Repreſentatives of the Vicar or Incumbent who ſhall ſo die, up to the Day of ſuch Ceſſion, Reſignation, or Death, as the Caſe may be, any Thing to be contained in ſuch Leaſes to the contrary notwithſtanding.

How Rents ſhall be paid on Death, Ceſſion, or Reſignation.

'CXX. And for the better Protection of the Trees, Woods, and Underwoods, growing, or which 'may hereafter grow, in or upon the ſaid Chaſe, as well before as after the ſame ſhall be divided by Fences 'into the ſeveral Allotments aforeſaid,' be it further enacted, That all Perſons whatſoever, who ſhall unlawfully cut down, ſplit, bark, pill, damage, deface, deſtroy, or carry away any Timber Tree, or other Tree, Wood, or Covert, or any Fern, or Furze, within the ſaid Chaſe, before the Fences to be made at his Majeſty's Expence ſhall be completed, ſhall be ſubject and liable to all ſuch Pains, Penalties, and Puniſhments, as ſuch Offenders are or would have been ſubject or liable to, in caſe this Act had not been made: And in caſe any ſuch Offence or Offences ſhall be committed after the ſaid Fences ſhall be completed, every ſuch Offender or Offenders ſhall be ſubject and liable to all ſuch Suits, Actions, Damages, Pains, Penalties, and Puniſhments, as are provided by the Laws and Statutes of this Realm, to be brought, given, impoſed, or inflicted upon any Perſon or Perſons for committing the like Offence or Offences in the Lands, Grounds, Woods, or Coppices, being the private Property of any of his Majeſty's Subjects.

Clauſe for Protection of the Woods.

Penalty for deſtroying Fences.

CXXI. And be it further enacted, That in caſe any Perſon or Perſons ſhall wilfully and unlawfully break down, deſtroy, carry away, or damage, any Gate, Stile, Poſt, Rail, or other Fence, to be put up or placed under the Authority of this Act, for the fencing or convenient feeding or occupying of any Lands within the ſaid Chaſe, every Perſon ſo offending, and being thereof convicted before any Juſtice of the Peace, in Manner herein-after directed, ſhall forfeit and pay any Sum not exceeding ten Pounds, nor leſs than twenty Shillings, at the Diſcretion of ſuch Juſtice, over and beſides the Coſts of Conviction; and one Moiety of ſuch Penalties ſhall be paid to the Owner of the Gates, Stiles, Poſts, Rails, or Fence, ſo broken, deſtroyed, or carried away, whether ſuch Owner be the Informer or not, and the other Moiety thereof ſhall be paid to the Churchwardens of the Pariſh within which the Offence ſhall be committed.

Method of recovering Penalties.

CXXII. And be it further enacted, That all the Penalties by this Act inflicted, or directed to be inflicted, or which ſhall be ſet or impoſed by any Rule or Order to be made under the Authority of this Act, ſhall be recoverable before one or more Juſtice or Juſtices of the Peace for the County of *Middleſex*, not intereſted in the Premiſes, on the Confeſſion of the Offender, or on Proof of the Offence by the Oath of one or more credible Witneſs or Witneſſes; and that the Evidence of any credible Perſon, either for or againſt the Party accuſed, ſhall be competent, although ſuch Witneſs or Witneſſes ſhall be an Inhabitant of the Pariſh within which the Offence ſhall have been committed, or charged ſo to be: And that it ſhall and may be lawful to and for any ſuch Juſtice or Juſtices, upon Information and Complaint upon Oath made before him that any ſuch Offence hath been committed, to cauſe the Offender and Offenders to be apprehended and brought before him, to be dealt with according to Law; and in caſe, on Conviction, any ſuch Offender ſhall not immediately pay down the Penalty and Coſts, or find Security, to the Satisfaction of ſuch Juſtice or Juſtices, for the Payment thereof at a future Day, it ſhall be lawful for ſuch Juſtice or Juſtices to cauſe the ſame to be forthwith levied on the Goods and Chattels of the Offender or Offenders, by Warrant under his or their Hand and Seal, or Hands and Seals, or it ſhall be lawful for ſuch Juſtice or Juſtices, at his or their Diſcretion, to commit every ſuch Offender to ſome Common Gaol within the ſaid County, there to be kept for any Space of Time ſuch Juſtice or Juſtices ſhall direct, not exceeding three Calendar Months, or until ſuch Time as the ſaid Penalty and Coſts ſhall be paid.

How Juſtices to proceed for Conviction of Offenders.

'CXXIII. And, in order to prevent the quaſhing of Convictions of Offenders againſt this Act for Want 'of Form,' be it further enacted, That the Conviction and Convictions of all and every Offenders againſt this Act, ſhall be certified by the Juſtice or Juſtices of the Peace before whom the ſame ſhall be made, to the next General Quarter Seſſions of the Peace, to be filed amongſt the Records of the ſaid Seſſions; and that ſuch Conviction ſhall be fairly written on Parchment, or Paper, in the following Form of Words, as the Caſe ſhall happen, or in any other Form of Words to the like Effect; that is to ſay:

Form of Conviction.

*Middleſex* to wit, } 'BE it remembered, That on the Day of in the Year *A. B.* was, upon the Complaint of *C. D.* convicted before of the 'Juſtices of the Peace for the County of *Middleſex*, in purſuance of an Act, paſſed in the ſeventeenth Year

' of the Reign of his Majeſty King *George* the Third, *for dividing the Chaſe of* Enfield, *in the County of* ' Middleſex; *and for other Purpoſes therein mentioned*; (as the Caſe ſhall be).

' Given under Hand and Seal the Day and Year above written.'

Which ſaid Conviction ſhall be good and effectual in Law to all Intents and Purpoſes, and ſhall not be quaſhed, ſet aſide, or adjudged void or inſufficient, for Want of any Form or Words whatſoever.

Hadley Pariſh to be within the Juriſdiction of the Ordinary.

CXXIV. And be it further enacted, That in Conſideration of the ſaid Allotment of fifty Acres by this Act aſſigned in Diſcharge of the Tythes of the Pariſh of *Monken Hadley*, the whole of the ſaid Pariſh of *Monken Hadley* (ſave and except only the ſaid two hundred and forty Acres by this Act aſſigned and annexed to the ſaid Pariſh, and which ſaid two hundred and forty Acres are to remain ſubject to the Payment of ſuch Tythes to the Maſter, Fellows, and Scholars of *Trinity College* aforeſaid, and their Leſſee, and to the Vicar of *Enfield*, for the Time being, as ſhall ariſe and become due therefrom) ſhall, from and after the twenty-fifth Day of *March*, one thouſand ſeven hundred and ſeventy-eight, become and for ever remain freed, exonerated, and abſolutely diſcharged from all Tythes whatſoever; and that the ſaid Pariſh of *Monken Hadley* ſhall from thenceforth become and for ever remain ſubject to the Viſitation and Juriſdiction of the Ordinary in all Spiritual Matters whatſoever (Induction and Inſtitution, and Payment of Viſitation-fees, only excepted).

Certain Incroachments enfranchiſed.

CXXV. And be it further enacted, That the ſeveral Lands heretofore incroached upon the ſaid Chaſe, and herein-after particularly deſcribed, and all Meſſuages, Houſes, Cottages, and Buildings thereon erected, with their Appurtenances, now held either by Copy of Court-roll of the Manor of *Enfield*, or other Title under the Crown, ſhall, from and immediately after the paſſing of this Act, be and become enfranchiſed, and be held and enjoyed by the ſeveral and reſpective Perſons now holding and enjoying the ſame, to themſelves and their Heirs, in Fee ſimple, freed and diſcharged from all Quit-rents and other Rents, Suits and Services, ſubject nevertheleſs to ſuch Limitations, Uſes, and Truſts, as have been already thereof declared by any Grant by Copy of Court-roll, Deed, or Writing, if any ſuch there be; (that is to ſay) all thoſe Cottages and Incloſures, with their Appurtenances, granted by Copy of Court-roll, ſituate near *Cooper's Lane Gate*, now or late held, enjoyed, or occupied by *Thomas Waltho*, *Peter Poulter*, and *John Jaques*; and alſo all thoſe ſeveral ſmall Pieces of incloſed Ground, with the Offices and Buildings thereon erected, ſituate on the Weſt Side of the preſent Road near *Cock-ſoſters*, and held, enjoyed, or occupied by *Arabella Trevor* Spinſter, and *Temple Weſt* Eſquire; and all that ſmall Slip of inraiſed Land fronting an Houſe called *The Folly*, and a ſmall Slip of incloſed Land near *Caponhurſt* Farm, occupied or enjoyed by *William Maſon*; and all thoſe ſeveral ſmall Parcels of intailed Land fronting divers Houſes in the Pariſh of *Monken Hadley*, which Parcels of inrailed Land are held by *Andrew Hopegood* Eſquire, *John Egerton* Eſquire, *Thomas Gildart* Eſquire, and *James Quilter* Eſquire, containing together one Acre and ſixteen Perches; and all thoſe other ſmall Parcels of incloſed Land adjoining to the ſaid Pariſh of *Monken Hadley*, being Part of the Gardens and Outlet of Mrs. *Mary Sewell*, and of the Incumbent of *Monken Hadley* for the Time being; and alſo all thoſe ſeveral ſmall Parcels of incloſed Land, granted by Copy of Court-roll of the ſaid Manor of *Enfield*, ſituate near unto *Potter's Bar*, with the Dwelling-houſes and other Buildings thereon, now held and enjoyed by *John Freeman* Eſquire, *Ann Jones* Spinſter, and *Chriſtopher Corrall* Eſquire; all which ſaid Incroachments, hereby enfranchiſed, contain in the whole ſix Acres, two Roods, and one Perch, or thereabouts.

For aſcertaining Tenures.

CXXVI. And be it further enacted, That all and every Meſſuages, Buildings, and Lands, within the ſaid Chaſe, or within the Diſtrict uſually called *Enfield Chaſe*, by whatſoever Tenures the ſame now are, or ſhall hereafter be reſpectively held (the Allotment by this Act aſſigned to the ſaid Pariſh of *South Mimms* only excepted), ſhall be for ever held, and be deemed, adjudged, and taken to be held of the King's Majeſty, his Heirs and Succeſſors, as of the Manor and Lordſhip of *Enfield*, in the County of *Middleſex*, Parcel of the Poſſeſſions of his Majeſty's Duchy of *Lancaſter*; and that all Meſſuages, Buildings, and Lands, within the Limits of the ſaid new-erected Manor of *New Mimms*, ſhall be for ever held, and be deemed, adjudged, and taken to be held of the King's Majeſty, his Heirs and Succeſſors, as of the ſaid Manor of *New Mimms*, in the ſaid County of *Middleſex*; any Thing herein contained to the contrary thereof in anywiſe notwithſtanding.

Six Parts to be made of the Survey, and to be certified by the Speaker of the Houſe of Commons:

CXXVII. And be it further enacted, That there ſhall be ſix original Parts made of the aforeſaid Survey or Plan of the ſaid Chaſe, and of the Table of References thereto, which ſhall be certified by the Right Honourable the Speaker of the Honourable Houſe of Commons, under his Hand and Seal, and, when ſo certified, four of ſuch ſix Parts ſhall be depoſited and kept in the Cheſts of the ſaid four reſpective Pariſhes; (that is to ſay) one Part in the public Cheſt of each Pariſh; which ſeveral Surveys or Plans all Perſons intereſted, and their Agents, ſhall have Liberty, at all ſeaſonable Hours, to inſpect, paying unto the Veſtry-clerk of the Pariſh, for the Time being, the Sum of one Shilling for every Inſpection: That another of the ſaid Parts ſhall be delivered to the ſaid Maſter, Fellows, and Scholars, to be depoſited and kept in the ſaid College: And the remaining Part ſhall be kept and depoſited in the Office of the Clerk of the Council of his Majeſty's Duchy of *Lancaſter* for the Time being, amongſt the Records of the ſaid Duchy: And the ſaid ſeveral Surveys or Plans, and Table of References, ſhall be good Evidence in all Courts whatſoever; and that the ſeveral Veſtry-clerks, or other Officers or Perſons having the Cuſtody of the ſaid Surveys or Plans and Table or Tables of References, ſhall reſpectively produce the ſame in Evidence, in any Court whatſoever, being duly ſubpœnaed ſo to do, and being paid a reaſonable Satisfaction for his or their Trouble, Coſts, and Charges attending ſuch Production, by the Party or Parties in whoſe Behalf the ſame ſhall be ſo produced.

To be kept in the Pariſh Cheſts, Trinity College, and in the Duchy Office.

Perſons aggrieved may appeal to the Quarter Seſſions;

CXXVIII. And be it further enacted, That if any Perſon or Perſons ſhall think him, her, or themſelves aggrieved by any Thing done in purſuance of this Act (ſave only in ſuch Caſes where the Order or Direction of any Perſon or Perſons is directed to be final) then, and in every ſuch Caſe, the Party or Parties ſo aggrieved

aggrieved ſhall and may appeal to the General Quarter Seſſions of the Peace, which ſhall be held for the County of *Middleſex*, within ſix Calendar Months next after the Cauſe of Complaint ſhall have ariſen; and the Juſtices in their ſaid General Quarter Seſſions are hereby required to hear and determine the Matter of every ſuch Appeal, and to make ſuch Order therein, and award ſuch Coſts, as to them in their Diſcretion ſhall ſeem reaſonable; and by their Order or Warrant to levy the Coſts which ſhall be ſo awarded, by Diſtreſs and Sale of the Goods and Chattels of the Party or Parties liable to pay the ſame, rendering the Overplus (if any) to the Owner or Owners of ſuch Goods and Chattels, after deducting the reaſonable Charges of every ſuch Diſtreſs and Sale; which Determination of the ſaid Juſtices ſhall be final and concluſive to all Perſons concerned, and ſhall not be removed or removeable by *Certiorari*, or any other Writ or Proceſs whatſoever, into any of his Majeſty's Courts of Record at *Weſtminſter*, or elſewhere. whoſe Determination ſhall be final.

CXXIX. And be it further enacted, That all Actions, Writs, and Proſecutions, commenced againſt any Perſon or Perſons, for any Thing to be done under or in purſuance of this Act, ſhall be commenced within ſix Calendar Months after the Fact committed; and ſhall be laid and tried in the County of *Middleſex*, and not otherwiſe or elſewhere: And that ſuch Perſons, as ſhall be proſecuted for any Offence againſt this Act, or under any Rule or Order to be made by virtue thereof, in Manner aforeſaid, ſhall not be liable to Proſecution or Preſentment for the ſame Offence, under any other Act of Parliament, or in any of the Courts of the Manor of *Enfield*, or elſewhere, any Thing herein contained to the contrary notwithſtanding. Limitation of Actions.

CXXX. And be it further enacted, That if any Perſon or Perſons ſhall be ſued or proſecuted for any Matter or Thing which he, ſhe, or they ſhall do in purſuance of this Act, it ſhall and may be lawful to and for every Perſon ſo ſued or proſecuted, to plead the General Iſſue, and to give the Matter in Evidence, without ſpecially pleading the ſame. General Iſſue may be pleaded to Actions.

CXXXI. Provided always, and be it enacted, That nothing in this Act contained ſhall extend to, affect, or be in anywiſe prejudicial to the Rights given and granted by any Charter or Charters, or any Act or Acts of Parliament, to the Corporation called *The Governor and Company of the New River brought from Chadwell and Amwell to London*. Saving the Rights of the New River Company.

CXXXII. Saving always to the King's moſt Excellent Majeſty, his Heirs and Succeſſors, and to all Bodies Politick and Corporate, and their Succeſſors, and to the Lords of the ſeveral Manors of *South Mimms*, *Williots*, and *Monken Hadley*, and to all and every Perſon and Perſons whatſoever, their Heirs, Executors, Adminiſtrators, and Aſſigns, all ſuch Eſtate, Right, Title, Seigniory, Intereſt, Claim, and Demand whatſoever, of, to, or within the ſaid Chaſe, and of, to, or within the ſaid open commonable Ground in the ſaid Manor of *South Mimms*, which are not by this Act extinguiſhed, vacated, deſtroyed, diſcharged, annihilated, taken away, leſſened, diminiſhed, varied, changed, or altered, as they, every, or any of them, now have or hath, or might or could have had and enjoyed therein, in caſe this Act had not been made. General Saving of Rights.

CXXXIII. And be it further enacted, That this Act ſhall be adjudged, deemed, and taken to be a Public Act; and ſhall be judicially taken Notice of as ſuch by all Judges, Juſtices, and other Perſons whomſoever, without ſpecially pleading the ſame. Public Act.

## CAP. XVIII.

An Act for enabling the Mayor, Aldermen, and Commons, of the City of *London*, to purchaſe the preſent Tolls and Duties payable for navigating upon the River *Thames* Weſtward of *London-bridge*, within the Liberties of the City of *London*, and for laying a ſmall Toll in lieu thereof, for the Purpoſe of more effectually completing the ſaid Navigation; and for other Purpoſes.

Preamble. 14 Geo. III. recited.

'WHEREAS by an Act of Parliament, made in the fourteenth Year of the Reign of his preſent Majeſty, intituled, *An Act more effectually to improve and complete the Navigation of the River* Thames, *Weſtward of* London-bridge, *within the Liberties of the City of* London, *and to prevent any Veſſel or Barge from being moored in* Taplow-mill *Stream, in the County of* Bucks; the Mayor, Aldermen, and Commons, of the City of *London*, in Common Council aſſembled, were and are authoriſed and impowered to improve and complete the Navigation of the ſaid River, between the City of *London* and the City Stone above *Staines bridge*, in the County of *Middleſex*: And whereas the Mayor, Aldermen, and Commons, of the City of *London*, have proceeded to carry the ſaid Act into Execution, and ſeveral neceſſary and expenſive Works have been performed within their Juriſdiction, between the City of *London* and the City Stone above *Staines-bridge*, whereby the Navigation hath been greatly improved, the Paſſage for Boats and Barges rendered more expeditious, and the Expences of navigating conſiderably reduced: And whereas the Mayor, Aldermen, and Commons, of the City of *London*, have already applied near ten thouſand Pounds in this Service, out of their own Eſtates, but find that, notwithſtanding ſo large a Sum has been expended by them, other Works, very neceſſary for completing the Improvement of the ſaid Navigation, ſtill remain to be done, the probable Expence of which will, as the Mayor, Aldermen, and Commons, of the City of *London*, have been informed, amount to the additional Sum of near eight thouſand Pounds, over and above a conſiderable Expence that will annually be incurred in repairing and ſupporting the Works: And whereas the Mayor, Aldermen, and Commons, of the City of *London*, are deſirous of being enabled to purchaſe the ſeveral Tolls and Duties or other Sums of Money now collected and taken for Barges and other Veſſels navigating, and for Horſes drawing ſuch Barges and Veſſels, within the Limits before-mentioned; and propoſe that the ſaid Tolls and Duties, or other Sums of Money ſo purchaſed by them, ſhall ceaſe and be no longer paid; as they apprehend, from the Circum-

'ſtances and Nature of the ſaid Tolls and Duties, and other Sums of Money, that they are attended with 'great Inconveniencies to the Navigation, and to the Public: And the ſaid Mayor, Aldermen, and Com-'mons, in order to carry the good Purpoſes of the ſaid former Act into Execution, and to enable them to 'purchaſe the preſent Tolls and Duties, and Payments, and to complete the ſaid Navigation, are alſo de-'ſirous that they ſhould be impowered to lay a ſmall Toll, in lieu of the preſent Tolls and Duties, and 'Payments, upon the ſeveral Barges, Boats, and other Veſſels, navigating the ſaid River, between *Lon-'don-bridge* and the City Stone above *Staines-bridge*, according to the Quantity of Tonnage: But, as the 'ſame cannot be done without the Aid and Authority of Parliament,' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That it ſhall and may be lawful for the ſaid Mayor, Aldermen, and Commons, in Common Council aſſembled, and they are hereby impowered to treat and agree with the Owners and Occupiers of, and other Perſons intereſted in, the ſeveral Tolls and Duties and Payments, now collected and taken for Barges and other Veſſels navigating, and for Horſes drawing ſuch Barges and Veſſels, between the City of *London* and the City Stone above *Staines-bridge*, for the Purchaſe of ſuch Tolls and Duties; and with the Owners and Occupiers of, and other Perſons intereſted in, ſuch Lands or Grounds as they ſhall judge fit to be purchaſed for the Purpoſe of erecting Toll-houſes and Toll-gates, or other the Purpoſes of this Act.

Power given to the Mayor, &c. in Common Council aſſembled, to purchaſe the old Tolls and Duties, &c.

Bodies Politick, Truſtees, &c. impowered to ſell and convey Tolls, Duties, and Lands.

II. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for all Bodies Politick, Corporate, or Collegiate, or Corporations Aggregate or Sole, Truſtees and Feoffees in Truſt, Guardians and Committees for Lunaticks and Idiots, Executors, Adminiſtrators, and Guardians whatſoever, not only for or on Behalf of themſelves, their Heirs and Succeſſors, but alſo for and on Behalf of their *Ceſtuique* Truſts, whether Infants or Iſſue unborn, Lunaticks, Idiots, Femes-covert, or other Perſons whatſoever; and to and for all Femes-covert who are or ſhall be ſeized in their own Right, and to and for all and every Perſon and Perſons whomſoever who are or ſhall be ſeized or poſſeſſed of, or intereſted in, any of the Tolls or Duties or Payments, now collected and taken, for Barges and other Veſſels navigating, or for Horſes drawing ſuch Barges and Veſſels, within the Limits herein-before mentioned, or any Lands or Grounds, which by the ſaid Mayor, Aldermen, and Commons, in Common Council aſſembled, or Committee to be by them appointed, ſhall be thought neceſſary to be purchaſed for the Purpoſes of this Act, to ſell and convey all or any ſuch Tolls, Duties, Lands, and Grounds, or any Part thereof, to the ſaid Mayor and Commonalty, and Citizens; and that all Contracts, Agreements, Bargains, Sales, and Conveyances, which ſhall be made by ſuch Perſons as aforeſaid, ſhall be good and valid in Law, to all Intents and Purpoſes, not only to convey the Eſtate and Intereſt of the Perſon and Perſons conveying, but alſo to convey all Right, Eſtate, Intereſt, Uſe, Property, Claim, and Demand whatſoever, of their ſeveral and reſpective *Ceſtuique* Truſts, whether Infants or Iſſue unborn, Lunaticks, Idiots, Femes-covert, or other Perſons whomſoever, and all claiming, or to claim, by, from, or under them; any Law, Statute, Uſage, or any other Matter or Thing whatſoever, to the contrary thereof in anywiſe notwithſtanding: And that all ſuch Perſons ſo conveying as aforeſaid, are and ſhall be indemnified for what they ſhall do, by virtue of, or in purſuance of this Act, notwithſtanding any Omiſſion or Miſtake of Matter or Form whatſoever. And if it ſhall happen that any Perſon or Perſons, Body or Bodies Politick, Corporate or Collegiate, or other Perſon or Perſons ſeiſed or poſſeſſed of, or intereſted in, any ſuch Tolls, Duties, Lands, or Grounds, as aforeſaid, ſhall refuſe to treat or agree for the Sale and Conveyance of their reſpective Eſtates and Intereſts therein, with the ſaid Mayor, Aldermen, and Commons, in Common Council aſſembled, or with any Perſon or Perſons authoriſed by them, or ſhall not produce and evince a clear Title to the Premiſes they are in Poſſeſſion of, or to the Intereſt they claim, to the Satisfaction of the ſaid Mayor, Aldermen, and Commons, in Common Council aſſembled, or to the Perſon or Perſons ſo authoriſed by them; then, and in every ſuch Caſe, it ſhall and may be lawful to and for the Court of Mayor and Aldermen of the ſaid City, to be holden in the outer Chamber of the Guildhall of the ſaid City, according to the Cuſtom of the ſaid City; and the ſaid Court is hereby impowered and authoriſed, to iſſue a Warrant or Warrants, Precept or Precepts, directed to the Sheriffs of the City of *London*, or the Sheriff of the County of *Middleſex*, or the Sheriff of the County of *Surry*, as the Caſe ſhall require, who are, and each of them is hereby authoriſed, directed, and required, accordingly, to impanel and return a competent Number of ſubſtantial and diſintereſted Perſons qualified to ſerve on Juries, not leſs than forty-eight, nor more than ſeventy-two, and out of ſuch Perſons ſo to be impanelled, ſummoned, and returned, a Jury of twelve Perſons ſhall be drawn by ſome Perſon to be by the ſaid Court appointed, in ſuch Manner as Juries for the Trial of Iſſues joined in his Majeſty's Courts at *Weſtminſter* (by an Act, made in the third Year of the Reign of his late Majeſty King *George* the Second, intituled, *An Act for the better Regulation of Juries*), are directed to be drawn; which Perſons ſo to be impannelled, ſummoned, and returned, as aforeſaid, are hereby required to come and appear before the ſaid Court of Mayor and Aldermen, if the Tolls, Duties, Lands or Grounds in queſtion, are collected and taken, or lie in the ſaid City of *London*, or the Liberties thereof, at ſuch Time and Place, as in ſuch Warrant or Warrants, Precept or Precepts, ſhall be directed and appointed; and if the Tolls, Duties, Lands or Grounds in queſtion, are collected and taken, or lie in either of the Counties of *Middleſex* or *Surry*, to come and appear before the Juſtices of the Peace for the County where the Tolls or Duties are collected, or the Lands or Grounds in queſtion lie, at ſome General Quarter Seſſions of the Peace, to be holden for the ſame County, or ſome Adjournment thereof; and to attend the ſaid Courts reſpectively, from Day to Day, until diſcharged by the ſaid Courts reſpectively; and all Parties concerned ſhall and may have their lawful Challenges againſt any of the ſaid Jurymen, but ſhall not be at Liberty to challenge the Array: And the ſaid Court of Mayor and Aldermen, or Juſtices as aforeſaid, reſpectively, are hereby authoriſed and impowered, by Precept or Precepts, from Time to Time, as Occaſion ſhall require, to call before them all and every Perſon and Perſons whomſoever, who ſhall be thought

Contracts to be valid.

If Parties refuſe to treat, &c. a Jury to be ſummoned,

Jurymen may be challenged.

thought proper or neceſſary to be examined as a Witneſs or Witneſſes, on their Oath or Oaths, touching and concerning the Premiſes: And the ſaid Court of Mayor and Aldermen, or Juſtices, as aforeſaid, reſpectively, if they think fit, ſhall and may likewiſe authoriſe the ſaid Jury to view the Place or Places in queſtion, in ſuch Manner as they ſhall direct; and the ſaid Court of Mayor and Aldermen, or Juſtices, as aforeſaid, reſpectively, ſhall have Power to adjourn ſuch Meeting from Day to Day, as Occaſion ſhall require, and to command ſuch Jury, Witneſſes, and Parties, to attend until all ſuch Affairs, for which they were ſummoned, ſhall be concluded; and the ſaid Jury, upon their Oaths (which Oaths, as alſo the Oaths to ſuch Perſon or Perſons as ſhall be called upon to give Evidence, the ſaid Court of Mayor and Aldermen, or Juſtices, as aforeſaid, reſpectively, are hereby impowered and required to adminiſter) ſhall enquire of the Value of ſuch Tolls, Duties, Lands, and Grounds, and of the reſpective Eſtate and Intereſt of every Perſon ſeiſed or poſſeſſed thereof, or intereſted therein, or of or in any Part thereof, and ſhall aſſeſs and award the Sum or Sums to be paid to every ſuch Perſon or Perſons, for the Purchaſe of ſuch their Eſtates and Intereſts; and the ſaid Court of Mayor and Aldermen, or Juſtices as aforeſaid, reſpectively, ſhall and may give Judgment for ſuch Sum or Sums of Money, ſo to be aſſeſſed; which ſaid Verdict or Verdicts, and the ſaid Judgment, Decree, or Determination thereupon (Notice in Writing being given to the Perſon or Perſons intereſted, or claiming ſo to be, at leaſt fourteen Days before the Time of ſuch Aſſeſſment, declaring the Time and Place of the Meeting of the ſaid Court of Mayor and Aldermen, or Juſtices, as aforeſaid, reſpectively, and Jury, by leaving ſuch Notice at the Dwelling-houſe of ſuch Perſon or Perſons, or at his, her, or their uſual Place or Places of Abode, or with ſome Leſſee, Tenant, or Occupier of ſome of the ſaid Tolls, Duties, Lands or Grounds intended to be valued and aſſeſſed, in caſe ſuch Party cannot otherwiſe be found out to be ſerved with ſuch Notice), ſhall be binding and concluſive, to all Intents and Purpoſes whatſoever, againſt all and every Perſon and Perſons, Bodies Politick and Corporate, claiming any Eſtate, Right, Title, Truſt, Uſe or Intereſt, in, to, or out of the ſaid Tolls, Duties, Lands or Grounds, either in Poſſeſſion, Reverſion, Remainder, or Expectancy, as well Infants and Iſſue unborn, Lunaticks, Idiots, and Femes-covert, and Perſons under any other legal Incapacity or Diſability, as all other *Ceſtuique* Truſts, his, her, and their Heirs, Succeſſors, Executors, and Adminiſtrators, and againſt all other Perſons whomſoever; and the ſaid Verdicts, Judgments, and Decrees, and all other Proceedings of the ſaid Court of Mayor and Aldermen, or Juſtices as aforeſaid, reſpectively, and Juries, ſo to be made, given, and pronounced, as aforeſaid, ſhall be fairly written on Parchment, and ſigned and ſealed by the Mayor for the Time being, or by the Juſtices preſent, or the major Part of them.

Witneſſes may be examined on Oath.

Jury to enquire into the Value of the Tolls, Duties, Lands, &c. in queſtion.

Verdict of Jury, &c. to be final.

III. And it is hereby further enacted and declared, That upon Payment of ſuch Sum or Sums of Money, ſo to be awarded or adjudged, the Perſon or Perſons, to whom the ſame ſhall be ſo awarded for the Purchaſe of the ſaid Tolls, Duties, Lands or Grounds, or for the Purchaſe of any Eſtate or Intereſt therein, ſhall make and execute, or procure to be made and executed, good, valid, and legal Conveyances, Aſſignments, and Aſſurances in the Law, to the ſaid Mayor and Commonalty, and Citizens, of the ſaid Tolls, Duties, Lands and Grounds, or of ſuch Eſtate or Intereſt for which ſuch Sum or Sums of Money ſhall be ſo awarded, and ſhall procure all neceſſary Parties to execute ſuch Conveyances, Aſſignments, and Aſſurances, and ſhall do all Acts, Matters, and Things, neceſſary and requiſite to make a good, clear, and perfect Title, to the ſaid Mayor and Commonalty, and Citizens; and ſuch Conveyances, Aſſignments, and Aſſurances, ſhall contain all ſuch reaſonable and uſual Covenants as ſhall, on the Part of the ſaid Mayor and Commonalty, and Citizens, be required: And in caſe ſuch Perſon or Perſons, to whom ſuch Sum or Sums of Money ſhall be ſo awarded, as aforeſaid, ſhall not be able to evince their Title to the Premiſes, to the Satisfaction of the ſaid Mayor, Aldermen, and Commons, in Common Council aſſembled, and to make, or procure to be made, good, valid, and legal Conveyances thereof, to the ſaid Mayor and Commonalty, and Citizens, or ſhall refuſe ſo to do, being thereto required, and ſuch Sum or Sums ſo aſſeſſed and awarded as aforeſaid, being produced and tendered to be paid to him, her, or them, on their making ſuch Title, and executing, or procuring to be executed, ſuch Conveyances, Aſſignments, or Aſſurances, as aforeſaid; or in caſe ſuch Perſon or Perſons to whom ſuch Sum and Sums of Money ſhall be ſo awarded as aforeſaid, cannot be found in the City or County where the Tolls, Duties, Lands or Grounds, for which the ſaid Sums ſhall be ſo aſſeſſed or awarded, are collected and taken, or lie; or in caſe, that by reaſon of Diſputes depending in any Court of Law or Equity, or for Defect of Evidence, it ſhall not appear to the ſaid Mayor, Aldermen, and Commons, in Common Council aſſembled, what Perſon or Perſons is or are intitled to the Premiſes in queſtion; then, and in every ſuch Caſe as aforeſaid, it ſhall and may be lawful to and for the ſaid Court of Mayor and Aldermen, to order the ſaid Sum or Sums, ſo aſſeſſed and awarded as aforeſaid, as the Value of, and Purchaſe-money for, the ſaid Tolls, Duties, Lands and Grounds reſpectively, to be paid into the Bank of *England*, for the Uſe of the Parties intereſted in the ſaid Premiſes, to be paid to them, and every of them, according to their reſpective Eſtates and Intereſt therein, at ſuch Time as the ſaid Court of Mayor and Aldermen ſhall order and direct; and the Cathier or Caſhiers of the Bank of *England*, who ſhall receive ſuch Sum or Sums, is and are hereby required to give a Receipt or Receipts for ſuch Sum or Sums, mentioning and ſpecifying for what and for whoſe Uſe the ſame is or are received, to ſuch Perſon as ſhall pay any ſuch Sum or Sums into the Bank as aforeſaid.

Aſſignments and Conveyances to be made to the Mayor, &c.

If Perſons cannot evince a clear Title to the Premiſes,

or cannot be found in the City or County where the Lands, &c. lie,

the Purchaſe-money to be lodged in the Bank.

IV. And be it further enacted by the Authority aforeſaid, That all ſuch Verdicts, Judgments, Sentences, Decrees, Orders, and other Proceedings of the ſaid Court of Mayor and Aldermen, or Juſtices as aforeſaid, reſpectively, and Juries, as relate to, or concern any Tolls, Duties, Lands or Grounds, ſo to be purchaſed as aforeſaid; and all Receipts which the ſaid Cathier or Caſhiers of the Bank ſhall give for any Sum or Sums of Money, paid into the Bank in conſequence of any ſuch Verdict and Judgment, ſhall be entered among the Records of the ſaid Court of Mayor and Aldermen, or General Quarter Seſſions of the Peace for the ſaid County of *Middleſex*, or the ſaid County of *Surry*, as the Caſe ſhall happen to be; and the ſaid Verdicts, Judgments, Sentences, Decrees, and Orders, and other Proceedings, ſhall be

Verdicts and Decrees of the Court of Aldermen, &c. to be entered among the Records of the ſaid Court;

and to be deemed good Evidence.

be deemed and taken to be Records, to all Intents and Purpoſes whatſoever, and the ſame, or true Copies thereof, ſhall be deemed and taken to be good and effectual Evidence and Proof, in any Court or Courts of Law or Equity whatſoever; and all Perſons ſhall and may have Recourſe to the ſame *gratis*, and take Copies thereof, paying for every Copy, not exceeding two hundred Words, Sixpence, and ſo proportionably for any greater or leſſer Number of Words: And immediately after ſuch Verdicts, Judgments, Sentences, Decrees, Orders, and other Proceedings of the ſaid Court of Mayor and Aldermen, or Juſtices aforeſaid reſpectively, and Juries, and of ſuch Receipt or Receipts of the ſaid Caſhier or Caſhiers as aforeſaid, all the Eſtate, Right, Title, Intereſt, Uſe, Truſt, Property, Claim and Demand, in Law and Equity, of the Perſon or Perſons for whoſe Uſe ſuch Money ſhall be paid, in, to, and out of the ſaid Tolls, Duties, Lands and Grounds to be purchaſed as aforeſaid, ſhall veſt in the ſaid Mayor and Commonalty, and Citizens, and they ſhall be deemed in Law to be in the actual Poſſeſſion thereof, to all Intents and Purpoſes whatſoever, as fully and effectually, as if every Perſon, having any Eſtate in the Premiſes, had actually conveyed the ſame by Leaſe and Releaſe, Bargain and Sale inrolled, Grant, Feoffment with Livery and Seiſin, Fine and Recovery, or any other legal Conveyance whatſoever; and ſuch Payments ſhall not only bar all Right, Title, Intereſt, Claim, and Demand, of the Perſon or Perſons to whoſe Uſe ſuch Payments were made, but alſo ſhall extend to, and be deemed and conſtrued to bar the Dower and Dowers of the Wife and Wives of ſuch Perſon and Perſons, and all Eſtates Tail, in Poſſeſſion, Reverſion, or Remainder, and all Rights and Titles, in reſpect of any ſuch Eſtate Tail, againſt the Iſſue and Iſſues of ſuch Perſon and Perſons, and every Perſon claiming under them, as effectually as a Fine or Recovery would do, if levied or ſuffered by the proper Parties in due Form of Law.

After ſuch Verdicts, &c. the Tolls, Duties, and Lands to be purchaſed, veſted in the Mayor and Citizens.

Court of Aldermen may inveſt Purchaſe-money in the Funds on Government Security, &c.

V. Provided always, That it ſhall and may be lawful for the ſaid Court of Mayor and Aldermen, after ſuch Payment into the Bank, and Entry of the Receipt aforeſaid, at the Petition of any Perſon or Perſons in Poſſeſſion of ſuch Tolls, Duties, Lands or Grounds, to place out or inveſt, or to cauſe to be placed out or inveſted, ſuch Sum or Sums of Money, or any Part thereof, in ſome of the Public Funds, or on Government Security, at Intereſt, in the Name or Names of any Perſon or Perſons authoriſed and appointed by the ſaid Court of Mayor and Aldermen for that Purpoſe, in Truſt, to transfer and aſſign the ſame to the Perſon or Perſons to whom the Premiſes belong, on their executing proper Conveyances thereof; and in the mean time in Truſt, to pay the Intereſt and Dividends ariſing therefrom to ſuch Perſon or Perſons as was or were in Poſſeſſion of the ſaid Premiſes, at the Time of the ſaid Payment into the Bank.

Perſons intitled to the Profits of the Premiſes, may recover Intereſt by Action of Debt, &c.

VI. Provided always, and it is hereby enacted, That all and every Perſon or Perſons who would be intitled to recover the Meſne Profits of the Premiſes, againſt the Perſon or Perſons in Poſſeſſion, in caſe the ſame had not been ſo conveyed to or veſted in the ſaid Mayor and Commonalty, and Citizens, as aforeſaid, ſhall be intitled to recover the Sum or Sums to ariſe from ſuch Intereſts and Dividends as aforeſaid, by Action of Debt, or otherwiſe, againſt the Perſon or Perſons who ſhall receive the ſame; and the ſaid Court of Mayor and Aldermen are hereby impowered and authoriſed to make ſuch Order as aforeſaid on the Bank, for the Payment of ſuch Sum or Sums of Money, or any Part thereof, as ſhall be neceſſary, in order to the ſame being ſo inveſted in public Securities: And the ſaid Mayor and Commonalty, and Citizens, ſhall be quieted in the Poſſeſſion of the Premiſes, for which ſuch Money ſhall be ſo paid as aforeſaid, and ſhall not be anſwerable or accountable, in any Court of Law or Equity, for the Money ſo depoſited and placed out as aforeſaid, any otherwiſe than according to the Purport and true Meaning of this Act.

Feme-covert ſeiſed in Fee-ſimple, &c. to have her Purchaſe-money paid to whom ſhe ſhall nominate.

VII. And be it further enacted, That in caſe any Feme-covert is or ſhall be ſeiſed in Fee-ſimple, or in Tail, general or ſpecial, of any ſuch Tolls, Duties, Lands or Grounds, ſo to be purchaſed as aforeſaid, by the ſaid Mayor and Commonalty, and Citizens, or of any Intereſt in the ſame, to her ſeparate Uſe, free from the Controul or Intermeddling of her Huſband, the Purchaſe-money, ariſing from the Sale of ſuch Eſtate or Intereſt of ſuch Feme-covert, on the Conveyance of ſuch Eſtate or Intereſt to the ſaid Mayor and Commonalty, and Citizens, ſhall be paid either to the Huſband of ſuch Feme-covert, at her Requeſt, or to ſuch Perſon or Perſons as ſhe ſhall, by Writing under her Hand, nominate to receive the ſame, in Truſt, to be re-inveſted in Lands, Tenements, or Hereditaments, to be conveyed and ſettled for ſuch Uſe, Eſtate, and Intereſt, as the ſaid Feme-covert had in the Premiſes ſo purchaſed by the ſaid Mayor and Commonalty, and Citizens.

How Purchaſe-money, in certain Caſes, ſhall be diſpoſed of.

VIII. And be it further enacted by the Authority aforeſaid, That the principal Money ariſing from the Sale of any Tolls, Duties, Lands or Grounds, which ſhall be purchaſed for any of the Purpoſes of this Act, of or from any Body Corporate or Collegiate, Corporation Aggregate or Sole, Feoffees in Truſt, Guardians, Committees, or other Truſtees, or from any Feme-covert, ſhall be paid to ſuch Perſons as they ſhall reſpectively nominate to receive the ſame, in Truſt, with all convenient Speed then afterwards, to be re-inveſted in the Purchaſe of other Lands, Tenements, or Hereditaments, to be conveyed and ſettled to and upon, and ſubject to the like Uſes, Truſts, Limitations, Remainders, and Contingencies, as the Tolls, Duties, Lands and Grounds, which ſhall be purchaſed from them reſpectively, by the ſaid Mayor and Commonalty, and Citizens, as aforeſaid, were reſpectively ſettled, limited, or aſſured, at the Time of ſuch purchaſing of the ſame, or ſo many thereof as at the Time of making ſuch Conveyances and Settlements ſhall be exiſting and capable of taking Effect.

Bargains and Sales to have the Force of Fines or Recoveries.

IX. And be it further enacted by the Authority aforeſaid, That the Conveyance of any ſuch Eſtate or Intereſt, of any Feme-covert, to the ſaid Mayor and Commonalty, and Citizens, or any Perſon or Perſons in Truſt for them, by Bargain and Sale, acknowledged by ſuch Feme-covert, and inrolled in the Court of Huſtings of the ſaid City, according to the Cuſtom of the ſaid City, within ſix Calendar Months after the making thereof, ſhall as effectually and abſolutely convey the Eſtate and Intereſt of ſuch Feme-covert in the Premiſes, as any Fine or Fines, Recovery or Recoveries, would or could do, if levied or ſuffered thereof, in due Form of Law. And further, that all Bargains and Sales whatſoever, to be made

of

of any ſuch Tolls, Duties, Lands and Grounds, as ſhall be purchaſed by the ſaid Mayor and Commonalty, and Citizens, as aforeſaid, ſhall have the Force, Effect, and Operation in Law, to all Intents and Purpoſes, which any Fine or Fines, Recovery or Recoveries whatſoever, would have, if levied or ſuffered by the Bargainer or Bargainers, or any Perſon or Perſons ſeiſed of any Eſtate in the Premiſes, in Truſt for, or to the Uſe of ſuch Bargainer or Bargainers, in any legal Manner or Form whatſoever.

Perſons intereſted in the Tolls, &c. to enter a Memorial of their Right within five Years,

X. And be it further enacted by the Authority aforeſaid, That all and every Perſon and Perſons whatſoever, having any Right, Title, Intereſt, Uſe, Property, Claim, or Demand whatſoever, whether in Poſſeſſion, Reverſion, Remainder, or Expectancy, or otherwiſe, in, to, or out of, any Tolls, Duties, Lands or Grounds, which by virtue of this Act ſhall be purchaſed by and conveyed, or mentioned or intended to be conveyed, to the ſaid Mayor and Commonalty, and Citizens, by any ſuch Bargain and Sale as aforeſaid, ſhall, within the Space of five Years, to be computed from the Date of the Inrolment of ſuch Bargain and Sale, enter a Memorial of ſuch their Right, Title, Intereſt, Uſe, Property, Claim, and Demand, in a Book to be for that Purpoſe prepared and kept by the Town-clerk of the ſaid City of *London*, or the Clerk of the Peace for the County reſpectively; which Book the ſaid Town-clerk, and Clerk of the Peace, reſpectively, are hereby required to prepare and keep accordingly; and for which Entry they ſhall be intitled to ſuch Fee, and no other, as the Regiſter of the County of *Middleſex* is by Law intitled to, for the Regiſtry of a Memorial containing the ſame Number of Words; and all and every Perſon or Perſons whoſoever, not entering ſuch Right, Claim, and Demand, within ſuch Time, and in ſuch Manner as aforeſaid, or having ſo entered the ſame, and not proſecuting ſuch their Right, Claim, or Demand, with Effect, within the Space of five Years, to be computed from the Time of ſuch Entry, ſhall be for ever barred of all Right, Title, Uſe, Equity, Property, Claim, and Demand whatſoever, whether in Poſſeſſion, Reverſion, Remainder, or Expectancy, or otherwiſe, in, to, or upon, or out of the ſaid Premiſes, and every Part thereof; and the ſaid Mayor and Commonalty, and Citizens, and thoſe claiming by, from, or under them, ſhall be quieted in the Poſſeſſion of ſuch Premiſes, any Law, Statute, Uſage, Matter, or Thing whatſoever, to the contrary notwithſtanding.

in a Book to be prepared by the Town-clerk, &c.

or be for ever barred of all ſuch Right.

Perſons ſo barred may bring Actions of Debt againſt the Receiver of the Purchaſe-money.

XI. Provided nevertheleſs, That any Perſon or Perſons barred of any Right, Title, Eſtate, Intereſt, Claim, or Demand whatſoever, in, to, or out of the ſaid Tolls, Duties, Lands and Grounds, by virtue of this Act, ſhall be at Liberty to bring any Action or Actions of Debt, for Money had and received to his or their Uſe, againſt any Perſon or Perſons, or the legal Repreſentative of any Perſon or Perſons, who received the Purchaſe-money ariſing from ſuch Sale of the ſaid Tolls, Duties, Lands or Grounds aforeſaid; and that in every ſuch Caſe the Plaintiff or Plaintiffs, on Proof of ſuch Title as would have enabled them to recover ſuch Tolls, Duties, Lands or Grounds, or any Part thereof, or any Eſtate or Intereſt in the ſame, ſhall recover the ſaid Purchaſe-money, or ſo much thereof as ſhall be equivalent to their Intereſt in the ſaid Premiſes, together with ſuch Intereſt as ſhall be equivalent to the Meſne Profits of the Premiſes which they would have been intitled to recover, in caſe this Act had not been made.

Mortgagees, on Tender of Principal and Intereſt, to convey, &c.

XII. And be it further enacted, That all and every Perſon and Perſons, who ſhall have any Mortgage or Mortgages on ſuch Tolls, Duties, Lands or Grounds, not being in Poſſeſſion thereof by virtue of ſuch Mortgage or Mortgages, ſhall, on the Tender of the Principal Money, and Intereſt due thereon, by the ſaid Mayor, Aldermen, and Commons, in Common Council aſſembled, or by ſuch Perſon or Perſons as they ſhall appoint, immediately aſſign and transfer ſuch Mortgage or Mortgages to the ſaid Mayor and Commonalty, and Citizens, or to ſuch Perſon or Perſons as they ſhall appoint, in Truſt for them; and in caſe ſuch Mortgagee or Mortgagees ſhall have Notice in Writing from the ſaid Mayor, Aldermen, and Commons, in Common Council aſſembled, that they will pay off and diſcharge the Principal and Intereſt which ſhall be due on the ſaid Mortgage or Mortgages, at the End or Expiration of ſix Calendar Months, to be computed from ſuch Notice given; and at the End of the ſaid ſix Calendar Months, in caſe Payment, or a legal Tender ſhall be made of the Principal and Intereſt ſo due, and ſuch Mortgagee or Mortgagees, or thoſe claiming under, or in Truſt for him, her, or them, ſhall refuſe or neglect effectually to convey and aſſign his, her, or their Intereſt in the Premiſes, to the ſaid Mayor and Commonalty, and Citizens, or ſuch Perſon or Perſons as they ſhall appoint, in Truſt for them, that then immediately after ſuch Payment or Tender made, all Intereſt on every ſuch Mortgage ſhall ceaſe and determine.

On Refuſal, after ſix Months Notice, Intereſt to ceaſe.

On Payment of Mortgage-money in the Bank, Power to convey to the City.

XIII. And be it further enacted, That upon Payment of the Principal Money and Intereſt, due on any Mortgage, as aforeſaid, into the Bank, at the End of ſix Calendar Months from ſuch Notice as aforeſaid, for the Uſe of the Mortgagee or Mortgagees, the Caſhier or Caſhiers of the Bank ſhall give a Receipt or Receipts for the ſaid Money, in like Manner as is herein-before directed in Caſes of other Payments into the Bank; and thereupon all the Eſtate, Right, Title, Intereſt, Uſe, Truſt, Property, Claim, and Demand, of the ſaid Mortgagee or Mortgagees, and of every Perſon or Perſons in Truſt for, or claiming under, him, her, or them, ſhall veſt in the ſaid Mayor and Commonalty, and Citizens, and they ſhall be deemed to be in the actual Poſſeſſion of the Premiſes compriſed in ſuch Mortgage or Mortgages, to all Intents and Purpoſes whatſoever.

Expences of Juries how to be defrayed.

XIV. And be it further enacted by the Authority aforeſaid, That in all Caſes where any Verdict as aforeſaid ſhall be given for a greater Sum than ſhall have been offered by or on the Behalf of the Mayor and Commonalty, and Citizens, of the City of *London*, or in caſe no ſuch Offer ſhall have been made before the ſummoning of any ſuch Jury, that then all the Expences of ſummoning ſuch Jury, and the Witneſſes, and of taking ſuch Inqueſt, ſhall be paid by the Mayor and Commonalty, and Citizens, of the City of *London*: But if any ſuch Verdict ſhall be given for no more, or for a leſs Sum than ſhall have been ſo previouſly offered by or on the Behalf of the Mayor and Commonalty, and Citizens, of the City of *London*, then, and in every ſuch Caſe, ſuch Expences ſhall be defrayed by the Owners of, or the Perſons intereſted in ſuch Tolls, Duties, Lands or Grounds in queſtion; and ſuch Expences ſhall be deducted and taken out of the Monies to be aſſeſſed and adjudged, and ſuch Deduction ſhall be deemed and taken as Payment of ſo much thereof.

XV. And

Fines on Sheriffs, Jurors, &c. neglecting their Duty:

XV. And be it further enacted by the Authority aforeſaid, That the ſaid Court of Mayor and Aldermen, or Juſtices, as aforeſaid, reſpectively, ſhall have Power, from Time to Time, to impoſe any reaſonable Fine, not exceeding the Sum of ten Pounds, on ſuch Sheriff or Sheriffs, or their Deputy or Deputies, Bailiffs or Agents, reſpectively, making Default in the Premiſes; and on any of the Perſons who ſhall be ſummoned and returned on any ſuch Jury or Juries, who ſhall not appear, or who ſhall refuſe to be ſworn on the ſaid Jury or Juries, or being ſo ſworn ſhall not give his or their Verdict; and alſo on any Perſon or Perſons who ſhall be ſummoned to give Evidence touching any the Matters aforeſaid, and ſhall not attend, or ſhall refuſe to be ſworn, or who being ſworn ſhall refuſe to give his, her, or their Evidence; alſo on any other Perſon or Perſons who ſhall in any other Manner wilfully neglect his or their Duty in the Premiſes, contrary to the true Intent and Meaning of this Act; and from Time to Time to levy ſuch Fine or Fines, by Order of the ſaid Court of Mayor and Aldermen, or Juſtices, as aforeſaid, reſpectively, by Diſtreſs and Sale of the Offender's Goods, together with the reaſonable Charges of every ſuch Diſtreſs and Sale, returning the Overplus (if any) to the Owner or Owners.

May be levied by Diſtreſs and Sale.

Penalty on giving falſe Evidence.

XVI. And be it further enacted, That all and every Perſon or Perſons, who, in any Examination to be taken by virtue of this Act, ſhall give falſe Evidence before the ſaid Court of Mayor and Aldermen, or before any Juſtices of the Peace, ſhall and may be proſecuted for the ſame; and upon Conviction thereof, ſhall be ſubject to ſuch Puniſhments and Diſqualifications as any Perſon or Perſons would be ſubject to for wilful and corrupt Perjury, by any of the Laws or Statutes of this Realm.

The preſent Tolls and Duties to ceaſe, when veſted in the Mayor, &c.

XVII. And be it further enacted by the Authority aforeſaid, That immediately after the ſaid Tolls and Duties, and Payments, ſo to be purchaſed, ſhall be reſpectively conveyed to, or otherwiſe veſted in the ſaid Mayor and Commonalty, and Citizens, by virtue or in purſuance of this Act, the ſame ſhall reſpectively ceaſe, determine, and be no longer paid or payable; any Law, Statute, Cuſtom, or Preſcription, to the contrary hereof in any wiſe notwithſtanding.

Common Council impowered to let, ſell, &c. any Ground not neceſſary for the Purpoſes of this Act.

'XVIII. And whereas, by reaſon of the Purchaſes which the ſaid Mayor and Commonalty, and Citi-'zens, are hereby impowered to make, they may happen to be poſſeſſed of ſome Piece or Pieces of 'Ground, over and above what may be neceſſary for any of the Purpoſes of this Act;' be it further enacted, That it ſhall and may be lawful to and for the ſaid Mayor, Aldermen, and Commons, in Common Council aſſembled, to let, ſell, or diſpoſe of, any ſuch Piece or Pieces of Ground, either together or in Parcels, as they ſhall think moſt advantageous and convenient, to ſuch Perſon or Perſons as ſhall be willing to contract and agree for or purchaſe the ſame.

New Tolls to be taken after May 1, 1777.

XIX. And be it further enacted by the Authority aforeſaid, That, in Conſideration of the great Charges and Expences the ſaid Mayor, Aldermen, and Commons, will be at in improving and completing the ſaid Navigation, and for keeping the Works in Repair, and in purchaſing the Tolls and Duties now collected and taken for Barges and other Veſſels navigating, and for Horſes drawing ſuch Barges and Veſſels, within the Limits herein-before mentioned, it ſhall and may be lawful to and for the Mayor, Aldermen, and Commons, of the City of *London*, in Common Council aſſembled, and they are hereby authoriſed and impowered, from Time to Time, and at all Times, from and after the firſt Day of *May* now next enſuing, to take, demand, recover, and receive, or cauſe to be taken, demanded, recovered, and received, for all Barges, and other Veſſels whatſoever, which ſhall be navigated upon the ſaid River *Thames*, or any Part thereof, between *London-bridge* and the City Stone above *Staines-bridge* (except as herein-after is mentioned), ſuch Sum and Sums of Money, in the Nature of a Toll or Duty, Tolls or Duties, as the ſaid Mayor, Aldermen, and Commons, in Common Council aſſembled, upon due Conſideration of the Expences of improving and completing the ſaid Navigation, and purchaſing the Tolls and Duties now collected and taken for Barges and other Veſſels navigating, and for Horſes drawing ſuch Barges and Veſſels, within the Limits aforeſaid, ſhall, from Time to Time, think proper, not exceeding the Tolls and Duties herein-after mentioned; (that is to ſay)

For all Barges and Veſſels navigated on the ſaid River weſtward of *London-bridge*, to *Strand on the Green*, or *Brentford*, One Halfpenny *per* Ton; to *Iſleworth* or *Richmond*, One Penny *per* Ton; to *Twickenham*, or *Teddington*, One Penny Halfpenny *per* Ton; to *Kingſton*, or *Hampton Wick*, Two-pence *per* Ton; to *Ditton*, *Hampton-court*, *Moulſey*, or *Hampton*, Two-pence Halfpenny *per* Ton; to *Sunbury*, *Walton*, *Hartford*, *Shepperton*, or *Weybridge*, Three-pence *per* Ton; to *Chertſey*, or *Laleham*, Three-pence Halfpenny *per* Ton; to *Staines*, and upwards, Four-pence *per* Ton:

To whom the Tolls ſhall be paid.

Method of recovering Tolls.

Which ſaid Tolls and Duties ſhall be paid to ſuch Perſon or Perſons, at ſuch Place or Places near to the ſaid River *Thames*, in ſuch Manner, and under ſuch Regulations, as the ſaid Mayor, Aldermen, and Commons, in Common Council aſſembled, ſhall from Time to Time direct and appoint: And in caſe of Denial or Neglect of Payment of any ſuch Toll or Duty, Tolls or Duties, or any Part or Parts thereof, on Demand, to ſuch Perſon or Perſons as aforeſaid, the ſaid Mayor, Aldermen, and Commons, in Common Council aſſembled, may ſue for the ſame by Action of Debt, or upon the Caſe, in the Name of the Mayor and Commonalty, and Citizens of the City of *London*, in any Court of Record; or the Perſon or Perſons to whom the ſaid Tolls or Duties ought to have been paid, may, and he and they is and are hereby impowered to ſeize and detain ſuch Barge or Veſſel, for or in reſpect whereof any Toll or Duty, Tolls or Duties, ought to be paid, until Payment thereof, together with reaſonable Charges for ſuch Seizure and Detention; and if the ſame ſhall not be redeemed within four Days after the taking thereof, the ſame may be appraiſed and ſold, as the Law directs in caſe of Diſtreſs for Rent.

Proviſo for deducting the preſent Tolls out of the New Tolls, in caſe they

XX. Provided always, and be it further enacted by the Authority aforeſaid, That if all the Tolls and Duties, now collected and taken for Barges and other Veſſels navigating, and for Horſes drawing ſuch Barges and Veſſels, within the Limits herein-before mentioned, ſhall not ceaſe and be determined by virtue or in purſuance of this Act, before the ſaid firſt Day of *May* now next enſuing, that then, and in ſuch Caſe,

Caſe, all and every Perſon and Perſons who, after the ſaid firſt Day of *May* now next enſuing, ſhall pay all or any of ſuch Tolls or Duties for any Barge or Barges, or other Veſſel or Veſſels navigating, or for Horſes drawing ſuch Barge or Barges, Veſſel or Veſſels, within the Limits aforeſaid, after the ſaid firſt Day of *May* now next enſuing, or any of them, ſhall and may deduct out of the Tolls and Duties to be made payable under or by virtue of this Act, all ſuch Sum and Sums of Money as he, ſhe, and they reſpectively ſhall pay for or in reſpect of the Tolls and Duties now collected and taken as aforeſaid, or any of them; which Sum and Sums of Money ſhall be accordingly allowed to ſuch Perſon and Perſons reſpectively, any Thing herein contained to the contrary hereof in any-wiſe notwithſtanding.

ſhall ſubſiſt after the new Tolls become payable.

XXI. And it is hereby further enacted by the Authority aforeſaid, That all and every Owner and Owners of any Barge or other Veſſel paſſing on the ſaid River *Thames*, between the Limits aforeſaid, ſhall, at his, her, or their own Expence, cauſe his, her, or their Name or Names to be ſet in legible painted white Capital Letters, of the Length of ſix Inches, and the Breadth of one Inch, on each of the Outſides of every ſuch Barge or other Veſſel, higher than the ſame ſhall ſink into the Water when full loaded, and cauſe the ſame to be renewed or reſtored ſo often as the ſame ſhall be worn out or defaced in Part, or in the Whole; and ſhall alſo permit and ſuffer every ſuch Barge or other Veſſel to be meaſured and gauged, and marked with the Number of the Tons of her Burthen, at the Expence of the Mayor and Commonalty, and Citizens, of the City of *London*, whenever it ſhall be required by them, or ſuch Perſon or Perſons as ſhall be appointed by them for that Purpoſe; which Number of Tons ſo marked ſhall be accounted the Tonnage of ſuch Barge or other Veſſel, and Toll paid for it accordingly: And all and every ſuch Owner and Owners as ſhall refuſe or neglect to put his, her, or their Name or Names on any ſuch Barge or other Veſſel, in Manner aforeſaid; or ſhall alter, deface, eraſe, or deſtroy any Letter, deſcribing any ſuch Name or Tonnage as aforeſaid; or ſhall navigate, or cauſe or ſuffer to be navigated, upon the ſaid River, within the Limits aforeſaid, any ſuch Barge or other Veſſel, not having the Name or Names of the Owner or Owners thereof, and Tonnage, ſet thereon in legible painted white Capital Letters of the Dimenſions aforeſaid, higher than the ſame ſhall ſink into the Water when full loaded; or ſhall refuſe to have his, her, or their Barge, or other Veſſel, meaſured, gauged, or marked, as aforeſaid, he, ſhe, and they ſhall, for every ſuch Offence reſpectively, forfeit and pay to the ſaid Mayor and Commonalty, and Citizens, or their Aſſigns, the Sum of forty Shillings; which ſaid Forfeiture and Forfeitures ſhall and may be recovered in a ſummary Way, by Information or Complaint, to be upon Oath made to the Mayor or any of the Aldermen of the City of *London*, for the Time being, or to any one of his Majeſty's Juſtices of the Peace for the County of *Middleſex*, or the County of *Surry* (which ſaid Oath they are hereby reſpectively impowered and required to adminiſter), and be levied by Diſtreſs and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of ſuch Mayor, Alderman, or Juſtice of the Peace, and ſhall go and be applied in the Manner following; (that is to ſay) One Moiety to the Informer or Informers, Complainant or Complainants; and the other Moiety to and for ſuch Uſes and Purpoſes as the Tolls and Duties, by this Act granted and made payable, are herein-after directed to be paid and applied.

Owners of Veſſels to put their Names on the Outſides thereof.

Veſſels to be meaſured and marked.

Offenders to forfeit 40 s. each;

which may be levied by Diſtreſs.

XXII. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Mayor, Aldermen, and Commons, in Common Council aſſembled, and they are hereby authoriſed and impowered, to cauſe any Toll-houſes and Toll-gates to be erected, built, and made, upon the Lands or Grounds ſo to be purchaſed by them as aforeſaid, or any of them, or any Part or Parts thereof, for the Purpoſe of collecting the Tolls and Duties to be made payable in purſuance of this Act.

Power to erect Toll-gates, &c.

XXIII. Provided always, and be it enacted, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to authoriſe or impower the ſaid Mayor and Commonalty, and Citizens, to compel or oblige the Owner or Proprietor, Owners or Proprietors, of any Garden, Orchard, Yard, Park, Paddock, or planted Avenue to any Houſe, which hath been reſpectively uſed as ſuch ſix Calendar Months before the paſſing of this Act, or the Owner or Proprietor, Owners or Proprietors, of any Meſſuage or Tenement, erected or built, or begun to be erected or built, ſix Calendar Months before the paſſing of this Act, to pull down, let, ſell, or convey, ſuch Meſſuage, Tenement, Garden, Orchard, Yard, Park, Paddock, or Avenue, or any Part thereof, to the ſaid Mayor and Commonalty, and Citizens, or any other Perſon or Perſons; nor ſhall any Thing in this Act contained impower the ſaid Mayor and Commonalty, and Citizens, to erect any Toll-gate or Toll-houſe upon any Garden, Orchard, Park, Paddock, or planted Avenue to any Houſe, or upon any Part of the Lands or Grounds lying between the Garden of his Grace the Duke of *Montague*, ſituate at *Richmond*, and the Road leading from the Hamlet of *Ham* to *Twickenham-ferry*; or upon a Piece of Ground granted by the Crown to Lord *Cholmondeley*, and now in Poſſeſſion of the Right Honourable *Georgiana* Counteſs Dowager *Cowper*; any Thing herein contained to the contrary notwithſtanding.

No Toll-gates to be erected in certain Places.

XXIV. Provided alſo, and it is hereby enacted, That it ſhall not be lawful for the ſaid Mayor, Aldermen, and Commons, or any other Perſon or Perſons, to make uſe of Horſes for towing of Boats, Barges, or other Veſſels, on the *Surry* Side of the ſaid River, between his Majeſty's Barge-houſe, at *Kew*, and the Scite of his Majeſty's ancient Palace of *Richmond*, in the County of *Surry*; nor upon the *Middleſex* Side of the ſaid River from the Town of *Iſleworth*, to the upper End of the Land now in the Occupation of the Earl of *Buckinghamſhire*, in the Pariſh of *Twickenham*; without Leave of the reſpective Proprietors of the Land on the ſaid *Middleſex* Side of the River; any Thing in this Act, or in an Act of the fourteenth Year of the Reign of his preſent Majeſty, contained to the contrary notwithſtanding.

Certain Places in which Horſes ſhall not be uſed for towing Veſſels, &c.

'XXV. And whereas the King's moſt Excellent Majeſty hath been graciouſly pleaſed, for the Conveniency of the Inhabitants of *Richmond* and *Kew*, and the Towns and Villages adjacent, to cauſe a commodious public Foot-walk to be made along the Side of the River from the late Horſe-ferry, at *Kew*, to the Scite of his Majeſty's ancient Palace of *Richmond*: And whereas there is alſo a commodious public Foot-walk next the ſaid River, extending the whole Length of the Scite of the ſame Palace, and Part

'thereof, which, if made uſe of as a Towing-path by Horſes, would greatly injure the ſaid Foot-walks, 'and render the ſame dangerous to Paſſengers walking thereon; and as it may be of more public Utility 'to have Barges towed by Horſes rather than by Men;' it is therefore alſo provided and enacted by the Authority aforeſaid, That if the ſaid Mayor, Aldermen, and Commons, do make, or cauſe to be made, on the Shore of the *Surry* Side of the ſaid River, a proper Towing-path for Horſes, from his Majeſty's ſaid Barge-houſe, at *Kew*, to a Place called *Water-lane*, in *Richmond* aforeſaid (which Towing-path ſhall not be raiſed higher the whole Extent of the ſaid Foot-walks than is abſolutely neceſſary for Horſes to tow thereon with Safety in Times of Spring Tides and Land Floods), and ſhall alſo effectually ſeparate the ſaid Towing-path by Poſts and Rails, or in any other Manner, ſo as to prevent Horſes from going upon the ſaid public Foot-walks; that then, and in ſuch Caſe, it ſhall and may be lawful for the ſaid Mayor, Aldermen, and Commons, or any other Perſon or Perſons navigating Boats, Barges, and other Veſſels, between the ſaid Barge-houſe at *Kew* and *Water-lane* in *Richmond*, to make uſe of Horſes on ſuch new Towing-path, for the Purpoſe of towing ſuch Boats, Barges, or other Veſſels, between the ſaid Barge-houſe at *Kew* and *Water-lane* in *Richmond*; any Thing herein contained to the contrary in any-wiſe notwithſtanding.

Horſes may be uſed for towing Boats, &c. from Kew to Richmond, if a new Towing path ſhall be made.

Mayor, Aldermen, &c. may appoint Receivers or Collectors of Tolls;

XXVI. And it is hereby further enacted, That it ſhall and may be lawful to and for the ſaid Mayor, Aldermen, and Commons, in Common Council aſſembled, at any Time or Times, to nominate and appoint ſuch Perſon or Perſons to be Receiver or Receivers, Collector or Collectors, of the ſaid Tolls and Duties granted or made payable by this Act, as they ſhall think fit, and from Time to Time to remove and diſplace ſuch Receiver and Receivers, Collector and Collectors, and to appoint others, as they ſhall think proper; and all Perſons by this Act liable to pay the ſaid Tolls and Duties, or any of them, are hereby required to pay the ſame to ſuch Receiver or Receivers, Collector or Collectors, as aforeſaid; and all ſuch Receivers and Collectors ſhall reſpectively pay the ſame into the Office of the Chamberlain of the ſaid City, and ſhall alſo, upon Oath, if thereunto required by the ſaid Court of Mayor and Aldermen (which Oath the ſame Court are hereby impowered to adminiſter), from Time to Time give in a true, exact, and perfect Account, in Writing, under their reſpective Hands, of all Monies which they, and every or any of them, ſhall to ſuch Time have received, paid, and diſburſed, by virtue of this Act, or by reaſon or in conſequence of their reſpective Offices, for which Oath no Fee or Reward ſhall be taken: And in caſe any ſuch Receiver or Receivers, Collector or Collectors, of the ſaid Tolls and Duties, or any of them, ſhall not make and render, or ſhall refuſe to verify upon Oath any ſuch Account, or to make Payment as aforeſaid, then, or in any of ſuch Caſes, it ſhall be lawful to or for the Mayor of the ſaid City, or one or more Juſtice or Juſtices of the Peace for the ſaid City of *London*, or for the ſaid County of *Middleſex*, or for the ſaid County of *Surry*, or any other County, City, or Place, as the Caſe ſhall happen, and ſuch Mayor, Juſtice or Juſtices, upon Complaint to him or them made, is and are hereby authoriſed and required to make Inquiry concerning ſuch Default, as well by Confeſſion of the Party, as by the Teſtimony of any credible Witneſs or Witneſſes upon Oath (which Oath ſuch Mayor, Juſtice or Juſtices, is and are hereby impowered and required to adminiſter without Fee or Reward); and if any ſuch Receiver or Collector ſhall be convicted of any of the Offences aforeſaid, ſuch Mayor, Juſtice or Juſtices, ſhall commit every ſuch Offender to his Majeſty's Gaol of *Newgate*, or to the Common Gaol of any County, City, or Place, where ſuch Offender ſhall be apprehended, there to remain without Bail or Mainprize, until he or they ſhall give or make a true and perfect Account and Payment as aforeſaid, or until he or they ſhall have compounded for the ſame with the ſaid Mayor, Aldermen, and Commons, of the City of *London*, in Common Council aſſembled, and paid ſuch Compoſition in ſuch Manner as they ſhall appoint; which Compoſition the ſaid Mayor, Aldermen, and Commons, in Common Council aſſembled, are hereby impowered to make and receive, from Time to Time, if they ſhall ſo think fit, in full Satisfaction for all Money that ſhall be then due from ſuch Perſon or Perſons on the ſaid Account.

who ſhall pay the ſame into the Chamberlain's Office, and account to the Court of Aldermen.

On Refuſal to account, &c. Juſtices to inquire into the Default,

and commit the Offenders till Payment or Compoſition be made.

Exemption.

XXVII. Provided always, That no Toll or Duty, Tolls or Duties, ſhall be paid or payable to, or demanded by, the Mayor, Aldermen, and Commons, of the City of *London*, or their Collector or Collectors, by virtue of this Act, for any Boat or Veſſel under the Burthen of three Tons, or for any Pleaſure-boat; any Thing in this Act contained to the contrary thereof in any-wiſe notwithſtanding.

All Monies raiſed by virtue of this Act, veſted in the Mayor and Commonalty, and Citizens.

XXVIII. And be it further enacted by the Authority aforeſaid, That all the Monies made payable by, or to be recovered or received under or by virtue of this Act (except the Share and Shares of any Informer or Informers, Complainant or Complainants, of and in any Penalty or Penalties, Forfeiture or Forfeitures, inflicted or made payable by this Act), ſhall be, and the ſame are hereby veſted in the ſaid Mayor and Commonalty, and Citizens, of the ſaid City, and ſhall be applied to and for the Purpoſes of this Act, and the Purpoſes of the ſaid Act made and paſſed in the fourteenth Year of the Reign of his preſent Majeſty, or ſome or one of them; and an Account of the ſaid Tolls and Duties granted by this Act, be annually laid before Parliament.

'XXIX. And, foraſmuch as the Money to be collected by the Receipt of the Tolls or Duties to be 'made payable by virtue or in purſuance of this Act, will not be ſufficient for the Purpoſe of this Act, and 'of the ſaid Act made and paſſed in the fourteenth Year of the Reign of his preſent Majeſty,' be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Mayor, Aldermen, and Commons, of the City of *London*, in Common Council aſſembled, and they are hereby impowered, from Time to Time, to borrow and take up at Intereſt any Sum or Sums of Money not exceeding fifteen thouſand Pounds, upon the Credit of the Tolls and Duties to be made payable in purſuance of this Act; and by any Writing or Writings, under the Common Seal of the City of *London*, to aſſign the Toll-houſes and Toll-gates, to be erected as aforeſaid, and the Tolls and Duties to be made payable by virtue or in purſuance of this Act, or any of them, or any Part or Parts thereof, to any ſuch Perſon or Perſons as ſhall advance or lend ſuch Money thereon, as a Security or Securities for the Sum or Sums of Money ſo borrowed, with Intereſt, not exceeding legal Intereſt, for the ſame; which Intereſt ſhall be payable and paid

Common Council impowered to borrow 15,000 l.

and to aſſign the Tolls as a Security.

paid half-yearly, by the Chamberlain of the said City for the Time being, out of the Monies to arise by or from the said Tolls and Duties, or any other Money which shall be recovered or received under or by virtue of this Act, and paid into the Office of the said Chamberlain.

Twenty Days Notice to be given of borrowing Money.

XXX. Provided always, That no Money shall be borrowed by the said Mayor, Aldermen, and Commons, of the City of *London*, on the Credit of any of the said Tolls or Duties, or Premises, as aforesaid, unless Notice be for that Purpose given in the *London Gazette*, and also fixed in Writing, under the Hand of such Person or Persons as the said Mayor, Aldermen, and Commons, or by any Committee to be by them appointed, shall direct, at or upon all the Toll-houses and Toll-gates then erected or made, by virtue of this Act, at least twenty Days before the borrowing of such Money.

Annuities to be granted according to the Age of the Annuitants.

8 l. per Cent.

10 l. per Cent.

'XXXI. And whereas many Persons may choose to advance Money for the Purchase of Annuities, to 'be secured upon, and payable out of the said Tolls and Duties;' be it further enacted, That it shall and may be lawful to and for any Person or Persons to contribute, advance, and pay, into the Office of the Chamberlain of the City of *London*, any Sum or Sums of Money, not exceeding in the Whole the Sum of fifteen thousand Pounds, for the absolute Purchase of one or more Annuity or Annuities, for the natural Life or Lives of such Person or Persons, being of the Age of forty-five Years or upwards, as shall be nominated by or on Behalf of such Purchaser or Purchasers respectively, at the respective Times of Payment of their respective Purchase-monies; which Annuity or Annuities shall not exceed the Rate of eight Pounds *per Centum per Annum*; or for the absolute Purchase of one or more Annuity or Annuities, for the natural Life or Lives of such Person or Persons, being of the Age of sixty Years or upwards, as shall be so nominated; which last Annuity or Annuities shall not exceed the Rate of ten Pounds *per Centum per Annum*; all which Annuities so to be purchased shall be payable and paid by the Chamberlain of the said City for the Time being, out of the Monies to arise by or from the said Tolls or Duties, granted and made payable by this Act, by four equal Quarterly Payments in the Year, the first Payment to be made to the respective Purchasers, or their Assigns, at the Expiration of the first Quarter after Payment of their respective Purchase-monies: And that the Rates of such Annuities respectively shall be settled and adjusted by public Sale of such Annuities, by the said Mayor, Aldermen, and Commons, in Common Council assembled, or by any Committee by them to be appointed, to the best Bidders for the same.

When Annuitants die, Common Council may grant other Annuities.

XXXII. Provided always, and it is hereby further enacted, That when and as often as any of the Persons, for whose Life or Lives any Annuity or Annuities shall or may be purchased by virtue of or under this Act, shall happen to die, it shall and may be lawful to and for the said Mayor, Aldermen, and Commons, of the City of *London*, in Common Council assembled, or any Committee by them to be appointed, to sell and grant one or more Annuity or Annuities for the Life or Lives of any other Nominee or Nominees, upon the Terms aforesaid, so that the whole Amount of Monies paid for the Purchase of such Annuities then actually existing do not exceed the Sum of fifteen thousand Pounds; any Thing hereinbefore-contained to the contrary thereof in any-wise notwithstanding. Provided always, That the whole Money to be borrowed under or by virtue of this Act, either by Annuities or Loan, shall not exceed the Sum of fifteen thousand Pounds.

Clerk of Committee to enter all Securities for Monies borrowed or Annuities granted, &c.

XXXIII. And it is hereby further enacted, That the Clerk for the Time being of such Committee or Committees, as shall be appointed as herein-after is mentioned, shall enter in a Book or Books, to be for that Purpose provided and kept by the Clerk of the said Committee or Committees, all Securities for Monies borrowed, or Annuities granted, by virtue or in pursuance of this Act, and all Assignments and Transfers thereof; expressing in Words at Length the Names, Surnames, Additions, Places of Abode, and other Descriptions, of all such Persons as shall, from Time to Time, be intitled to such Securities, and the Sums received upon such Securities; and also the Names, Surnames, Additions, Places of Abode, and other Descriptions, of the Persons for whose Lives the said Annuities shall be respectively granted, and the Days whereon the said Annuities respectively shall be payable; to which Book and Books the Person and Persons intitled to, or interested in such Annuities, shall at all seasonable Times in the Day-time have Access, with free Liberty to inspect the same, without Fee or Reward.

Annuities charged on the Tolls, &c.

and not liable to any Tax.

XXXIV. And be it further enacted by the Authority aforesaid, That all and every of the Annuities, so to be purchased under or by virtue of this Act, shall be, and are hereby charged upon, and shall be paid and payable, from Time to Time, out of the Tolls and Duties granted or made payable by virtue or in pursuance of this Act; and all and every the Purchaser and Purchasers of such Annuities, duly paying the Consideration or Purchase-money for the same as aforesaid, or such Person or Persons as he, she, or they shall appoint, his, her, or their respective Assignee or Assignees, shall have, receive, and enjoy, and be intitled, by virtue of this Act, to have, receive, and enjoy, the said respective Annuity or Annuities, during the Term of the natural Life or Lives of the Person or Persons to be nominated by each such Purchaser and Purchasers respectively, as before mentioned; and that all and every such Purchaser and Purchasers, and their Assigns respectively, shall have good, sure, absolute, and indefeasible Estates and Interests in the Annuities so by them respectively purchased, according to the Tenor and true Meaning of this Act; and that none of the said Annuities shall be subject or liable to any Tax assessed upon Land, by Authority of Parliament, or to any other parliamentary or parochial Tax whatsoever.

Securities may be transferred.

XXXV. And be it further enacted, That it shall and may be lawful to and for any Person or Persons, intitled to any of the Securities aforesaid, and his, her, and their Executors, Administrators, or Assigns, at any Time or Times, by Writing under his, her, or their Hand or Hands respectively, to assign or transfer such Securities, by Indorsement thereon, or otherwise, to any Person or Persons whomsoever, and so *toties quoties*; and such Assignments or Transfers, after they shall respectively be entered by the Clerk of the said Committee or Committees, in Manner aforesaid, for every which Entry the said Clerk shall be paid the Sum of Two Shillings and Sixpence, and no more, shall intitle the Person or Persons to whom they shall be respectively made, and his, her, and their respective Executors, Administrators, and Assigns, to the Benefit of the Security or Securities so assigned or transferred.

Common Council impowered to appoint Committees.

XXXVI. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Mayor, Aldermen, and Commons, in Common Council aſſembled, from Time to Time, to appoint one or more Committee or Committees, to manage and tranſact all or any of the Matters or Purpoſes which they the ſaid Mayor, Aldermen, and Commons, in Common Council aſſembled, are hereby authoriſed or required to do, execute, or perform; which Committee or Committees, ſo to be appointed, ſhall have ſuch Powers and Authorities as ſhall from Time to Time be given or delegated to them reſpectively, by the ſaid Mayor, Aldermen, and Commons, in Common Council aſſembled, who are hereby accordingly authoriſed and impowered to delegate all or any of ſuch Powers and Authorities.

No Member of the Committee to hold any Place of Profit, &c.

XXXVII. Provided nevertheleſs, and be it enacted by the Authority aforeſaid, That no Perſon ſhall be eligible or capable of acting as a Member of ſuch Committee, during ſuch Time as he ſhall have or execute any Office or Place of Profit by or under the Authority of this Act, or during ſuch Time as he ſhall have any Share or Intereſt in any Contract or Agreement for effecting any of the Purpoſes of this Act.

Perſons aggrieved may appeal to the Quarter Seſſions.

XXXVIII. Provided alſo, and be it further enacted by the Authority aforeſaid, That in caſe any Perſon or Perſons ſhall think him, her, or themſelves aggrieved, by any Orders or Proceedings of any Juſtice or Juſtices of the Peace, which ſhall be made or had under this Act, it ſhall and may be lawful for ſuch Perſon or Perſons to appeal to the Juſtices of the Peace, at the next General Quarter Seſſions of the Peace, to be holden for the ſaid City of *London*, or the ſaid County of *Middleſex*, or the ſaid County of *Surry*, as the Caſe may be; and the Juſtices, at ſuch ſaid General Quarter Seſſions, are hereby required to hear and finally determine every ſuch Appeal and Appeals, and ſhall award to the Party or Parties for whom ſuch Appeal ſhall be determined, ſuch Coſts as to them in their Diſcretion ſhall ſeem reaſonable, and ſhall raiſe and levy, by their Order or Warrants, ſuch Coſts as ſhall be awarded, by Diſtreſs and Sale of the Goods and Chattels of any Perſon or Perſons who ſhall be ordered to pay the ſame.

Proceedings not to be quaſhed for Want of Form, &c.

XXXIX. And be it further enacted by the Authority aforeſaid, That no Order which ſhall be made by any Juſtice or Juſtices, by virtue of or under this Act, or any other Proceedings to be had touching the Conviction or Convictions of any Offender or Offenders againſt this Act, ſhall be quaſhed or vacated for Want of Form only, or be removed or removeable by *Certiorari*, or any other Writ or Proceſs whatſoever, into any of his Majeſty's Courts of Record at *Weſtminſter*.

Writings may be without Stamps.

XL. Provided alſo, and be it further enacted, That no Contract, Agreement, Aſſignment, Entry, Copy, or Proceeding, by this Act directed or authoriſed to be executed, made, or given, ſhall be charged or chargeable, or ſubject or liable to any Duty whatſoever.

Expences of this Act how to be paid.

XLI. And be it further enacted, That all Coſts, Charges, and Expences of paſſing this Act, and all other Charges incident to the obtaining thereof, ſhall be borne, paid, and defrayed, out of the firſt Monies to ariſe by virtue of this Act.

Limitation of Actions.

XLII. And be it enacted by the Authority aforeſaid, That if any Action ſhall be brought, or Suit commenced, againſt any Perſon or Perſons, for any Thing done in purſuance of this Act, or in relation to the Premiſes, or any of them, every ſuch Action or Suit ſhall be laid or brought within ſix Calendar Months next after the Fact done, and ſhall be laid or brought in the City of *London*, or the County where the Matter ſhall ariſe, and not elſewhere; and the Defendant or Defendants in ſuch Action may plead the General Iſſue, and give this Act and the ſpecial Matters in Evidence at any Trial to be had thereupon, and that the ſame was done in purſuance and by the Authority of this Act: And if the ſame ſhall appear to have been ſo done, or if any ſuch Action or Suit ſhall not be brought within the Time before limited, or ſhall be brought in any other City, County, or Place, than as aforeſaid, then the Jury ſhall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs ſhall become nonſuited, or ſuffer a Diſcontinuance of his, her, or their Action or Actions, or if a Verdict ſhall paſs againſt the Plaintiff or Plaintiffs, or if upon Demurrer Judgment ſhall be given againſt the Plaintiff or Plaintiffs, the ſaid Defendants ſhall have Treble Coſts, and ſhall have ſuch Remedy for recovering the ſame, as any Defendant or Defendants hath or have for Coſts in other Caſes by Law.

General Iſſue.

Treble Coſts.

Public Act.

XLIII. And be it further enacted, That this Act ſhall be deemed, adjudged, and taken to be a Public Act; and ſhall be judicially taken Notice of as ſuch, by all Judges, Juſtices, and other Perſons whomſoever, without ſpecially pleading the ſame.

## CAP. XIX.

### An Act for the more eaſy and ſpeedy Recovery of ſmall Debts within the Pariſh of *Old Swinford*, in the Counties of *Worceſter* and *Stafford*.

Preamble.

'WHEREAS, within the Pariſh of *Old Swinford*, in the Counties of *Worceſter* and *Stafford*, there now are, and for many Years paſt have been, divers Manufactories of Iron, Glaſs, and Cloth, and other Trades, carried on in a very large and extenſive Manner; and there are alſo divers Mines of Coal and Clay within the ſaid Pariſh, and many Thouſands of Perſons are conſtantly employed in the different Manufactories and Mines; many of whom contract ſeveral ſmall Debts, which, in the Whole, amount yearly to a very conſiderable Sum of Money: And, although many ſuch Debtors are well able to pay their reſpective Debts, yet they often refuſe ſo to do, preſuming on the Diſcouragements their Creditors lie under, from the great Expence they are unavoidably put unto, and the Delays they meet with, in ſuing for the ſame; and, as an eaſy and ſpeedy Method of recovering ſmall Debts within the ſaid Pariſh of *Old Swinford*, will greatly contribute to promote Induſtry, and ſupport and encourage Trade and Credit therein;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Lord or Lords of the Manor of *Old Swinford*, and the Lord or Lords of the Manor of *Amblecoat*, within

Commiſſioners appointed;

within the ſaid Pariſh of *Old Swinford*, for the Time being, and the ſeveral Perſons herein-after named, reſiding or having Eſtates within the Pariſh of *Old Swinford* aforeſaid; (that is to ſay) *Edward Alport*, *Thomas Arundel*, *Richard Badger*, *Richard Blick*, *Overs Bate*, *Walter Bradley*, *Joſeph Bradley*, *Thomas Brettell*, *Thomas Brettell* junior, *Joſeph Brettell*, *Richard Brettell*, *Ananias Brettell*, *Edward Cauſer*, *John Cauſer*, *William Blow Collis*, *George Collis*, *Joſeph Cox*, *John Cox*, *Richard Croſt*, *William Croſt*, *George Crow*, *Oliver Dixon* Eſquire, *John Henzey Dixon*, *George Enſell*, *Robert Foley* Clerk, *John Foley*, *John Foſter* Eſquire, *John Foſter* junior, *Edward Gueſt Foſter*, *John Fowler*, *Jeremiah Gill*, *Joſiah Gibbons*, *William Green*, *Thomas Grazebrooke*, *Michael Grazebrooke*, *William Grove*, *Charles Harris*, *William Harris*, *Edward Hickman*, *Richard Hickman*, *James Hill*, *Thomas Hill*, *Thomas Hill* junior, *Francis Homfray*, *Francis Homfray* junior, *Jeſton Homfray*, *Waldron Hill*, *Francis Hill*, *Ambroſe Hollington*, *Richard Hodgſon*, *Samuel Hodgſon*, *Charles Harris* Clerk, *Thomas Hornblower*, *John Homfray*, *John Iddins*, *George Jones*, *John Lee*, *James Kettle*, *Joſhua Matthews*, *Timothy Milliachap*, *Thomas Millward* Eſquire, *Joſeph Morris*, *William Meſeley*, *Richard Meſeley*, *Hungerford Oliver*, *Thomas Oliver*, *Edward Oliver*, *Samuel Parkes*, *William Parkes*, *Thomas Parker*, *John Penn*, *Nicholas Hancox Pargeter*, *Joſeph Perkes*, *John Pidcock* Eſquire, *Thomas Pidcock*, *Walford Phillips* Eſquire, *John Pidcock* junior, *Benjamin Pearſon*, *Benjamin Pratt*, *William Powell*, *Bate Richards*, *Thomas Richards*, *Thomas Rogers* Eſquire, *Edward Ruſſel* Eſquire, *Thomas Savage*, *William Scott*, *John Scott*, *Henry Shaw*, *Francis Stokes* Eſquire, *Francis Stokes* the younger, *William Tat*, *Thomas Tilley*, *Abraham Turner* Eſquire, *William Waldron*, *Thomas Wheeler*, *John Wells*, *Walter Wilkes*, *Francis Witton* of *Stourbridge*, *Francis Witton* of *The Heath*, *Francis Witton* junior, and *Thomas Woodhouſe*, ſhall be, and are hereby declared, conſtituted, and appointed Commiſſioners, to hear and determine all ſuch Cauſes and Matters of Debt, to be brought before them, as are herein-after mentioned; and ſuch Commiſſioners, and their Succeſſors, ſhall be, and are hereby conſtituted a Court of Juſtice, by the Name and Stile of *The Court of Requeſts for the Pariſh of* Old Swinford, *in the Counties of* Worceſter *and* Staffordſhire; and the ſaid Commiſſioners, or any three or more of them, ſhall have Power and Authority, and are hereby authoriſed, impowered, and required to meet and aſſemble once in every Fortnight (that is to ſay), on *Saturday*, or oftener, if there ſhall be Occaſion, and hold the ſaid Court, in ſome convenient Place or Places, in the Pariſh of *Old Swinford* aforeſaid, to be approved and fixed on from Time to Time, by the major Part of the ſaid Commiſſioners, who ſhall be aſſembled at ſome General Meeting to be held for that Purpoſe; the firſt of which ſaid Meetings ſhall be held on *Saturday* Month next after the paſſing of this Act.

who are conſtituted a Court of Juſtice: Their Stile.

II. Provided always, That in caſe three or more of the ſaid Commiſſioners appointed, or to be appointed by virtue of this Act, ſhall neglect or refuſe to aſſemble on any of the Days appointed for holding the ſaid Court, that then it ſhall and may be lawful to and for the Clerk of the ſaid Court herein-after mentioned, for the Time being, or his Deputy, to adjourn the ſaid Court to ſome other convenient Day, within one Week from the Day on which the ſaid Court ought to have been held, or to the next General Court Day to be held by virtue of this Act.

For Want of a ſufficient Number of Commiſſioners, Clerk may adjourn.

III. And be it further enacted by the Authority aforeſaid, That, from Time to Time, and as often as it ſhall be neceſſary, either by the Death or Reſignation of any of the ſaid Commiſſioners herein-before particularly named, or of any of their Succeſſors, to be choſen in Manner herein-after mentioned, it ſhall and may be lawful to and for the ſaid Commiſſioners, hereby appointed, and their Succeſſors, or any nine or more of them, to meet and aſſemble together at any Time after ſuch Death or Reſignation, and to elect and appoint one or more Perſon or Perſons, reſiding within the ſaid Pariſh, or having Eſtate there, to be a Commiſſioner or Commiſſioners, in the Stead and Place of ſuch Commiſſioner or Commiſſioners dying or reſigning; and every ſuch Commiſſioner and Commiſſioners, ſo elected and appointed, ſhall be, and is and are hereby enabled to act, in the Execution of the Powers granted to the Commiſſioners hereby appointed, as fully and effectually, to all Intents and Purpoſes, as if he or they had been particularly named in this Act.

On Death or Reſignation of Commiſſioners, new ones to be choſen;

IV. Provided always, That before any ſuch Election ſhall be made, twenty-one Days Notice, in Writing, ſhall be given by the Clerk of the ſaid Court, by affixing the ſame on the Door of the Pariſh Church of *Old Swinford* aforeſaid, and on the Door of the Chapel or Church in the Town of *Stourbridge* within the ſaid Pariſh.

after giving twenty-one Days Notice.

'V. And, for the more orderly and regular Proceeding in the aforeſaid Court, and to make the Buſineſs 'thereof as eaſy as may be to the ſaid Commiſſioners,' be it further enacted by the Authority aforeſaid, That the Clerk of the ſaid Court for the Time being ſhall, and he is hereby authoriſed and required, to cauſe the firſt nine of the ſaid Commiſſioners, as they ſtand in Order in this Act, reſiding within the ſaid Pariſh, to be ſummoned by the Beadle of the ſaid Court, to attend and do the Buſineſs of the ſaid Court for two Calendar Months then next following; and, after the Expiration thereof, ſhall cauſe the like Number of Commiſſioners reſiding within the ſaid Pariſh, as they ſtand next to the former in Order and Rotation, to do the like Duty for the two then next ſucceeding Calendar Months, till the whole Number of Commiſſioners, reſident as aforeſaid, ſhall have been ſummoned; and ſhall then begin again, and continue to ſummon nine Commiſſioners every two Calendar Months in like Rotation, in all ſucceeding Times, ſo as the ſaid Commiſſioners may take upon themſelves, in Rotation, the Execution of this Act.

Commiſſioners to act in Rotation, and to be ſummoned for that Purpoſe;

VI. Provided always, That nothing herein contained ſhall extend, or be conſtrued to extend, to exclude or debar any of the ſaid Commiſſioners from ſitting in the ſaid Court, although they be not in Rotation or ſummoned as aforeſaid, but that all ſuch Commiſſioners ſhall and may, as often as they reſpectively ſhall think fit, ſit and give Judgment therein.

But any of thoſe not ſummoned may act.

VII. And be it enacted by the Authority aforeſaid, That the Commiſſioners ſo named and appointed, and their Succeſſors, to be choſen in Manner herein-before mentioned, or any three or more of them, from Time to Time aſſembled as aforeſaid, ſhall have Power and Authority, and are authoriſed and impowered, by virtue of this Act, to hear and determine all ſuch Cauſes and Matters of Debt, as well ſimple

Commiſſioners impowered to try Cauſes of Debt,

Contract as Specialty, as ſhall be brought before them in Manner as is herein-after mentioned, and to give ſuch Judgments, and to make ſuch interlocutory and final Orders and Decrees therein, and to award ſuch Executions thereupon, with Coſts, both againſt the Bodies, and the Goods and Chattels, of all and every the Perſon and Perſons againſt whom they ſhall give or make any ſuch Judgment, Order, or Decree, as to them ſhall ſeem juſt and moſt agreeable to Equity and good Conſcience; and if the Commiſſioners ſo aſſembled ſhall happen to be equally divided upon any Queſtion that may come before them, the Commiſſioner preſent, whoſe Name ſtands firſt on the Liſt of the Commiſſioners, herein-after directed to be kept in the Court-houſe or Place where they ſhall reſpectively meet, ſhall have the caſting Vote.

and to award Executions, with Coſts, &c.

A Clerk and Beadle appointed.

VIII. And be it further enacted by the Authority aforeſaid, That in the ſaid Court of Requeſts there ſhall be one Officer called a Clerk, and another Officer called a Beadle; and that *Joſeph Robins* Gentleman, ſhall be and is hereby conſtituted and appointed Clerk of the ſaid Court of Requeſts; and that *John Edwards* ſhall be and is hereby conſtituted and appointed the Beadle of the ſaid Court of Requeſts; which ſaid reſpective Offices, of Clerk and Beadle, they ſhall enjoy, and ſhall execute by themſelves, or their lawful Deputy or Deputies, ſo long as they ſhall behave themſelves well in their ſaid Offices.

No Commiſſioner or Victualler to hold any Place of Profit under this Act.

IX. Provided always, That no Commiſſioner, nor any Perſon or Perſons who ſhall keep any Victualling-houſe, Alehouſe, or other public Place of Entertainment, or who ſhall ſell any Wine, Cyder, Beer, ſpirituous or other ſtrong Liquors, by Retail, ſhall be capable of holding any Place of Profit belonging to the ſaid Court.

New Clerks and Beadles by whom to be appointed.

X. And be it further enacted by the Authority aforeſaid, That whenever it ſhall happen that the Office of Clerk or Beadle of the ſaid Court ſhall become vacant, either by Death, Reſignation, or Miſbehaviour of either of the ſaid Officers, the Office, ſo become vacant, ſhall be executed by ſuch Perſon or Perſons as ſhall, in this Behalf, be nominated and appointed by the Lord or Lords, Lady or Ladies, of the reſpective Manors of *Old Swinford* and *Amblecoat*, for the Time being, who is and are hereby authoriſed, impowered, and required, to nominate and appoint, under his, her, or their Hand and Seal, or Hands and Seals, ſuch Clerk and Beadle, in Conſideration of, and as a Compenſation for, the Prejudice or Damage to, or Diminution of, the Buſineſs of the reſpective Courts Baron of the ſaid reſpective Manors of *Old Swinford* and *Amblecoat*; the firſt Nomination and Appointment upon ſuch Vacancy to be made by the Lord or Lords, Lady or Ladies, of the ſaid Manor of *Old Swinford*, for the Time being, and the next or ſucceeding Nomination and Appointment to be made by the Lord or Lords, Lady or Ladies, of the ſaid Manor of *Amblecoat*, for the Time being, and ſo alternately in all ſucceeding Vacancies of Clerk and Beadle; and, until ſuch Nominations and Appointments ſhall be made, as aforeſaid, it ſhall and may be lawful to and for the ſaid Commiſſioners, or any three or more of them, aſſembled as aforeſaid, to appoint ſuch Officers reſpectively, to do the Buſineſs of the ſaid Court, until ſuch Nominations and Appointments ſhall, from Time to Time, be made as aforeſaid.

Clerk to keep Liſts of Commiſſioners fixed up in the Court-houſe;

and to iſſue Summonſes, &c.

and enter Proceedings of the Court.

Beadle to ſerve Summonſes, &c.

XI. And be it further enacted by the Authority aforeſaid, That the Clerk herein-before named and choſen, and his Succeſſors, from Time to Time to be appointed as aforeſaid, or his or their lawful Deputy, ſhall make, and cauſe to be fixed up in ſome convenient Place of the Court-houſe, or Place where the ſaid Court ſhall be from Time to Time held, fair and complete Liſts, in Writing, of the Commiſſioners herein named and appointed, or to be elected and appointed, as aforeſaid; and ſhall alſo iſſue, or cauſe to be iſſued out, all Summonſes, Attachments, Warrants, Subpœnas, and Precepts, and regiſter and enter, or cauſe to be regiſtered and entered, all Cauſes, Orders, Decrees, and Judgments, and other Acts and Proceedings of the ſaid Court, in Paper Books, to be from Time to Time provided by him, and kept for that Purpoſe; and that the Beadle herein-before named, or from Time to Time to be appointed as aforeſaid, or his Deputy, ſhall, and he is hereby impowered and required to ſerve and execute, or cauſe to be ſerved and executed, all ſuch Summonſes, Orders, Attachments, Warrants, Subpœnas, Executions, and Precepts; and to do and perform all ſuch Acts, Matters, and Things, as are herein directed and appointed to be done by him.

Creditors may ſue for any Debt not exceeding forty Shillings, nor leſs than one Shilling.

XII. And be it further enacted by the Authority aforeſaid, That, from and after the paſſing of this Act, it ſhall and may be lawful to and for all and every Perſon and Perſons whatſoever, who now hath or have, or hereafter ſhall or may have, any Debt or Debts ariſing or accruing within the ſaid Pariſh of *Old Swinford*, not amounting to the Sum of forty Shillings, nor leſs than the Sum of one Shilling, and due or owing to him, her, or them, by or from any Perſon or Perſons whatſoever inhabiting, reſiding, or trading within the Pariſh of *Old Swinford* aforeſaid, or any Part thereof, to apply to the Clerk of the ſaid Court, or his Deputy for the Time being, who ſhall immediately make an Entry in his Book of the Cauſe, expreſſing the Names of the Parties, and the Sum demanded; and ſhall thereupon make out and deliver a Summons, in Writing, under his Hand, directed to ſuch Debtor or Debtors, expreſſing the Sum demanded of him, her, or them, and the Name or Names of ſuch Party or Parties demanding the ſame, thereby requiring and commanding ſuch Debtor or Debtors to appear at the next Court, to be held before the Commiſſioners of the ſaid Court, to anſwer ſuch Demand; and the Beadle of the ſaid Court ſhall forthwith ſerve, or cauſe to be ſerved, ſuch Summons on ſuch Debtor or Debtors, either perſonally, or by leaving the ſame at the Dwelling-houſe or Place of Abode, Lodging, Shop, Shed, Stall, Stand, or other Place of Dealing or Working of ſuch Debtor or Debtors, within the Pariſh of *Old Swinford* aforeſaid; and the ſaid Commiſſioners, or any three or more of them, ſhall, upon Proof made of the Service of ſuch Summons, have full Power and Authority, by virtue of this Act, to make due Enquiry, upon the Oath of any legal Witneſs or Witneſſes, or by Confeſſion of the Party ſummoned, concerning ſuch Demand; and to pronounce and give ſuch final Sentence or Judgment, and to make ſuch Interlocutory or final Orders and Decrees therein, as to them ſhall ſeem moſt juſt and equitable.

How Summonſes ſhall be ſerved.

Commiſſioners impowered to regulate the Proceedings of the Court;

'XIII. And, for the better regulating the Proceedings of the ſaid Court, and rendering this Act effectual for the Purpoſe intended,' be it enacted by the Authority aforeſaid, That the ſaid Commiſſioners for the Time being, or any nine or more of them, ſhall have full Power and Authority, by virtue of this Act, from

from Time to Time, and as often as they ſhall ſee Occaſion, at any of their Courts, to make ſuch Rules or Orders for the better regulating the Practice of the ſaid Court, as to them ſhall ſeem neceſſary and conducive to the Purpoſes of this Act, ſo as they ſhall be conſiſtent with Equity, and not tend to alter the Fees herein-after allowed by this Act to be taken by the Clerk and Beadle of the ſaid Court, for the Time being; or to the Exerciſe of any Juriſdiction inconſiſtent with the true Intent and Meaning of this Act, and do relate to the Proceſs, Practice, and Method of Proceeding, of and in the ſaid Court only; according to which Rules or Orders, ſo from Time to Time to be made, the ſaid Commiſſioners, or any three or more of them, ſhall have Power and Authority, by virtue of this Act, to proceed upon, and to hear and determine all ſuch Matters of Debt as aforeſaid, ariſing within the ſaid Pariſh of *Old Swinford*, not amounting to the Sum of forty Shillings, nor leſs than the Sum of one Shilling, which ſhall be brought before them by virtue of this Act, and to make and pronounce ſuch Judgments and Decrees concerning the ſame, and to order and decree ſuch Coſts of Suit to be paid, as to them ſhall ſeem agreeable to Equity and good Conſcience.

and to adminiſter Oaths and ſummon Witneſſes.

'XIV. And, for the better Diſcovery of the Truth, and for the more ſolemn Determination of all the 'Cauſes and Matters which ſhall be depending in the ſaid Court,' be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Commiſſioners, or any three or more of them, aſſembled in Court, and they are hereby impowered to adminiſter an Oath to ſuch Witneſs or Witneſſes as ſhall be produced by either Party, and alſo to the Officers of the Court, and to any Perſon or Perſons whatſoever, whoſe Evidence ſhall, to the ſaid Commiſſioners, or to the major Part of them aſſembled at the ſaid Court, appear neceſſary to aſcertain the Truth of the Matter in Litigation between the Parties; and for that Purpoſe to iſſue out a Summons or Summonſes, at the Inſtance of either of the Parties, to all and every ſuch Witneſs or Witneſſes, to be and appear at ſuch Court-day whereon the ſaid Matter is appointed to be heard.

Commiſſioners to make Decree, though Defendant does not appear.

XV. And be it further enacted by the Authority aforeſaid, That if any Debtor or Debtors, who ſhall have been duly ſummoned as aforeſaid, ſhall, without ſome good Cauſe to be allowed by the ſaid Court, refuſe or neglect to appear in the ſaid Court, at the Time mentioned in the ſaid Summons or Summonſes, then it ſhall and may be lawful to and for the ſaid Commiſſioners, or any three or more of them, upon Proof being made, upon Oath, of the Service of the ſaid Summons or Summonſes, in Manner before directed, to proceed to hear the Cauſe on the Part of the Plaintiff or Plaintiffs only, and to make ſuch Order, Decree, or Judgment therein, and to award ſuch Coſts of Suit, as to them ſhall ſeem meet.

On Non-appearance of Plaintiff, Commiſſioners may award Coſts.

XVI. And be it further enacted by the Authority aforeſaid, That if, upon the Day of the Return of the Summons, or at any Continuation or Adjournment of the ſaid Court, the Plaintiff or Plaintiffs ſhall not appear, or appearing ſhall not make Proof of his, her, or their Debt or Demand, to the Satisfaction of the ſaid Court, it ſhall and may be lawful to and for the ſaid Commiſſioners, or any three or more of them, upon due Proof upon Oath having been firſt made before them of the Service of ſuch Summons, or in caſe the Plaintiff ſhall fail in making due Proof of ſuch his Debt (as the Caſe may be), to award to the Defendant or Defendants reaſonable Coſts; and to order and compel the Plaintiff or Plaintiffs to pay the ſame, by ſuch Ways and Means as are herein provided for enforcing the Payment of Debts and Coſts ordered and decreed to be paid by the ſaid Court.

Coſts not to exceed 5 s.

XVII. Provided always, That no Coſts, to be awarded by the ſaid Commiſſioners, ſhall, in any Caſe whatſoever, exceed the Sum of five Shillings.

Commiſſioners may award Execution againſt Body or Goods, &c.

XVIII. And be it further enacted by the Authority aforeſaid, That in any Caſe where the ſaid Commiſſioners, or any three or more of them, ſhall have made any Order or Decree for the Payment of Money, it ſhall and may be lawful to and for the ſaid Commiſſioners, or any three or more of them, to award Execution either againſt the Body or Goods of the ſaid Party or Parties againſt whom ſuch Order or Decree ſhall be made; and thereupon it ſhall and may be lawful to and for the Clerk of the ſaid Court, or his Deputy, and he is hereby authoriſed and required, at the Requeſt and Election of the Party or Parties proſecuting ſuch Order or Decree, to iſſue a Precept or Precepts, in Execution, under his Hand and Seal, and from Time to Time to renew the ſame, againſt the Body or Bodies of ſuch Party or Parties, againſt whom ſuch Order or Decree ſhall be made, directed to the Beadle of the ſaid Court, or his Deputy; who, by virtue thereof, ſhall and may, and he is hereby impowered and required to take and apprehend, or cauſe to be taken and apprehended, ſuch Party or Parties, being within the Pariſh of *Old Swinford* aforeſaid; and to convey him, her, or them to ſuch Gaol, within the ſaid Pariſh, as ſhall, from Time to Time, be appointed by the ſaid Commiſſioners, or any nine or more of them, for that Purpoſe; there to remain until he, ſhe, or they ſhall perform and obey ſuch Order, Decree, and Judgment, ſo as no Perſon ſhall remain in Confinement for any longer Space of Time than forty Days, or for leſs than ten Days; and that it ſhall in like Manner be lawful to and for the Clerk of the ſaid Court, or his Deputy, and he is hereby authoriſed and required, at the like Requeſt and Election of the Party or Parties proſecuting ſuch Order or Decree, to iſſue a Precept or Precepts, in Execution, under his Hand and Seal, and from Time to Time to renew the ſame, againſt the Goods of ſuch Party or Parties againſt whom ſuch Order or Decree ſhall be made, directed to the ſaid Beadle, or his Deputy; who, by virtue thereof, ſhall and may, and he is hereby impowered and required, to levy, by Diſtreſs and Sale of the Goods and Chattels of ſuch Party or Parties, being within the Pariſh of *Old Swinford* aforeſaid, ſuch Sum and Sums of Money, and Coſts, as ſhall be ſo ordered and decreed.

Clerk may iſſue a Precept, in Execution, againſt the Goods, &c. and from Time to Time renew the ſame.

Court may order Debts to be paid by Inſtallments, &c.

XIX. And be it further enacted by the Authority aforeſaid, That in caſe the ſaid Commiſſioners, or any three or more of them, ſhall at any Time, upon the Requeſt, and for the Eaſe and Convenience of the Defendant or Defendants, order and decree the Debt due to the Plaintiff or Plaintiffs to be paid at ſeveral Payments, or by Inſtallments, which they are hereby authoriſed and impowered to order and decree at their Diſcretion; then, upon the firſt Default or Failure of any of the ſaid Payments or Inſtallments ſo ordered and decreed, the ſaid Commiſſioners, or any three or more of them, aſſembled in Court, ſhall and may,

may, at the Inſtance of the Plaintiff or Plaintiffs, and upon due Proof of the ſaid Default or Failure, award Execution for the whole Debt, or ſuch Part thereof, as ſhall then remain unpaid, together with ſuch further Coſts as to them ſhall ſeem reaſonable; to be recovered by the ſame Proceſs or Precept, and in like Manner as is herein-before provided for Recovery of the Debt and Coſts firſt decreed; the former Order or Decree to the contrary notwithſtanding.

Proceſs ſhall not iſſue againſt Goods, &c. in certain Caſes.

XX. Provided always, That nothing herein contained ſhall extend, or be conſtrued to extend, to impower the Clerk of the ſaid Court to iſſue any Proceſs againſt the Goods and Chattels of any Perſon or Perſons, where the Party entitled to the Benefit of any ſuch Order, Judgment, or Decree, as aforeſaid, ſhall have obtained any Warrant or Proceſs, as aforeſaid, againſt the Body or Bodies of the ſame Perſon or Perſons, unleſs ſuch Perſon or Perſons ſhall eſcape out of Cuſtody, or ſhall abſcond or depart from or out of the ſaid Pariſh of *Old Swinford*, to avoid being apprehended and taken by virtue of ſuch laſt mentioned Warrant or Proceſs.

On Execution, Clerk to indorſe Debt and Coſts.

In what Caſes Execution may be ſuperſeded.

XXI. And be it further enacted by the Authority aforeſaid, That in every Precept to be iſſued upon any Execution awarded againſt the Body or Goods of any Perſon or Perſons whatſoever, the Clerk, who iſſues the ſame, ſhall expreſs and ſet down in Writing the Sum or Sums of Money, and Coſts, ſo ordered and decreed to be paid: And if the Party or Parties againſt whom ſuch Execution ſhall be awarded ſhall, before any actual Sale of his, her, or their Goods, or before he, ſhe, or they, is, are, or ſhall be taken and apprehended, or before the Expiration of the Term of his, her, or their Impriſonment, pay, or cauſe to be paid, or tendered, unto the Clerk of the Court who ſhall iſſue ſuch Precept, ſuch Sum or Sums of Money, and Coſts, together with one Shilling as a Reward for his Trouble in receiving and paying over ſuch Debt and Coſts to the Plaintiff or Plaintiffs, and entering Acknowledgment, or Satisfaction, in the Book or Regiſter of the ſaid Court, for ſuch Debt and Coſts; and alſo the Sum of two Shillings to the Beadle for Fees, in caſe ſuch Party or Parties ſhall have been committed to Priſon, or his Goods ſhall be diſtrained upon, and not ſold; then, and in ſuch Caſe or Caſes, the Execution ſhall be ſuperſeded, and the Body or Bodies and Goods of ſuch Party or Parties ſhall be diſcharged and ſet at Liberty.

Beadle ſuffering Eſcape, &c. to pay the Debt.

XXII. And be it further enacted by the Authority aforeſaid, That if the Beadle of the ſaid Court, or his Deputy, who ſhall be employed to ſerve or levy any Execution, ſhall, by wilful or notorious Neglect, or Connivance, cauſe or ſuffer the Party, againſt whom ſuch Execution ſhall be awarded, to eſcape; or the Goods of ſuch Party or Parties ſo diſtrained upon, to be carried away, embezzled, or ſecreted, ſo that ſuch Execution ſhall not have its due Effect; it ſhall and may be lawful to and for the ſaid Commiſſioners, or any three or more of them, aſſembled in Court, upon Complaint and due Proof made, upon the Oath or Oaths of one or more credible Witneſs or Witneſſes, to order ſuch Beadle to pay ſuch Sum or Sums of Money, for which the ſaid Execution was awarded, to the Party complaining; and to enforce the Payment thereof by the ſame Method and Means as are herein-before provided for the Payment of other Debts.

Qualification of Commiſſioners.

XXIII. And be it further enacted by the Authority aforeſaid, That no Perſon ſhall be capable of acting as a Commiſſioner in the Execution of this Act, unleſs, at the Time of his ſo acting, he ſhall be, in his own Right, or in the Right of his Wife, in the actual Poſſeſſion or Receipt of the Rents and Profits of Lands or Hereditaments of the clear yearly Value of twenty Pounds above Repriſes, or poſſeſſed of a perſonal Eſtate to the Value of ſix hundred Pounds: And if any Perſon or Perſons made incapable to act, for the Cauſes aforeſaid, ſhall nevertheleſs preſume to act in the Execution of this Act, every ſuch Perſon ſhall, for every ſuch Offence, forfeit and pay the Sum of fifty Pounds to any Perſon or Perſons who ſhall ſue for the ſame, in any of his Majeſty's Courts of Record at *Weſtminſter*; and the Perſon ſo proſecuted ſhall prove that he is qualified as aforeſaid, or otherwiſe ſhall pay the ſaid Sum of fifty Pounds, without any other Proof or Evidence on the Part of the Proſecutor or Plaintiff, than that ſuch Perſon hath acted as a Commiſſioner in the Execution of this Act.

Penalty on acting, if not qualified.

Commiſſioners to be ſworn.

XXIV. And be it further enacted by the Authority aforeſaid, That no Perſon or Perſons ſhall be capable of acting as a Commiſſioner in the Execution of this Act, until he ſhall have taken an Oath to the following Effect:

The Oath.

'I *A. B.* do ſwear, That I will faithfully, impartially, and honeſtly, according to the beſt of my Judgment, hear and determine all ſuch Matters and Cauſes as ſhall be brought before me, by virtue of an Act of Parliament, intituled, *An Act for the more eaſy and ſpeedy Recovery of Small Debts within the Pariſh of* Old Swinford, *in the Counties of* Worceſter *and* Stafford; without Favour or Affection, Prejudice or Malice, to either Party. *So help me* GOD.'

Clerk to adminiſter the ſame.

Which Oath the Clerk of the ſaid Court, hereby named, is hereby, at the firſt Court or Meeting to be held by the ſaid Commiſſioners, or any three or more of them, in purſuance of this Act, impowered and required to adminiſter, to all and every Commiſſioner and Commiſſioners, in open Court, and in the Preſence of three or more of ſuch Commiſſioners; and in like Manner, at any ſubſequent Court, the Clerk of the ſaid Court, or any of the Commiſſioners who ſhall have taken ſuch Oath, is and are hereby impowered and required to adminiſter the ſaid Oath, in open Court, to all and every ſuch other Commiſſioner and Commiſſioners not having qualified himſelf as aforeſaid, at ſuch firſt Court or Meeting; of all which Oath and Oaths, ſo to be taken as afore-mentioned, the ſaid Clerk of the ſaid Court ſhall cauſe a Memorial to be entered in the Regiſter of the ſaid Court amongſt the Proceedings of ſuch Days reſpectively.

Memorial thereof to be regiſtered.

XXV. And be it further enacted by the Authority aforeſaid, That the ſeveral Fees herein-after limited and expreſſed, and no other, ſhall be taken by the ſaid Clerk and Beadle, or their Succeſſors, for their ſeveral and reſpective Services in the Execution of this Act; that is to ſay:

To

To the CLERK.

Table of Fees.

'For entering every Cauſe, Threepence.
'For iſſuing every Summons, Threepence.
'For every Subpœna, Threepence.
'For calling every Plaintiff or Defendant, Threepence.
'For every Hearing or Trial, Sixpence.
'For ſwearing every Witneſs, Threepence.
'For every Order, Judgment, or Decree, Sixpence.
'For every Nonſuit, Threepence.
'For every Search in the Books, Twopence.
'For paying Money into Court, Fourpence.
'For taking Money out of Court, and acknowledging Satisfaction in the Clerk's Books, Fourpence.
'For every Attachment, Sixpence.
'For every Execution, Sixpence.
'For every Warrant of Commitment, Threepence.

To the BEADLE.

'For Service of every Summons, Fourpence.
'For calling every Plaintiff or Defendant before the Court, Twopence.
'For executing every Attachment, Execution, or Warrant, againſt the Body or Goods, one Shilling 'and Sixpence.'

To be hung up in the Court-houſe.

A Table of which Fees ſhall, from Time to Time, be hung up by the Clerk of the ſaid Court in ſome conſpicuous Part of the ſaid Court-houſe, or Place where the ſaid Commiſſioners ſhall meet, ſo that all Perſons concerned may ſee and examine the ſame.

Penalty on Officers taking greater Fees.

XXVI. And be it further enacted by the Authority aforeſaid, That if the Clerk or Beadle of the ſaid Court, for the Time being, ſhall take any greater or other Fees or Rewards than what are herein-before mentioned for his or their Service in the Execution of this Act, he or they ſhall, for every ſuch Offence, forfeit and pay ſuch Fine, not exceeding five Pounds, nor leſs than forty Shillings, as the ſaid Commiſſioners, or any nine or more of them, upon Complaint made to them, and due Proof, upon Oath, firſt made before them, of the Truth of ſuch Complaint, ſhall order, aſſeſs, and impoſe; to be applied to the Relief of ſuch Debtor or Debtors who ſhall be then, or at any Time after, in the Priſon or Gaol of the ſaid Court of Requeſts, in ſuch Manner as the ſaid Commiſſioners, or any nine or more of them, ſhall order and direct; or otherwiſe to be paid to the Overſeers of the Poor within the reſpective Diviſions of the Pariſh of *Old Swinford* aforeſaid, for the Uſe of the Poor thereof, at the Diſcretion of the ſaid Commiſſioners impoſing ſuch Fine or Fines as aforeſaid; the ſame to be levied (if not paid on Demand) by Diſtreſs and Sale of the Goods and Chattels of the Offender or Offenders, by Warrant under the Hands and Seals of ſuch Commiſſioners, or any nine or more of them, by whom ſuch Complaint ſhall be heard, rendering to the Owner the Overplus, after the Charges of ſuch Diſtreſs and Sale are deducted.

Application of Penalties.

Clerk or Beadle may be diſcharged for Miſbehaviour.

XXVII. And be it further enacted by the Authority aforeſaid, That if the ſaid Clerk or Beadle ſhall be guilty of any Miſbehaviour, either by Neglect or Breach of Duty, or in taking greater Fees than before-mentioned, or otherwiſe, in the Execution of their reſpective Offices, that then, upon Complaint, and due Proof thereof made, upon Oath, in open Court, the ſaid Commiſſioners, then ſitting, are hereby directed and required to cauſe the whole Number of Commiſſioners to be ſummoned, by a Notice, in Writing, to be affixed upon the Door of the Pariſh Church of *Old Swinford* aforeſaid, and on the Door of the ſaid Chapel in the Town of *Stourbridge* aforeſaid, to meet at ſome convenient Time and Place; and the Commiſſioners then preſent, not being leſs than nine in Number, ſhall and may examine and conſider the Merits of ſuch Complaint; and if it ſhall appear to ſuch Commiſſioners, ſo aſſembled or met, or to the major Part of them, that the ſaid Clerk or Beadle hath been guilty of any ſuch Miſbehaviour, or Breach of Duty, as aforeſaid, in his Office, it ſhall and may be lawful to and for the ſaid Commiſſioners, or the major Part of them, then aſſembled, to ſuſpend or remove ſuch Clerk or Beadle from his ſaid Office, and another Perſon or Perſons ſhall be thereupon appointed in his Room, in ſuch Manner as is by this Act directed for ſuch Appointment.

Commiſſioners or Officers not to act where intereſted.

XXVIII. And be it further enacted by the Authority aforeſaid, That if any Commiſſioner of the ſaid Court, for the Time being, ſhall be Party to, or intereſted in, any Cauſe, Matter, or Thing, depending in the ſaid Court, ſuch Perſon ſhall not be capable of acting as a Commiſſioner in hearing and determining the ſame, or making any Order, Decree, or Judgment therein; but, after being heard in the ſaid Cauſe, ſhall withdraw from the ſaid Court, until the ſame be finally determined: And if the Clerk or Beadle of the ſaid Court, for the Time being, ſhall be a Party to, or intereſted in, any Cauſe depending in the ſaid Court, ſuch Clerk or Beadle ſhall not exerciſe his ſaid Office in the ſaid Cauſe, or any Thing relating thereto; but the ſaid Commiſſioners, or any three or more of them, aſſembled at ſuch Court, ſhall and may, and are hereby authoriſed to depute and appoint another Perſon to exerciſe the ſaid Office of Clerk or Beadle reſpectively, in all Things relating to ſuch Cauſe.

Any Perſon inſulting the Court,

'XXIX. And, for the better enforcing the Orders and Decrees from Time to Time to be made by the 'ſaid Commiſſioners, and that the Commiſſioners of the ſaid Court may be veſted with proper Power and 'Authority, and be free and exempt from Inſult and Abuſe;' be it enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall affront, inſult, or abuſe, all or any of the Commiſſioners, during their ſitting in the ſaid Court, or ſhall interrupt the Proceedings of the ſaid Court, or ſhall obſtruct the Proceſs thereof,

thereof, it ſhall and may be lawful to and for the ſaid Commiſſioners, or any three or more of them, to cauſe a Warrant to be iſſued by the Clerk of the ſaid Court, or his Deputy, directing ſuch Beadle to apprehend and take, or cauſe to be apprehended and taken, ſuch Perſon or Perſons ſo offending as aforeſaid, before one of his Majeſty's Juſtices of the Peace, in and for the ſaid Counties of *Worceſter* or *Stafford*; and, upon the Fact alledged being proved, by the Oath of one or more credible Witneſs or Witneſſes, the ſaid Juſtice is hereby impowered to impoſe any Fine on ſuch Perſon or Perſons ſo offending, as aforeſaid, not exceeding five Pounds, nor leſs than ten Shillings, which ſhall be immediately paid into the Hands of the ſaid Juſtice, before whom the ſaid Offender or Offenders ſhall be convicted; and paid and applied by ſuch Juſtice in like Manner as the Fines herein-before mentioned are directed to be applied: And if the ſaid Offender or Offenders ſhall not pay the ſaid Fines, in Manner as aforeſaid, it ſhall and may be lawful to and for the ſaid Juſtice, by Warrant under his Hand and Seal, to cauſe the ſame to be levied by Diſtreſs and Sale of the Offender's Goods; or, in Default thereof, to commit ſuch Perſon or Perſons, ſo offending as aforeſaid, to the Common Gaol or Houſe of Correction for the ſaid County of *Worceſter* or *Stafford*, wherein ſuch Offence ſhall have been committed, there to remain for any Space of Time not exceeding three Months, or until he, ſhe, or they ſhall pay ſuch Fine.

Shall be fined.

Fines may be levied by Diſtreſs.

Copy of the laſt preceding Clauſe ſhall be hung up in the Court.

XXX. Provided always, and be it further enacted by the Authority aforeſaid, That the Clerk of the ſaid Court ſhall fix, or cauſe to be fixed up, in ſome public Part of the ſaid Court-houſe, or Place where the ſaid Commiſſioners ſhall meet, a true Copy of the laſt preceding Clauſe of this Act, to the Intent that no Perſon ſhall or may plead Ignorance thereof.

Defendants may plead generally in bar of Actions under 40 s. &c.

XXXI. And be it further enacted by the Authority aforeſaid, That if any Action of Debt, or Action upon the Caſe, upon an Aſſumpſit, for Recovery of any Debt, to be ſued or proſecuted againſt any Perſon or Perſons aforeſaid, in any of the King's Courts at *Weſtminſter*, or elſewhere out of the ſaid Courts of Requeſts, the Plaintiff ſhall declare for any Sum of Money not amounting to the Sum of forty Shillings, the Defendant or Defendants may plead generally, in Bar of ſuch Action, that the Cauſe of Action aroſe, and that at the Time of commencing ſuch Action, he, ſhe, or they, was or were inhabiting and reſident within the Juriſdiction of the ſaid Court of Requeſts, and was or were liable to be warned or ſummoned before the ſaid Court of Requeſts, without pleading any other Matter ſpecially: And in caſe the Plaintiff, in any ſuch Action, ſhall declare for forty Shillings, or any Sum of Money exceeding forty Shillings, the Defendant may plead generally, over and above ſuch Matters as aforeſaid, that the Defendant was not at the Time of commencing ſuch Action indebted unto the Plaintiff in any Sum or Sums of Money amounting to the Sum of forty Shillings, without pleading any other Matter ſpecially: whereto the Plaintiff ſhall or may reply generally, and deny the Matters pleaded, as aforeſaid; and if the Plaintiff be nonſuited, or diſcontinue his Action, or Verdict paſs againſt him, or Judgment be given on Demurrer, the Defendant or Defendants ſhall have full Coſts.

Proviſo,

XXXII. Provided always, That it ſhall and may be lawful, to and for the Plaintiff or Plaintiffs in ſuch Action, afterwards to proſecute the ſaid Defendant or Defendants for the Recovery of the ſaid Debt or Debts in the ſaid Court of Requeſts; any Thing herein-before contained to the contrary thereof in anywiſe notwithſtanding.

No Attorney to have Privilege or Practice in this Court.

XXXIII. And be it further enacted by the Authority aforeſaid, That no Attorney at Law or Solicitor, being ſerved with a Proceſs of the ſaid Court of Requeſts, or appearing in the ſame Court, ſhall be allowed to plead or maintain any Privilege againſt the Proceſs, Authority, Juriſdiction, or Judgment thereof; nor ſhall any Attorney or Solicitor be allowed to plead in the ſaid Court, as an Advocate for any Party in any Suit depending in the ſaid Court.

To what Debts this Act ſhall not extend.

XXXIV. And be it further enacted by the Authority aforeſaid, That this Act, or any Thing herein contained, ſhall not extend, or be conſtrued to extend, to any Debt for Rent upon any Leaſe or Contract, where the Title of any Lands, Tenements, or Hereditaments, can or may come in queſtion, or in or upon any real Contract; nor to any Debt that ſhall ariſe upon or by reaſon of any Cauſe, concerning any laſt Will and Teſtament, or Matrimonial Contract, or the Breach thereof, or any Thing properly belonging to the Eccleſiaſtical Court; nor for Money won at or by Means of any Horſe-race, Cock-match, Wager, or any Kind of Gaming or Play; nor for any Forfeiture of any Penal Statute, or Bye-law; nor to any Debt exceeding one Shilling, contracted for Ale, Beer, Cyder, Spirituous or other Liquors, and drank by any Perſon in a public Houſe in one Day; nor to any Debt whereof there hath not been a Contract, Acknowledgment, Undertaking, or Promiſe to pay, within ſix Years before the taking out of the Summons for the ſame, although ſuch Debt ſhall not amount to forty Shillings.

Penalty on Perſons guilty of Perjury.

XXXV. And be it further enacted by the Authority aforeſaid, That in caſe any Perſon or Perſons making Oath or giving Evidence, in any Cauſe or Matter whatſoever depending in the ſaid Court of Requeſts, ſhall commit wilful and corrupt Perjury, and be thereof duly convicted according to the Law, ſuch Perſon and Perſons ſhall incur and ſuffer the like Pains and Penalties, as any other Perſon and Perſons, convicted of wilful and corrupt Perjury, is or are liable to, or ſhall be ſubject to, by the Laws and Statutes of this Realm.

Perſons neglecting to obey Summonſes, &c.

XXXVI. And be it further enacted by the Authority aforeſaid, That in caſe any Perſon, reſiding within the Juriſdiction of the ſaid Court of Requeſts, who ſhall be duly ſerved with a Subpœna or Summons, to be iſſued out of the ſaid Court, to give Evidence on Behalf of any Plaintiff or Defendant, ſhall neglect or refuſe to appear, purſuant to ſuch Subpœna or Summons, at the Time and Place therein mentioned, and due Proof ſhall be made of the Service of ſuch Subpœna or Summons, and no Cauſe of Abſence be ſhewn or aſſigned to the Satisfaction of the Commiſſioners preſent at the ſaid Court, to which ſuch Perſon ſhall be by ſuch Subpœna or Summons required to appear, and Oath ſhall be made before the ſaid Commiſſioners that the Perſon ſerved therewith was a material Witneſs for the Party at whoſe Inſtance ſuch Subpœna or Summons iſſued, it ſhall and may be lawful to and for the ſaid Commiſſioners, or any three or more of them, aſſembled in open Court, and weighing the Cauſe ſo ſhewn, and adjudging the ſame to be inſufficient,

cient, to impoſe and levy a Fine not exceeding forty Shillings, nor leſs than five Shillings, to be levied (if not immediately paid on Demand) by Diſtreſs and Sale of the Offender's Goods, by Warrant under the Hands and Seals of the ſaid Commiſſioners, or any three or more of them; which Fine, when paid or levied, ſhall be paid over to the Party at whoſe Inſtance ſuch Subpœna or Summons iſſued. to be fined.

XXXVII. Provided always, and be it enacted by the Authority aforeſaid, That nothing in this Act contained ſhall extend, or be conſtrued, adjudged, deemed, or taken to extend, to extinguiſh, reſtrain, alter, annul, take away, or otherwiſe prejudice, the Juriſdiction of any ancient Courts Baron, held by the ſaid reſpective Lords of the ſaid reſpective Manors of *Old Swinford* and *Amblecoat*, or any other Manor within the ſaid Pariſh of *Old Swinford*, and their Predeceſſors, Time immemorial, within the ſaid reſpective Manors, or any of the Rights, Privileges, and Franchiſes thereto belonging; but that Pleas ſhall and may be held in the ſaid Courts, of all Debts, Matters, and Things, within the ſaid reſpective Manors, and all Perſons may ſue and be ſued in the ſame Courts, in like Manner as if this Act had never been made; any Thing herein contained to the contrary in anywiſe notwithſtanding. Clauſe for reſerving Juriſdiction of Courts Baron.

XXXVIII. And be it further enacted by the Authority aforeſaid, That no Action at Law ſhall be brought againſt any Perſon or Perſons, for any Thing done by virtue of this Act, till after twenty Days Notice thereof in Writing ſhall be given to, or left at the uſual Place of Abode of the Perſon or Perſons againſt whom ſuch Action ſhall be intended to be ſo brought, thereby ſetting forth the Cauſe of ſuch Action; and in Default only of any Tender or ſufficient Amends being made within that Time, by ſuch Perſon or Perſons, to the Parties ſo aggrieved, and cauſing ſuch Notice to be given; and that every Action brought for any Thing done as aforeſaid, ſhall be commenced within the Space of three Months next after the Cauſe thereof ſhall ariſe, and ſhall be laid in the Counties of *Worceſter* or *Stafford*, in which of thoſe Counties the Cauſe ſhall ariſe, and not elſewhere; and the Defendant or Defendants therein ſhall and may plead the General Iſſue, and give this Act and the Special Matter in Evidence, and that the ſame was done by virtue thereof: And if on the Trial of ſuch Action it ſhall appear that the ſame was brought before the Expiration of twenty Days after ſuch Notice ſhall have been ſo given or left as aforeſaid, or after the End of three Months next after the Cauſe thereof ſhall ariſe, or if ſuch Action ſhall be brought or laid in any other County than as aforeſaid, or after ſufficient Tender of Amends ſhall have been made to the Party or Parties ſo aggrieved; then, and in every the Caſes aforeſaid, the Jury on the Trial of ſuch Action ſhall find for the Defendant or Defendants therein; and in all Caſes where any Verdict ſhall be found for any Defendant or Defendants in ſuch Action, or the Plaintiff or Plaintiffs therein ſhall diſcontinue the ſame after the Defendant or Defendants ſhall have appeared thereto, or ſhall be non-ſuited, or if, upon Demurrer, Judgment ſhall be given againſt ſuch Plaintiff or Plaintiffs, the Defendant or Defendants in ſuch Action ſhall have and recover Treble Coſts, and ſhall have the like Remedies for recovering the ſame as any Defendant or Defendants can or may have in other Caſes where Coſts are given by Law. Limitation of Actions. General Iſſue. Treble Coſts.

XXXIX. And be it further enacted by the Authority aforeſaid, That this Act ſhall be adjudged, deemed, and taken to be a public Act; and ſhall be judicially taken Notice of as ſuch by all Judges, Juſtices, and other Perſons whatſoever, without ſpecially pleading the ſame. Public Act.

## CAP. XX.

An Act for continuing two Acts, made in the ſixth Year of the Reign of King *George* the Firſt, and in the twentieth Year of the Reign of his late Majeſty, *for laying a Duty of Two Pennies* Scots, *or one-ſixth Part of a Penny* Sterling, *upon every* Scots *Pint of Beer or Ale vended or ſold within the Town of* Burnt-iſland, *and Liberties thereof, for increaſing the public Revenue of the ſaid Town, and for other Purpoſes therein mentioned.*

'WHEREAS by an Act, made in the ſixth Year of the Reign of his late Majeſty King *George* the First, intituled, *An Act for laying a Duty of Two Pennies* Scots, *or one-ſixth Part of a Penny* Sterling, *upon every* Scots *Pint of Beer or Ale vended or ſold within the Town of* Burntiſland, *and Liberties thereof, for increaſing the public Revenue of the ſaid Town, and for other Purpoſes therein mentioned*; it was enacted, That, from and after the twenty fourth Day of *June*, one thouſand ſeven hundred and twenty, for the Term of twenty five Years, and to the End of the then next Seſſion of Parliament, there ſhould be laid on an Impoſition or Duty of Two Pennies *Scots*, or the ſixth Part of a Penny *Sterling* (over and above the Duty of Exciſe paid or payable to his Majeſty, his Heirs and Succeſſors), upon every *Scots* Pint of Ale or Beer that ſhould be, for Sale, either brewed, brought in, or vended, tapped, or ſold, within the ſaid Town and Privileges thereof, and ſhould be paid by the Brewers, Vintners, Sellers, and Tapſters, of ſuch Ale and Beer, for and during the ſaid Term of twenty-five Years, and to the End of the then next Seſſion of Parliament, to the Magiſtrates and Town Council of the ſaid Town of *Burntiſland*, and their Succeſſors in Office for the Time being, and their Collectors and Aſſigns, for the Uſe of the Community of the ſaid Town: And whereas by an Act, made in the twentieth Year of the Reign of his late Majeſty King *George* the Second, intituled, *An Act for reviving and continuing an Act, paſſed in the ſixth Year of the Reign of his late Majeſty King* George *the Firſt, intituled*, "An Act for laying a Duty of Two Pennies *Scots*, or one-ſixth Part of a Penny *Sterling*, upon every *Scots* Pint of Beer or Ale vended or ſold within the Town of *Burntiſland*, and Liberties thereof, for increaſing the public Revenue of the ſaid Town, and for other Purpoſes therein mentioned;" it was enacted, That the before-mentioned Act, made in the ſixth Year of his Majeſty King *George* the Firſt, and all the Duties, Powers, Authorities, and Clauſes therein contained (except ſuch as are thereby altered or varied), ſhould be revived, made payable, and continued, and ſhould be and continue in full Force and Effect, from and after the twenty- Preamble. Acts 6 Geo. I. and 20 Geo. II. recited.

'fourth Day of *June*, one thouſand ſeven hundred and forty-ſeven, for and during the further or additional 'Term of thirty-one Years, and from thence to the End of the then next Seſſion of Parliament: And 'whereas the Purpoſes for which the ſaid Duty was granted, cannot be completed within the Term granted 'by the ſaid two recited Acts, and as a Prolongation of the ſaid Acts would be of great Advantage to the 'Community of the ſaid Borough of *Burntiſland* and to the Public:' May it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Impoſition or Duty granted and made payable by the ſaid Acts upon Ale or Beer, that ſhall be either brewed, brought in, vended, tapped, or ſold, within the ſaid Town and Privileges thereof, ſhall, from and after the Expiration of the Term granted by the ſaid laſt mentioned Act, made in the twentieth Year of the Reign of his late Majeſty, be further continued, raiſed, levied, collected, paid, and made payable, to the Provoſt, Magiſtrates and Town Council of the Borough of *Burntiſland*, and their Succeſſors in Office for the Time being, and their Aſſigns, or to ſuch Collectors or Receivers as ſhall at any Time, during the Continuance of this preſent Act, be by them, or the major Part of them, appointed and impowered, for the Uſe of the Community of the ſaid Borough, for the further Term of thirty-one Years, and from thence to the End of the then next Seſſion of Parliament.

The Duty on Ale or Beer, granted by the above-recited Acts, further continued for 31 Years.

II. Provided always, and be it enacted by the Authority aforeſaid, That no Perſon reſiding within the ſaid Borough of *Burntiſland*, or Liberties thereof, ſhall, at any Time during the Continuance of this Act, be liable in Payment of, or chargeable with the aforeſaid Duty by this Act laid and made payable, for any Quantity or Quantities of Ale or Beer brewed by ſuch Perſon for the private Uſe of his or her own Family, and not for Sale, unleſs ſuch Perſon be an actual Brewer of Ale or Beer for Sale, or a Vender, Tapper, or Seller of Ale or Beer; any Thing herein contained to the contrary notwithſtanding

Perſons brewing for the private Uſe of their own Families, not chargeable.

III. And be it further enacted by the Authority aforeſaid, That the aforeſaid Impoſition or Duty ſhall, during the ſaid additional Term, be raiſed, levied, and collected from the ſame Perſons, and by the ſame Means and Methods, and under the ſame Penalties and Forfeitures, and be accounted for, paid, and applied to and for the ſame Uſes and Purpoſes; and that the Provoſt, Magiſtrates, and Town Council, and their Succeſſors for the Time being, be and continue Truſtees for ſuch Application, with the ſame Powers, and ſubject to the ſame Rules and Directions, as are mentioned and preſcribed in the ſaid recited Acts; and that the ſaid Acts, and every Article, Rule, Clauſe, Matter, and Thing therein contained, ſhall be of the ſame Force and Effect, to all Intents and Purpoſes, for raiſing, collecting, ſecuring, and levying the ſaid Impoſition or Duty, and for applying the ſame to the Uſes and Purpoſes mentioned in the ſaid Acts, ſo far as theſe are not already executed, for and during the additional Term of Years for which the ſame are hereby granted, as if the ſaid above-recited Acts were particularly and at large repeated and re-enacted in the Body of this preſent Act, except as is herein-after mentioned.

The Duty to be levied, &c. in the ſame Manner as under the former Acts.

IV. And be it further enacted by the Authority aforeſaid, That, from and after the Commencement of this preſent Act, and during the Continuance thereof, it ſhall not be lawful for any Brewer or Seller of Ale or Beer, living or carrying on his or her Brewery without the ſaid Borough of *Burntiſland*, and Liberties thereof, to import or ſell any Beer or Ale into or in the ſaid Borough and Liberties thereof, unleſs he, ſhe, or they do previouſly give Notice to the Magiſtrates of the ſaid Borough, or their Collector of the ſaid Duty, at his Office or Dwelling-houſe, and agree to be ſubjected to and charged with the Payment of the ſaid Duty, for all the Beer and Ale which ſhall be brewed by ſuch Brewer or Seller of Beer or Ale, living or carrying on his or her Brewery without the ſaid Borough and Liberties thereof, for and during the Space of one whole Year next after and immediately following the Date of ſuch Notice and Agreement made to and with the Magiſtrates of the ſaid Borough of *Burntiſland*, or their ſaid Collector, and ſo long thereafter as ſuch Brewer or Seller of Ale or Beer ſhall continue to import or ſell Ale or Beer into or in the ſaid Borough, during the Continuance of this Act; and that every ſuch Brewer or Seller of Ale or Beer, who ſhall import or ſell any Ale or Beer into or in the ſaid Borough, and Liberties thereof, without having given ſuch previous Notice, and agreed as aforeſaid, being thereof duly convicted before any two or more of his Majeſty's Juſtices of the Peace, ſhall be charged with and liable to the Payment of the ſaid Duty to the Provoſt, Magiſtrates, and Town Council of the ſaid Borough, or their Collector, for all Ale and Beer brewed by him or her for the Space of twelve Months immediately preceding his or her committing ſuch Offence, and thereafter ſo long as he or ſhe ſhall continue to import or ſell Ale or Beer into or in the ſaid Borough, within the aforeſaid Term of Years for which this preſent Act is granted.

No Brewer without the Borough of Burntiſland to import any Ale or Beer into the ſame, till he has given Notice to the Magiſtrates, &c.

Penalty.

V. And be it further enacted by the Authority aforeſaid, That, from and after the paſſing of this preſent Act, the Honourable *James Wemyſs* of *Wemyſs*, *Robert Ferguſon* of *Raith*, *James Saint Clair* of *Saint Clair*, *Claud Boſwell* of *Balmuto*, *Alexander Aliſon* of *North Glaſmont*, *James Townſend Oſwald* of *Dunnikier*, *Robert Beatſon* of *Killry*, *William Wemyſs* of *Cutlehill*, *John Bruce* of *Grangemyre*, *James Stuart* of *Binnend*, *James Rutherfoord* of *Glendovan*, *James Robertſon* of *Newbigging*, Eſquires; the Knight of the Shire to ſerve in Parliament for the County of *Fife* for the Time being, and the Burgeſs to ſerve in Parliament for the Time being for the Diſtrict of Boroughs whereof *Burntiſland* is one, or any three or more of them, ſhall be, and are hereby appointed Overſeers of the Impoſition or Duty hereby continued and granted, in Place and Stead of the Overſeers appointed by the above-recited Acts; and ſhall have, and are hereby veſted with the ſame Powers, and under the ſame Regulations, as are in and by the ſaid recited Acts granted and given to the ſaid former Overſeers; any Thing in the ſaid former Acts contained to the contrary notwithſtanding.

New Overſeers appointed.

VI. And be it further enacted by the Authority aforeſaid, That the ſaid two former Acts, and this preſent Act, ſhall be deemed, adjudged, and taken to be Public Acts: and be judicially taken Notice of as ſuch by all Judges, Juſtices, and other Perſons whatſoever, without ſpecially pleading the ſame.

Public Acts.

## CAP. XXI.

### An Act for the better Support of his Majeſty's Houſehold, and of the Honour and Dignity of the Crown of *Great Britain*.

*May it pleaſe your moſt Excellent Majeſty*;

Preamble. Act 1 Geo. III. recited.

'WHEREAS by an Act of Parliament, made in the firſt Year of your Majeſty's Reign (intituled, *An Act for the Support of his Majeſty's Houſehold, and of the Honour and Dignity of the Crown of* Great Britain), it was enacted (among other Things), That there ſhould be granted and continued to your Majeſty, and iſſuing and payable out of the Fund called *The Aggregate Fund*, during your Majeſty's Life, the clear yearly Rent or Sum of ſeven hundred and twenty-three thouſand Pounds, during the Continuance of the ſeveral Annuities therein mentioned; and immediately from and after the Determination of one or more of the ſaid Annuities, ſuch clear yearly Sum, over and above, and in Addition to, the ſaid yearly Rent or Sum of ſeven hundred and twenty-three thouſand Pounds, as the Annuity or Annuities ſo determined ſhall have amounted to; and in caſe of the Determination of all the ſaid Annuities, then, and immediately from thenceforth, the clear yearly Rent or Sum of eight hundred thouſand Pounds, to be iſſued and paid out of the ſaid Fund, for the Support of his Majeſty's Houſehold, and of the Honour and Dignity of the Crown, from the twenty-fifth Day of *October*, one thouſand ſeven hundred and ſixty, in Manner therein particularly mentioned, as by the ſaid Act, Relation being thereunto had, may more fully appear: And whereas the Revenue to which your Majeſty is intitled by virtue of the ſaid Act, hath been found inadequate to, and inſufficient for, the Purpoſes for which it was granted; and it is therefore juſt and expedient that a more competent Proviſion ſhould be made for the better Support of your Majeſty's Houſehold, and of the Honour and Dignity of the Crown; we your Majeſty's moſt dutiful and loyal Subjects, the Commons of *Great Britain*, in Parliament aſſembled, with Hearts full of the warmeſt Duty and Gratitude for the ineſtimable Bleſſings which your Subjects do enjoy under your Majeſty's moſt auſpicious Government, do pray your Majeſty that it may be enacted;' and be it enacted by the King's moſt excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That there be granted to his Majeſty, during his Life (which God long preſerve), over and beſides the yearly Rent or Rents, or Sum or Sums of Money in and by the aforeſaid Act granted to his Majeſty, the further Revenue or yearly Rent of one hundred thouſand Pounds, to commence from and after the fifth Day of *January*, one thouſand ſeven hundred and ſeventy-ſeven; and that the ſaid yearly Rent or Sum ſhall be, and is hereby charged upon, and ſhall be paid and payable from Time to Time out of, the Hereditary and Temporary Revenues, and any other the Duties and Revenues which do or ſhall compoſe the ſaid Fund, commonly called *The Aggregate Fund*, or any of them (after paying, or reſerving ſufficient to pay, all ſuch Sum and Sums of Money as have been directed, by any former Act or Acts of Parliament, to be paid out of the ſame); but with Preference to all other Payments which ſhall or may be hereafter charged upon, or payable out of the ſaid Fund.

From January 5, 1777, an additional 100,000 l. per Annum granted to his Majeſty during his Life; payable out of the Aggregate Fund.

II. And be it enacted by the Authority aforeſaid, That on the fifth Day of *July*, one thouſand ſeven hundred and ſeventy-ſeven, there be iſſued and paid to his Majeſty, out of the Duties and Revenues compoſing the ſaid Fund, the Sum of fifty thouſand Pounds, being ſo much of the yearly Rent or Sum hereby granted as will then have accrued and become due and payable from the fifth Day of *January*, one thouſand ſeven hundred and ſeventy-ſeven; and that from and after the ſaid fifth Day of *July*, one thouſand ſeven hundred and ſeventy-ſeven, the ſaid additional yearly Rent or Sum of one hundred thouſand Pounds ſhall grow due and be payable to his Majeſty at the ſame Time, and in the ſame Manner, and together with the yearly Rent or Sum granted by the aforeſaid Act of the firſt Year of his Majeſty's Reign, quarterly, at the four moſt uſual Days of Payment in the Year; that is to ſay, The fifth Day of *April*, the fifth Day of *July*, the tenth Day of *October*, and the fifth Day of *January*, by even and equal Portions, out of the Monies of the ſaid Aggregate Fund, the firſt quarterly Payment thereof to be made on the tenth Day of *October*, one thouſand ſeven hundred and ſeventy-ſeven: And the Commiſſioners of his Majeſty's Treaſury, or any three or more of them, and the high Treaſurer, Chancellor and Under-treaſurer of the Exchequer, for the Time being, and all other the Officers and Miniſters of the Court of Exchequer, and of the Receipt thereof, ſhall, and may, and they are hereby reſpectively authoriſed and required to do all ſuch Acts, Matters, and Things, in order to render this Act, and the ſeveral Payments hereby directed, effectual, as are in and by the ſaid recited Act authoriſed, required, or directed to be done and performed by them, or any or either of them, concerning the ſeveral Payments thereby directed, in the ſame Manner, to all Intents and Purpoſes, as if the ſeveral Proviſoes, Clauſes, Matters, and Things, concerning the paying, iſſuing, or applying ſuch yearly Rents or Sums as are therein mentioned, were in this Behalf particularly repeated and re-enacted.

The firſt Payment to his Majeſty to be on July 5, 1777; after which to be paid quarterly, &c.

## CAP. XXII.

### An Act for opening Communications between *Wapping-ſtreet* and *Ratcliff-highway*, and between *Old Gravel-lane* and *Virginia ſtreet*; and for paving certain Streets intended to be built, and alſo certain other Streets and public Paſſages and Places within the Pariſhes of *Saint George* and *Saint John* of *Wapping*, in the County of *Middleſex*.

CAP.

## CAP. XXIII.

An Act for lighting and watching the Turnpike Road leading from the Stones End next *Blackman-ſtreet* in the Pariſh of *Saint Mary, Newington*, in the County of *Surrey*, to the Bridge at *Walworth*, in the ſame Pariſh, and the ſeveral Roads, Ways, and Places, therein deſcribed, communicating therewith.

## CAP. XXIV.

An Act for expediting the Sale of Eſtates in *Scotland* belonging to the *York-buildings Company*, for the Relief of their Creditors.

" Preamble. Recital of Acts 2 *Gul.* & *Mar.* 4 *Geo.* I. 6 *Geo.* I. and 7 *Geo.* I. Company borrowed " 100,000 *l.* Act 3 *Geo.* III. recited. Court of Seſſion, on proper Application, to ſell all the Lands, *&c.* " in *Scotland*, belonging to the Company, by public Auction: But, upon Cauſe ſhewn by the Company, " *&c.* may adjourn the Sale of any Parts thereof. After the Sale, and Security given, Court of Seſſion to " pronounce Decrees of Sale in favour of Purchaſers. If the Ranking of Creditors be not ſettled before " Payment of Purchaſe-money, Purchaſers to hold the ſame at Intereſt, *&c.* Court of Seſſion to pro- " ceed in the Sale, and in Ranking and Claſſing Creditors, *&c.* And may iſſue Warrants for Payment of " Creditors found preferable, *&c.* Court of Seſſion, at the Suit of any Perſon intereſted, to take an Ac- " count of the Rents received by the Annuitants, *&c.* Upon the Determination of the Annuities, *&c.* " the Eſtates of the Company ſhall be declared free. The Nomination of new Truſtees by the Creditors, " confirmed. Truſtees to give Notice in *The London Gazette* when the Creditors Money ſhall be directed " to be paid to them, *&c.* Certificate of the Accountant general, *&c.* ſhall be a ſufficient Diſcharge to " the Truſtees. Truſtees to be reſpectively anſwerable for their own Acts, *&c.* Expences of this Act " how to be paid. General Saving."

## CAP. XXV.

An Act for widening, cleanſing, and lighting, the ſeveral Streets, Lanes, Alleys, Ways, and other public Paſſages, within the Town of *Wolverhampton*, in the County of *Stafford*; and for taking down, altering, or rebuilding certain Buildings therein mentioned; and for removing all other Nuiſances, and Incroachments, and for regulating Carts and other Carriages within the ſaid Town.

## CAP. XXVI.

An Act for regiſtering the Grants of Life Annuities; and for the better Protection of Infants againſt ſuch Grants.

Preamble.

'WHEREAS the pernicious Practice of raiſing Money by the Sale of Life Annuities hath of late 'Years greatly increaſed, and is much promoted by the Secrecy with which ſuch Tranſactions are 'conducted;' be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That a Memorial of every Deed, Bond, Inſtrument, or other Aſſurance, whereby any Annuity or Rent-charge ſhall, from and after the paſſing of this Act, be granted for one or more Life or Lives, or for any Term of Years or greater Eſtate determinable on one or more Life or Lives, ſhall, within twenty Days of the Execution of ſuch Deed, Bond, Inſtrument, or other Aſſurance, be inrolled in the High Court of Chancery; and that every ſuch Memorial ſhall contain the Day of the Month, and the Year when the Deed, Bond, Inſtrument, or other Aſſurance, bears Date, and the Name of all the Parties, and for whom any of them are Truſtees, and of all the Witneſſes; and ſhall ſet forth the annual Sum or Sums to be paid, and the Name of the Perſon or Perſons for whoſe Life or Lives the Annuity is granted, and the Conſideration or Conſiderations of granting the ſame; otherwiſe every ſuch Deed, Bond, Inſtrument, or other Aſſurance, ſhall be null and void to all Intents and Purpoſes.

A Memorial of all Deeds, Bonds, &c. for granting Life Annuities, ſhall, within 20 Days of the Execution thereof, be inrolled in the Court of Chancery; which ſhall contain the Date, Names of the Parties, Witneſſes, &c. otherwiſe every ſuch Deed, Bond, &c. ſhall be void.

II. And be it further enacted, That before any Judgment ſhall be entered of Record upon any Warrant of Attorney for recovering or ſecuring the Payment of any Annuity or Rent-charge that hath already been granted for one or more Life or Lives, or for any Term of Years or greater Eſtate determinable upon one or more Life or Lives, and before any Execution ſhall be ſued out, or Action brought on any ſuch Judgment already entered, or on any Deed, Bond, Inſtrument, or other Aſſurance already executed for the Purpoſes aforeſaid, a like Memorial of the Deed, Bond, Inſtrument, or other Aſſurance, ſhall be inrolled in the High Court of Chancery; and in caſe the Party ſhall neglect to inrol the ſame, any ſuch Judgment, Execution, or Proceeding in the Action reſpectively, ſhall be null and void.

Before Judgment ſhall be entered of Record upon any Warrant of Attorney for recovering any Annuity already granted, and before Execution ſhall be ſued out, &c. on any Judgment already entered, &c. a Memorial ſhall be inrolled as aforeſaid.

All future Deeds for granting of Annuities ſhall contain the Conſideration, and the Names of the Parties, in Words at Length.

III. And be it further enacted by the Authority aforeſaid, That in every Deed, Inſtrument, or other Aſſurance, whereby any Annuity or Rent-charge ſhall, from and after the paſſing of this Act, be granted, or attempted to be granted, the Conſideration really and *bona fide* (which ſhall be in Money only), and alſo the Name or Names of the Perſon or Perſons by whom, and on whoſe Behalf, the ſaid Conſideration, or any Part thereof, ſhall be advanced, ſhall be fully and truly ſet forth and deſcribed in Words at Length; and in caſe the ſame ſhall not be fully and truly ſet forth and deſcribed, every ſuch Deed, Inſtrument, or other Aſſurance, ſhall be null and void to all Intents and Purpoſes.

If any Part of the Conſideration ſhall be

IV. And be it further enacted, That if any Part of the Conſideration ſhall be returned to the Perſon advancing the ſame; or, in caſe the Conſideration, or any Part of it, is paid in Notes, if any of the Notes,

Notes, with the Privity and Conſent of the Perſon advancing the ſame, ſhall not be paid when due, or ſhall be cancelled or deſtroyed without being firſt paid; or if the Conſideration, or any Part of it, is paid in Goods; or if any Part of the Conſideration is retained on Pretence of anſwering the future Payments of the Annuity, or any other Pretence; in all and every of the aforeſaid Caſes, it ſhall and may be lawful for the Perſon, by whom the Annuity or Rent-charge is made payable, to apply to the Court, in which any Action is brought for Payment of the Annuity on Judgment entered, by Motion, to ſtay Proceedings on the Judgment or Action; and if it ſhall appear to the Court that ſuch Practices as aforeſaid, or any of them, have been uſed, it ſhall and may be lawful for the Court to order the Deed, Bond, Inſtrument, or other Aſſurance, to be cancelled, and the Judgment, if any has been entered, to be vacated.

returned, or any Notes ſhall not be paid when due, &c.

the Court may order the Deed to be cancelled, &c.

V. And be it further enacted, That a particular Roll ſhall be provided and kept by the Clerks of the Inrollments in Chancery, or their Deputy, on which ſuch Memorials ſhall be entered, and that every ſuch Memorial ſhall be duly inrolled in order of Time, as the ſame ſhall be brought to the Office; and the ſaid Clerks of the Inrollments, or their Deputy, ſhall ſpecify upon the Roll the certain Day, Hour, and Time, on which ſuch Memorial is brought to the Office, and ſhall grant a Certificate of the Inrollment thereof when required; and that there ſhall be paid for the Inrollment of every ſuch Memorial the Sum of one Shilling, and no more, in caſe the ſame do not exceed two hundred Words; but if ſuch Memorial ſhall exceed two hundred Words, then after the Rate and Proportion of Sixpence for every one hundred Words, and the like Fees for every Certificate and Copy given; and the Fee of one Shilling for every Search in the Office, and no more.

Directions relating to the Inrolment of Memorials.

The Clerks Fees.

VI. And be it further enacted by the Authority aforeſaid, That all Contracts for the Purchaſe of any Annuity with any Perſon being under the Age of twenty-one Years, ſhall be and remain utterly void, any Attempt to confirm the ſame, after ſuch Perſon ſhall have attained the Age of twenty-one Years, notwithſtanding: And that if any Perſon ſhall, either in Perſon, by Letter, Agent, or otherwiſe howſoever, procure, engage, ſolicit, or aſk any Perſon, being under the Age of twenty-one Years, to grant or attempt to grant any Annuity or Rent-charge, or to execute any Bond, Deed, or other Inſtrument, for ſecuring the ſame; or ſhall advance or procure, or treat for any Money to be advanced to any Perſon under the Age of twenty-one Years, upon Conſideration of any Annuity or Rent-charge to be ſecured or granted by ſuch Infant, after he or ſhe ſhall have attained his or her Age of twenty-one Years; or ſhall induce, ſolicit, or procure any Infant, upon any Treaty or Tranſaction for Money advanced, or to be advanced, to make Oath, or to give his or her Word of Honour or ſolemn Promiſe, that he or ſhe will not plead Infancy, or make any other Defence againſt the Demand of any ſuch Annuity or Rent-charge, or the Repayment of the Money advanced to him or her when under Age; or that when he or ſhe comes of Age, he or ſhe will confirm or ratify, or in any way ſubſtantiate ſuch Annuity or Rent-charge; every ſuch Perſon ſhall be guilty of a Miſdemeanor, and being thereof lawfully convicted in any Court of Aſſize, Oyer and Terminer, or General Gaol Delivery, ſhall and may be puniſhed for the ſaid Offence by Fine, Impriſonment, or other Corporal Puniſhment, as the Court ſhall think fit to award.

All Contracts for the Purchaſe of Annuities with any Perſon under 21 Years of Age, to be void.

Any Perſon who ſhall procure or ſolicit any Minor to grant an Annuity, &c.

ſhall be puniſhed by Fine or Impriſonment, &c.

VII. And be it enacted by the Authority aforeſaid, That all and every Solicitors and Solicitor, Scriveners and Scrivener, Brokers and Broker, and other Perſons or Perſon, who, from and after the paſſing of this Act, ſhall aſk, demand, accept, or receive, directly or indirectly, any Sum or Sums of Money, or any other Kind of Gratuity or Reward, for the ſoliciting or procuring the Loan, and for the Brokerage of any Money that ſhall be actually and *bona fide* advanced and paid as and for the Price or Conſideration of any ſuch Annuity or Rent-charge, over and above the Sum of ten Shillings for every one hundred Pounds ſo actually and *bona fide* advanced and paid, ſhall be deemed and adjudged guilty of a Miſdemeanor; and being lawfully convicted of ſuch Offence in any Court of Aſſize, Oyer and Terminer, or General Gaol Delivery, ſhall and may, for every ſuch Offence, be puniſhed by Fine and Impriſonment, or one of them, at the Diſcretion of the Court; and that the Perſon or Perſons who ſhall have paid or given any Sum or Sums of Money, Gratuity or Reward, ſhall be deemed a competent Witneſs or Witneſſes to prove the ſame.

Solicitors, Scriveners, &c. who ſhall take more than 10 s. per 100 l. for procuring Money for Annuities,

ſhall be puniſhed by Fine and Impriſonment, &c.

VIII. And be it further enacted, That nothing in this Act contained ſhall extend to any Annuity or Rent-charge given by Will or by Marriage Settlement, or for the Advancement of a Child; nor to any Annuity or Rent-charge ſecured upon Lands of equal or greater annual Value, whereof the Grantor was ſeized in Fee-ſimple or in Fee-tail in Poſſeſſion at the Time of the Grant, or ſecured by the actual Tranſfer of Stock in any of the Public Funds, the Dividends whereof are of equal or greater annual Value than the ſaid Annuity; nor to any voluntary Annuity granted without regard to pecuniary Conſideration; nor to any Annuity or Rent-charge granted by any Body Corporate, or under any Authority or Truſt created by Act of Parliament; nor to any Annuity where the Sum to be paid does not exceed ten Pounds annually, unleſs there be more than one ſuch laſt-mentioned Annuity from the ſame Grantor or Grantors, to or in Truſt for the ſame Perſon or Perſons.

Certain Caſes to which this Act ſhall not extend.

## CAP. XXVII.

### An Act for allowing a Drawback of the Duties of Cuſtoms on the Exportation of Tea to *Ireland*.

Preamble.

Act 12 Geo. III. recited.

'WHEREAS the Drawback allowed by an Act of Parliament, made in the twelfth Year of the 'Reign of his preſent Majeſty (intituled, *An Act for granting a Drawback of Part of the Cuſtoms 'upon the Exportation of Tea to* Ireland, *and the* Britiſh *Dominions in* America; *for altering the Drawback 'upon Foreign Sugars exported from* Great Britain *to* Ireland; *for continuing the Bounty on the Exportation of 'Britiſh-made Cordage; for allowing the Importation of Rice from the* Britiſh *Plantations into the Ports of 'Briſtol,* Liverpoole, Lancaſter, *and* Whitehaven, *for immediate Exportation to Foreign Parts; and to im-*

'power

'*power the Chief Magiſtrate of any Corporation to adminiſter the Oath, and grant the Certificate required by Law, upon the Removal of certain Goods to* London, *which have been ſent into the Country for Sale*); upon the Importation of Tea into *Ireland* from this Kingdom, will ceaſe on the fifth Day of *July*, one thouſand ſeven hundred and ſeventy-ſeven: And whereas it may tend to promote and encourage the Importation of Tea into *Ireland* from this Kingdom, if the Whole of the Duties of Cuſtoms, payable upon the Importation of Teas, were to be allowed to be drawn back upon all Teas ſold at the Public Sales of the United Company of Merchants of *England* trading to the *Eaſt Indies*, which ſhall be exported to *Ireland* after the ſaid fifth Day of *July*, one thouſand ſeven hundred and ſeventy-ſeven;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That there ſhall be drawn back and allowed for all Teas ſold at the Public Sales of the United Company of Merchants of *England* trading to the *Eaſt Indies*, or which ſhall be imported, by Licence, in purſuance of an Act, made in the eighteenth Year of the Reign of his late Majeſty King *George* the Second (intituled, *An Act for repealing the preſent Inland Duty of four Shillings* per *Pound Weight upon all Tea ſold in* Great Britain; *and for granting to his Majeſty certain other Inland Duties in lieu thereof; and for better ſecuring the Duty upon Tea, and other Duties of Exciſe; and for purſuing Offenders out of one County into another*), which ſhall at any Time, from and after the fifth Day of *July*, one thouſand ſeven hundred and ſeventy-ſeven, be exported from this Kingdom as Merchandiſe to *Ireland*, the Whole of the Duties of Cuſtoms payable upon the Importation of ſuch Teas; which Drawback or Allowance ſhall be made to the Exporter, in ſuch Manner, and under ſuch Rules, Regulations, and Securities, and ſubject to the like Penalties and Forfeitures, as are mentioned in and by the ſaid recited Act of the twelfth Year of the Reign of his preſent Majeſty; and in and by an Act, made in the fourteenth Year of the Reign of his preſent Majeſty (intituled, *An Act for granting further Time to the United Company of Merchants of* England *trading to the* Eaſt Indies, *to expoſe to Sale the Singlo and Bohea Teas remaining in their Wareboufes unſold, on the fifth Day of* April, *one thouſand ſeven hundred and ſeventy-four; and for allowing the Drawbacks on the Exportation of ſuch Teas*); and in and by an Act, made in the ſixteenth Year of the Reign of his preſent Majeſty (intituled, *An Act for granting further Time for allowing the Drawback upon the Exportation of Muſlins and Callicoes, imported by the* Eaſt India *Company in the Years one thouſand ſeven hundred and ſeventy-three, and one thouſand ſeven hundred and ſeventy-four; for allowing further Time to the ſaid Company to expoſe to Sale ſuch Bohea and Singlo Teas and Coffee as remain unſold on the fifth Day of* April, *one thouſand ſeven hundred and ſeventy-ſix; and alſo ſuch Bohea Teas as ſhall be imported on or before a certain Time; and for allowing the Drawbacks on the Exportation of ſuch Teas and Coffee; and for granting further Time for allowing the Drawback on the Exportation of Coffee imported in the Ship* Shrewſbury, *in the Year one thouſand ſeven hundred and ſeventy-three)*; or by any other Act of Parliament now in Force, ſo far as the ſame reſpectively concern the Exportation of Tea to *Ireland*, in as full and ample Manner, to all Intents and Purpoſes, as if the ſeveral Clauſes relating thereto were again repeated and re-enacted in this preſent Act.

A Drawback to be allowed of the whole Duties of Cuſtoms on Tea, on the Exportation thereof to Ireland.

## CAP. XXVIII.

An Act to revive and continue ſuch Part of an Act, made in the laſt Seſſion of Parliament, intituled, *An Act for allowing the Exportation of certain Quantities of Wheat, and other Articles, to his Majeſty's Sugar Colonies in* America, *and to the Iſland of* Saint Helena, *and to the other Settlements belonging to the United Company of Merchants of* England *trading to the* Eaſt Indies, *and of Biſcuit and Peaſe to* Newfoundland, Nova Scotia, Bay Chaleur, *and* Labrador; *and for indemnifying all Perſons with reſpect to adviſing or carrying into Execution his Majeſty's Orders of Council already made for allowing the Exportation of Wheat, and other Articles*; as expired on the firſt Day of *January*, one thouſand ſeven hundred and ſeventy-ſeven.

Preamble; reciting an Act of the laſt Seſſion of Parliament.

'WHEREAS by an Act, made in the laſt Seſſion of Parliament, intituled, *An Act for allowing the Exportation of certain Quantities of Wheat, and other Articles, to his Majeſty's Sugar Colonies in* America, *and to the Iſland of* Saint Helena, *and to the other Settlements belonging to the United Company of Merchants of* England *trading to the* Eaſt Indies, *and of Biſcuit and Peaſe to* Newfoundland, Nova Scotia, Bay Chaleur, *and* Labrador; *and for indemnifying all Perſons with reſpect to adviſing or carrying into Execution his Majeſty's Orders of Council already made for allowing the Exportation of Wheat, and other Articles*; Liberty was given to export, at any Time or Times before the firſt Day of *January*, one thouſand ſeven hundred and ſeventy-ſeven, certain Quantities of Wheat, and other Articles, from certain Ports in this Kingdom, to his Majeſty's Sugar Colonies in *America*, for the Suſtenance and Uſe of the Inhabitants of the ſaid Colonies; and alſo to export, from certain Ports in this Kingdom, certain Quantities of Biſcuit and Peaſe to the Iſland of *Newfoundland*, *Nova Scotia*, *Bay Chaleur*, and *Labrador*, for the Benefit of the *Britiſh* Fiſhery carried on in thoſe Parts: And whereas it is expedient that the like Liberty ſhould be granted and continued for a further Time;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted, by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That ſuch Part of the ſaid recited Act as expired on the ſaid firſt Day of *January*, one thouſand ſeven hundred and ſeventy-ſeven, ſhall, from and after the paſſing of this Act, be revived, and the ſame is hereby revived, and ſhall continue in full Force and Virtue until the twenty-fifth Day of *March*, one thouſand ſeven hundred and ſeventy-eight.

Such Part of the above-recited Act as is expired, is hereby revived, and continued until March 25, 1778.

CAP.

## CAP. XXIX.

An Act for the more effectual Prevention of the manufacturing of Aſh, Elder, Sloe, and other Leaves, in Imitation of Tea, and to prevent Frauds in the Revenue of Exciſe in reſpect to Tea.

Preamble. Act 4 Geo. II. recited.

'WHEREAS by an Act of Parliament, made in the fourth Year of the Reign of his late Majeſty King *George* the Second (intituled, *An Act to prevent Frauds in the Revenue of Exciſe with reſpect to Starch, Coffee, Tea, and Chocolate*), it is enacted, That, from and after the twenty-ninth Day of *September*, one thouſand ſeven hundred and thirty-one, if any Perſon or Perſons who ſhould be a Dealer in or Seller of Tea, ſhould dye, fabricate, or manufacture any Sloe Leaves, Liquoriſh Leaves, or the Leaves of Tea that had been uſed, or the Leaves of any other Tree, Shrub, or Plant, in Imitation of Tea, or ſhould mix, colour, ſtain, or dye, ſuch Leaves or Tea, with Terra Japonica, Sugar, Molaſſes, Clay, Logwood, or with any other Ingredients or Materials whatſoever; or ſhould ſell and vend, utter, or offer or expoſe to Sale, or ſhould have in his, her, or their Cuſtody, any ſuch dyed, fabricated, or manufactured Leaves, in Imitation of Tea, or any ſuch coloured, ſtained, or dyed Leaves, or Tea mixed with any of the Materials before mentioned, or with any other Ingredients whatſoever, ſuch Perſon or Perſons ſhould reſpectively, for every Pound of ſuch Leaves ſo dyed, fabricated, or manufactured in Imitation of Tea, and for every Pound of ſuch mixed, coloured, ſtained, or dyed Leaves or Tea, forfeit and pay the Sum of ten Pounds: And whereas great Quantities of Sloe Leaves, and Leaves of Aſh, Elder, and other Trees, Shrubs, and Plants, are dyed, fabricated, and manufactured in Imitation of Tea, by divers Perſons who ſell the ſame ſo dyed, fabricated, and manufactured, to other Perſons being Dealers in Tea, Smugglers, and others, by whom the ſaid manufactured Leaves are mixed with Tea, and ſold and vended as true and real Tea; but, by reaſon that the Perſons ſo dying, fabricating, and manufacturing the ſaid Leaves, are not Dealers in, or Sellers of Tea, they are not puniſhable for the ſaid Offences by the Laws now in being, whereby ſuch evil Practices are increaſed to a very great Degree, to the Injury and Deſtruction of great Quantities of Timber, Woods, and Underwoods, the Prejudice of the Health of his Majeſty's Subjects, the Diminution of the Revenue, the Ruin of the fair Trader, and to the Encouragement of Idleneſs; for Remedy whereof, and for the more effectual Prevention of ſuch Frauds and Abuſes for the future,' be it enacted; and it is hereby enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That, from and after the firſt Day of *June*, one thouſand ſeven hundred and ſeventy-ſeven, if any Perſon or Perſons whatſoever, whether he, ſhe, or they, be a Dealer or Dealers in, or a Seller or Sellers of Tea, or not, ſhall dye, fabricate, or manufacture, any Sloe Leaves, Liquoriſh Leaves, or the Leaves of Tea that have been uſed, or the Leaves of any Aſh, Elder, or other Tree, Shrub, or Plant, in Imitation of Tea, or ſhall mix, colour, ſtain, or dye, any ſuch Leaves with Terra Japonica, Copperas, Sugar, Molaſſes, Clay, Logwood, or with any other Ingredients or Materials whatſoever, or ſhall ſell or vend, utter, or offer or expoſe to Sale, or ſhall have in his, her, or their Cuſtody or Poſſeſſion, any ſuch dyed, fabricated, or manufactured Leaves in Imitation of Tea, or any ſuch coloured, ſtained, or dyed Leaves, or any Leaves that ſhould be dying, fabricating, or manufacturing in Imitation of Tea, and ſhall be thereof convicted upon the Oath of one or more credible Witneſs or Witneſſes, before any one or more of his Majeſty's Juſtices of the Peace for the County, City, Riding, Diviſion, Diſtrict, or Place, wherein ſuch Offence ſhall have been committed; ſuch Perſon or Perſons ſhall reſpectively, for every Pound of ſuch Leaves ſo dyed, fabricated, or manufactured in Imitation of Tea, or dying, fabricating, or manufacturing in Imitation of Tea, and for every Pound of ſuch mixed, ſtained, or dyed Leaves of Tea, forfeit and pay the Sum of five Pounds; and upon Nonpayment thereof, ſuch Juſtice or Juſtices ſhall commit the Offender or Offenders to the Common Gaol of the County or Place where the Offence ſhall be committed, there to remain without Bail or Mainprize for any Time not exceeding twelve Months, nor leſs than ſix Months, or until the Penalty and Charges ſhall be paid.

Any Perſon who, after June 1, 1777, ſhall dye or manufacture, in Imitation of Tea, any Leaves of Tea that have been uſed, or any Sloe, Liquoriſh, or Elder Leaves, &c. or ſhall ſell, or offer to ſell the ſame, &c. ſhall, on Conviction, forfeit £1. for every Pound of ſuch Leaves ſo dyed, &c.

II. And it is further enacted by the Authority aforeſaid, That, from and after the ſaid firſt Day of *June*, one thouſand ſeven hundred and ſeventy-ſeven, if any Perſon or Perſons ſhall have in his, her, or their Cuſtody or Poſſeſſion, any Quantity (exceeding ſix Pounds Weight) of Sloe Leaves, or the Leaves of Aſh, Elder, or any other Tree, Shrub, or Plant, green or manufactured, and ſhall not prove, to the Satisfaction of the Juſtice or Juſtices before whom the Matter ſhall be heard, that ſuch Leaves were gathered with the Conſent of the Owners of the Trees, Shrubs, or Plants, from which the ſaid Leaves were taken, and that ſuch Leaves were gathered for ſome other Uſe or Uſes, and not for the Purpoſe of fabricating and manufacturing the ſame in Imitation of Tea, and ſhall be thereof convicted, by the Oath of one or more credible Witneſs or Witneſſes, before any one or more Juſtice or Juſtices of the Peace for the County, City, Riding, Diviſion, Diſtrict, or Place, where ſuch Leaves ſhall be ſo found, ſuch Perſon or Perſons ſhall reſpectively, for every Pound of ſuch green or manufactured Leaves ſo found in his, her, or their Cuſtody or Poſſeſſion, as aforeſaid, forfeit and pay the Sum of five Pounds; and upon Nonpayment thereof, ſuch Juſtice or Juſtices ſhall commit the Offender to the Common Gaol of the County or Place where the Offence ſhall be committed, there to remain without Bail or Mainprize for any Time not exceeding twelve Months, nor leſs than ſix Months, or until the Penalty and Charges ſhall be paid.

Penalty on Perſons having more than ſix Pounds of any ſuch Leaves in their Poſſeſſion; Except, &c.

III. And be it further enacted by the Authority aforeſaid, That if any Officer or Officers of his Majeſty's Revenue of Exciſe, or other Perſon or Perſons, ſhall have Cauſe to ſuſpect that any ſuch Leaves dyed, fabricated, or manufactured, or Leaves dying, fabricating, or manufacturing, in Imitation of Tea, or Leaves intended ſo to be dyed, fabricated, or manufactured, ſhall be hid, concealed, or lodged, in any Place

If any Officer of Exciſe, &c. ſhall make Oath before a Juſtice that he ſuſpects

any ſuch Leaves as aforeſaid are concealed, ſuch Juſtice may grant a ſpecial Warrant for entering any Place in Search of the ſame.

Place whatſoever; then, and in ſuch Caſe, upon Oath made by ſuch Officer or Officers, or other Perſon or Perſons, before any one or more Juſtice or Juſtices of the Peace for the County, City, Riding, Diviſion, Diſtrict, or Place, where the ſame ſhall be ſo ſuſpected to be hid, concealed, or lodged, ſetting forth the Ground of ſuch his, her, or their Suſpicion, it ſhall and may be lawful to and for the ſaid Juſtice or Juſtices of the Peace reſpectively, before whom ſuch Affidavit or Affidavits ſhall be made, if he or they ſhall judge it reaſonable, by ſpecial Warrant or Warrants under his or their reſpective Hand and Seal or Hands and Seals, to authoriſe and impower ſuch Officer or Officers, or other Perſon or Perſons, by Day or by Night, but if in the Night-time, then in the Preſence of a Conſtable, or other lawful Officer of the Peace, to enter into all and every ſuch Place or Places where he or they ſhall ſo ſuſpect the ſaid dyed, fabricated, or manufactured, or other the ſaid Leaves, ſhall be ſo hid, concealed, or lodged, and to ſeize and carry away as forfeited all ſuch Leaves ſo dyed, fabricated, or manufactured, or dying, fabricating, or manufacturing, or intended to be ſo dyed, fabricated, or manufactured, which he or they ſhall ſo find hid, concealed, or lodged, together with all and ſingular the Waggons, Carts, Boxes, Bags, Tubs, or other Veſſels, or Package, containing the ſame: And it ſhall and may be lawful to and for the ſaid Juſtice or Juſtices ſo granting the ſaid Warrant, or any other Juſtice or Juſtices of the Peace for the County, City, Riding, Diviſion, Diſtrict, or Place, wherein ſuch Seizure ſhall be made, on Proof of the Premiſes, by Oath of one or more credible Witneſs or Witneſſes, by Warrant or Warrants under his or their Hand or Seal, Hands or Seals reſpectively, to order the ſaid dyed, fabricated, or other Leaves, ſo ſeized as aforeſaid, to be conveyed to ſome convenient Place, and there to be burnt or otherwiſe deſtroyed, and to order the ſaid Waggons, Carts, Boxes, Bags, Tubs, or other Veſſels or Package, containing the ſame as aforeſaid, to be forthwith ſold, and the Money ariſing by ſuch Sale, after deducting the Charges of ſuch Seizure and Sale, and of the burning or otherwiſe deſtroying of the ſaid Leaves, to go and be paid, one Half to the Informer, and the other Half to the Poor of the Pariſh where the Offence ſhall be committed: And if any Perſon or Perſons whatſoever ſhall let, obſtruct, or hinder ſuch Officer or Officers, or other Perſon or Perſons having ſuch Authority as aforeſaid, from entering ſuch Places where he or they ſhall ſuſpect ſuch Leaves to be ſo hid, concealed, or lodged, or in ſeizing, carrying away, burning, or otherwiſe deſtroying the ſame, or in ſeizing, carrying away, or ſelling the ſaid Carts, Waggons, Boxes, Bags, Tubs, or other Veſſels or Package, containing the ſame as aforeſaid, the Perſon or Perſons offending therein ſhall, for every ſuch Offence, forfeit and loſe the Sum of fifty Pounds each, on Conviction thereof, by the Oath of one or more credible Witneſs or Witneſſes, before one or more Juſtice or Juſtices of the Peace for the County, City, Riding, Diviſion, Diſtrict, or Place, where ſuch Offence ſhall be committed; and upon Nonpayment of the ſaid Forfeiture, ſuch Juſtice or Juſtices ſhall commit the Offender or Offenders to the common Gaol of the County or Place where the Offence ſhall be committed, there to remain without Bail or Mainprize for any Time not exceeding twelve Months, nor leſs than ſix Months, or until the Penalty and Charges ſhall be paid.

All ſuch Leaves ſo found, to be deſtroyed, &c.

Penalty on Perſons obſtructing Officers in Search of ſuch Leaves, &c.

Certain Caſes in which Leaves found concealed ſhall not be deſtroyed, &c.

IV. Provided always, and it is hereby enacted by the Authority aforeſaid, That no ſuch green and unmanufactured Leaves, ſo found hid, concealed, or lodged, as aforeſaid, ſhall be burnt or otherwiſe deſtroyed, if the Owner or Owners thereof ſhall, within twenty-four Hours after ſuch Seizure, prove, to the Satisfaction of the Juſtice or Juſtices granting the ſaid Warrant for ſeizing ſuch Leaves, or any other Juſtice or Juſtices of the Peace for the County, City, Riding, Diviſion, Diſtrict, or Place, where the ſame ſhall be ſo ſeized, that the ſaid green or unmanufactured Leaves were gathered with the Conſent of the Owner or Owners of the Trees, Shrubs, or Plants, from which the ſaid Leaves were taken, and that the ſame were ſo gathered for ſome other Uſe or Uſes, and not for the Purpoſe of dying, fabricating, or manufacturing, in Imitation of Tea, as aforeſaid; and if ſuch Proof ſhall, within the Time aforeſaid, be made to the Satisfaction of the ſaid Juſtice or Juſtices, then the ſaid green or unmanufactured Leaves, together with the Carriages, Veſſels, and Package, in which the ſame ſhall have been ſo ſeized, ſhall be forthwith reſtored to the Owner or Owners thereof, by Order of ſuch Juſtice or Juſtices.

Occupiers of Houſes, &c. wherein any ſuch Leaves ſhall be found, if lodged there with their Conſent, ſhall be liable to the Penalties of this Act.

V. And be it further enacted by the Authority aforeſaid, That all ſuch dyed, coloured, ſtained, fabricated, and manufactured, and other Leaves aforeſaid, ſhall be deemed and adjudged to be in the Cuſtody and Poſſeſſion of the Occupier or Occupiers of the Dwelling-houſes, Out-houſes, Gardens, and Lands, wherein or whereon the ſame ſhall be ſo found hid, concealed, or lodged, as aforeſaid; and ſuch Occupier or Occupiers of the ſaid Dwelling-houſes, Out-houſes, Gardens, and Lands, ſhall be liable to all the Pains and Penalties by this Act inflicted on the Perſon or Perſons having ſuch dyed, coloured, ſtained, fabricated, or manufactured, and other Leaves, in his, her, or their Cuſtody or Poſſeſſion, if it ſhall be proved, to the Satisfaction of the Juſtice or Juſtices before whom the Matter ſhall be heard, that ſuch Leaves were lodged in ſuch Dwelling-houſes, Out-houſes, Gardens, or Lands, with the Privity or Conſent of the ſaid Occupier or Occupiers thereof.

Application of the Forfeitures.

VI. And be it further enacted by the Authority aforeſaid, That one Moiety of all and every the Forfeitures herein-before directed to be paid in purſuance of this Act, ſhall go to the Informer, and the other Moiety to the Poor of the Pariſh where ſuch Offence ſhall be committed.

Inhabitants of the Pariſh to be admitted as Evidence.

'VII. And, for the more eaſy Conviction of Perſons offending againſt this Act,' be it enacted by the Authority aforeſaid, That in all Informations and other Proceedings for any of the Offences aforeſaid, the Evidence of the Inhabitants of the Pariſh or Place where the Offence ſhall be committed ſhall be taken and allowed, any Law, Cuſtom, Rule, Order, or Uſage, to the contrary notwithſtanding.

Juſtices to put this Act in Execution.

VIII. And be it enacted by the Authority aforeſaid, That his Majeſty's Juſtices of the Peace for the reſpective Counties, Cities, Ridings, Diviſions, Diſtricts, or Places, wherein any of the Offences committed againſt this Act ſhall be done, are hereby authoriſed to put this Act in Execution, and to adminiſter an Oath to any ſuch credible Witneſs or Witneſſes.

Convictions of Offenders to be certified to the

IX. And be it further enacted by the Authority aforeſaid, That the Conviction or Convictions of all and every Offender and Offenders againſt this Act, ſhall be certified, by the Juſtice or Juſtices of the Peace before

before whom the ſame ſhall be made, to the next General Quarter Seſſions of the Peace, to be filed amongſt the Records of the ſaid Seſſions; and that ſuch Conviction ſhall be fairly written on Parchment or Paper, in the following Form of Words (as the Caſe ſhall happen), or in any other Form of Words to the like Effect; that is to ſay: next Quarter Seſſions.

To wit. ‘BE it remembered, That on the Day of in the Year A. B. was, upon the Complaint of C. D. convicted before of the Juſtices of the Peace for in purſuance of an Act paſſed in the ſeventeenth Year of the Reign of his Majeſty King *George* the Third, for *(as the Caſe ſhall be)*. Given under Hand and Seal, the Day and Year above written.’ Form of Conviction.

Which ſaid Conviction ſhall be good and effectual in Law, to all Intents and Purpoſes, and ſhall not be quaſhed, ſet aſide, or adjudged void or inſufficient, for want of any Form or Words whatſoever; nor ſhall the ſame be liable to be removed by *Certiorari* into his Majeſty's Court of *King's Bench*, but ſhall be deemed and taken to be final, to all Intents and Purpoſes whatſoever. Conviction not to be quaſhed for want of Form, &c.

## CAP. XXX.

### An Act for further reſtraining the Negotiation of Promiſſory Notes, and Inland Bills of Exchange, under a limited Sum, within that Part of *Great Britain* called *England*.

Preamble. Act 15 Geo. III. recited.

‘WHEREAS by a certain Act of Parliament, paſſed in the fifteenth Year of the Reign of his preſent Majeſty (intituled, *An Act to reſtrain the Negotiation of Promiſſory Notes and Inland Bills of Exchange, under a limited Sum, within that Part of* Great Britain *called* England), all negotiable Promiſſory or other Notes, Bills of Exchange, or Draughts, or Undertakings in Writing, for any Sum of Money leſs than the Sum of twenty Shillings in the Whole, and iſſued after the twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-five, were made void, and the publiſhing or uttering and negotiating of any ſuch Notes, Bills, Draughts, or Undertakings, for a leſs Sum than twenty Shillings, or on which leſs than that Sum ſhould be due, was, by the ſaid Act, reſtrained under certain Penalties or Forfeitures therein mentioned; and all ſuch Notes, Bills of Exchange, Draughts, or Undertakings in Writing, as had iſſued before the ſaid twenty-fourth Day of *June*, were made payable upon Demand, and were directed to be recovered in ſuch Manner as is therein alſo mentioned: And whereas the ſaid Act hath been attended with very ſalutary Effects, and in caſe the Proviſions therein contained were extended to a further Sum (but yet without Prejudice to the Convenience ariſing to the Public from the Negotiation of Promiſſory Notes and Inland Bills of Exchange for the Remittance of Money in Diſcharge of any Balance of Account or other Debt), the good Purpoſes of the ſaid Act would be further advanced;’ be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That all Promiſſory or other Notes, Bills of Exchange, or Draughts, or Undertakings in Writing, being negotiable or transferrable, for the Payment of twenty Shillings, or any Sum of Money above that Sum and leſs than five Pounds; or on which twenty Shillings, or above that Sum and leſs than five Pounds, ſhall remain undiſcharged, and which ſhall be iſſued, within that Part of *Great Britain* called *England*, at any Time after the firſt Day of *January*, one thouſand ſeven hundred and ſeventy-eight, ſhall ſpecify the Names and Places of Abode of the Perſons reſpectively to whom, or to whoſe Order, the ſame ſhall be made payable; and ſhall bear Date before or at the Time of drawing or iſſuing thereof, and not on any Day ſubſequent thereto; and ſhall be made payable within the Space of twenty-one Days next after the Day of the Date thereof; and ſhall not be transferrable or negotiable after the Time thereby limited for Payment thereof; and that every Indorſement to be made thereon ſhall be made before the Expiration of that Time, and to bear Date at or not before the Time of making thereof; and ſhall ſpecify the Name and Place of Abode of the Perſon or Perſons to whom, or to whoſe Order, the Money contained in every ſuch Note, Bill, Draught, or Undertaking, is to be paid; and that the ſigning of every ſuch Note, Bill, Draught, or Undertaking, and alſo of every ſuch Indorſement, ſhall be atteſted by one ſubſcribing Witneſs at the leaſt; and which ſaid Notes, Bills of Exchange, or Draughts, or Undertakings in Writing, may be made or drawn in Words to the Purport or Effect as ſet out in the Schedule hereunto annexed, No. I. and II.: And that all Promiſſory or other Notes, Bills of Exchange, or Draughts, or Undertakings in Writing, being negotiable or transferrable, for the Payment of twenty Shillings, or any Sum of Money above that Sum and leſs than five Pounds; or in which twenty Shillings, or above that Sum and leſs than five Pounds, ſhall remain undiſcharged, and which ſhall be iſſued, within that Part of *Great Britain* called *England*, at any Time after the ſaid firſt Day of *January*, one thouſand ſeven hundred and ſeventy-eight, in any other Manner than as aforeſaid; and alſo every Indorſement on any ſuch Note, Bill, Draught, or Undertaking, to be negotiated under this Act other than as aforeſaid, ſhall, and the ſame are hereby declared to be, abſolutely void; any Law, Statute, Uſage, or Cuſtom to the contrary thereof in any-wiſe notwithſtanding.

All negotiable Promiſſory Notes, &c. for 20 s. and leſs than 5 l. which ſhall be iſſued in England after Jan. 1, 1778, ſhall ſpecify the Names, &c. of the Perſons to whom payable.

The ſigning of every ſuch Note, and Indorſement, to be atteſted by one Witneſs.

II. And be it further enacted by the Authority aforeſaid, That the publiſhing, uttering, or negotiating, within that Part of *Great Britain* called *England*, of any Promiſſory or other Note, Bill of Exchange, Draught, or Undertaking in Writing, being negotiable or transferrable, for twenty Shillings, or above that Sum and leſs than five Pounds, or on which twenty Shillings, or above that Sum and leſs than five Pounds, ſhall remain undiſcharged, and iſſued or made in any other Manner than Notes, Bills, Draughts, or Undertakings, hereby permitted to be publiſhed or negotiated as aforeſaid; and alſo the negotiating of

Penalty on publiſhing or negotiating any ſuch Notes, &c. contrary to the Method preſcribed by this Act.

any of ſuch laſt-mentioned Notes, Bills, Draughts, or Undertakings, after the Time appointed for Payment thereof, or before that Time in any other Manner than as aforeſaid, by any Act, Contrivance, or Means whatſoever, from and after the ſaid firſt Day of *January*, one thouſand ſeven hundred and ſeventy-eight, ſhall be, and the ſame is hereby declared to be, prohibited or reſtrained, under the like Penalties or Forfeitures, and to be recovered and applied in like Manner as by the ſaid Act is directed, with reſpect to the uttering or publiſhing or negotiating of Notes, Bills of Exchange, Draughts, or Undertakings in Writing, for any Sum of Money not leſs than the Sum of twenty Shillings, or on which leſs than that Sum ſhould be due.

All negotiable Promiſſory Notes, &c. between 20 s. and 5 l. which ſhall be iſſued before Jan. 1, 1778, ſhall be payable on Demand.

III. And be it further enacted by the Authority aforeſaid, That, from and immediately after the paſſing of this Act, all Promiſſory or other Notes, Bills of Exchange, Draughts, or Undertakings in Writing, for the Payment of any greater Sum of Money than twenty Shillings, and leſs than the Sum of five Pounds, or on which twenty Shillings, and leſs than the Sum of five Pounds, ſhall remain undiſcharged, and being negotiable or transferrable, as ſhall be iſſued before the ſaid firſt Day of *January*, one thouſand ſeven hundred and ſeventy-eight, ſhall be, and the ſame are hereby declared and adjudged payable, within that Part of *Great Britain* called *England*, on Demand, any Terms, Reſtrictions, or Conditions therein contained to the contrary thereof notwithſtanding; and ſhall be recoverable in ſuch Manner, or by the like Means, as is or are directed in or by the ſaid Act with reſpect to Notes, Bills of Exchange, or Draughts, or Undertakings in Writing therein mentioned to have iſſued previous to the ſaid twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-five; and that all and every other the Powers, Proviſoes, Limitations, Reſtrictions, Penalties, Clauſes, Matters and Things whatſoever in the ſaid former Act contained with reſpect thereto, and alſo with reſpect to all ſuch Notes, Bills of Exchange, Draughts, or Undertakings in Writing, iſſued after the ſaid twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-five, ſhall be, and the ſame are hereby declared to be in Force, within that Part of *Great Britain* called *England*, as to all Notes, Bills of Exchange, or Draughts, or Undertakings in Writing, for twenty Shillings, or any greater Sum and leſs than the Sum of five Pounds, or on which twenty Shillings, or above that Sum and leſs than five Pounds, ſhall remain undiſcharged, iſſued after the ſaid firſt Day of *January*, one thouſand ſeven hundred and ſeventy-eight, and previous thereto reſpectively, and in like Manner as if the ſame reſpectively had been the Object of the ſaid Act at the Time of making thereof, ſave ſo far as the ſame or any of them are altered or varied by this preſent Act.

Continuance of this Act, and the former Act.

IV. And be it further enacted by the Authority aforeſaid, That the ſaid former, and alſo this preſent Act, ſhall continue in Force, not only for the Reſidue of the Term of five Years in the ſaid former Act mentioned, and from thence to the End of the then next Seſſion of Parliament, but alſo for the further Term of five Years, and from thence to the End of the then next Seſſion of Parliament.

## SCHEDULE.

### No. I.

'TWenty-one Days after Date, I promiſe to pay to *A. B.* of [*Place*] for Value received by [*Day*] [*Month*] [*Year*] [*Place*] or his Order, the Sum of
'Witneſs, *E. F.*
*C. D.*'

*And the Indorſement*, toties quoties.

'Pay the Contents to *G. H.* of [*Place*] or his Order. [*Day*] [*Month*] [*Year*]
'Witneſs, *J. K.*
*A. B.*'

### No. II.

'TWenty-one Days after Date, pay to *A. B.* of [*Place*] or his Order, the Sum of [*Place*] [*Day*] [*Month*] [*Year*]
Value received, as adviſed by
'To *E. F.* of [*Place*]
'Witneſs, *G. H.*'
*C. D.*

*And the Indorſement*, toties quoties.

'Pay the Contents to *J. K.* of [*Place*] or his Order. [*Day*] [*Month*] [*Year*]
'Witneſs, *L. M.*
*A. B.*'

## CAP. XXXI.

An Act to enable the Commiſſioners for executing the Office of Treaſurer of his Majeſty's Exchequer, or the Lord High Treaſurer for the Time being, to make an Agreement or Compoſition with the ſeveral Sureties of *William Brown*, and the Repreſentatives of ſuch of the ſaid Sureties as are dead, for a Debt remaining due from them to the Crown, on ſeveral Tobacco Bonds, entered into and executed by ſuch Sureties reſpectively; and that they and their Eſtates and Effects may be acquitted and diſcharged therefrom.

" Preamble, reciting ſeveral Bonds entered into by *William Brown*, &c. payable to his Majeſty. Com-
" miſſioners of the Treaſury impowered to compound with *William Francis*, *John Wigginton*, *John Yer-*
" *bury*,

"bury, *Ann Jones*, *John Hardy*, *William Stonehewer*, *Phœbe Savidge* and *Ann Savidge*, *William Richard-*
"*son*, *Henry Holland*, *Robert Porteus*, *William Powell*, *John Perkins*, and *Peter Grant* (Sureties for *Wil-*
"*liam Brown*), in respect of the aforesaid Bonds. After such Composition, &c. shall be made by the
"Commissioners of the Treasury, the said Sureties and their Estates shall be freed from all future Claims
"relating to the said Bonds. This Act not to discharge *William Brown*, his Heirs, &c."

## CAP. XXXII.

An Act for building a new Church within the Town and Parish of *Buckingham*.

## CAP. XXXIII.

An Act to allow the Master Dyers, within the Counties of *Middlesex*, *Essex*, *Surrey*, and *Kent*, to employ Journeymen in their Trade who have not served Apprenticeships thereto.

Preamble. Act 5 Eliz. recited.

'WHEREAS by an Act of Parliament, made in the fifth Year of the Reign of Queen *Elizabeth*, intituled, *An Act containing divers Orders for Artificers, Labourers, Servants of Husbandry, and Apprentices*, it is amongst other Things enacted, That it shall not be lawful to any Person or Persons (other than such as then did lawfully use or exercise any Art, Mystery, or Manual Occupation) to set up, occupy, use, or exercise, any Craft, Mystery, or Occupation, then used or occupied within the Realm of *England*, or *Wales*, except he shall have been brought up therein seven Years, at the least, as an Apprentice; nor to set any Person on Work in such Mystery, Art, or Occupation, being not then a Workman, except he shall have been Apprentice as aforesaid, upon Pain of every Person offending or doing the contrary to forfeit and lose, for every Default, forty Shillings for every Month; whereby the Trade of a Dyer is very much injured and obstructed, in regard there are not a sufficient Number of Persons who have served an Apprenticeship to be employed as Journeymen therein:' May it therefore please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, from the Day of passing of this Act, so much of the said Act, made in the fifth Year of the Reign of the said Queen *Elizabeth*, above recited, as relates to Journeymen or Servants being employed in the Trade or Occupation of a Dyer, shall be and the same is hereby repealed, with respect to the Counties of *Middlesex*, *Essex*, *Surrey*, and *Kent*; and that it shall and may be lawful to and for all and every Person and Persons whomsoever, who carry on or use the Trade of a Dyer within any of the said Counties of *Middlesex*, *Essex*, *Surrey*, or *Kent*, to employ so many, and such Number of Journeymen, Servants, and Labourers, as they shall respectively have Occasion for, without incurring any Penalty under the said Act; any Thing therein contained, or any other Law, Usage, or Custom to the contrary notwithstanding.

So much of the said Act as relates to Journeymen Dyers, repealed.

## CAP. XXXIV.

An Act for the better Supply of Mariners and Seamen to serve in his Majesty's Ships of War, and on Board Merchant Ships and other Trading Ships and Vessels.

Preamble.

'FOR the better Supply of Mariners and Seamen to serve in his Majesty's Ships of War, and on Board Merchant Ships, and other Trading Ships and Vessels;' be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, from and after the passing of this Act, until the twenty-fifth Day of *March*, one thousand seven hundred and seventy-eight, and no longer (except in respect to such Merchant Ships, and other Trading Ships or Vessels, which shall be on their Voyage before the said twenty-fifth Day of *March*, one thousand seven hundred and seventy-eight, who shall be, and are hereby allowed the Liberty and Benefit of returning Home navigated in the Manner as herein-after is provided), it shall and may be lawful for any Merchant Ship, or other Trading Ship or Vessel, to be navigated by Foreign Seamen or Mariners, not being Natives of *Great Britain*, or of any of the Colonies or Plantations thereto belonging, or his Majesty's natural or naturalized Subjects, so as the Number of such Foreign Seamen or Mariners do not exceed Three-fourths of the Mariners at any one Time employed to navigate such Merchant Ship, or other Trading Ship or Vessel, and that One-fourth at least of the Mariners or Seamen so employed be at all Times Natives, or his Majesty's naturalized Subjects of *Great Britain* (sudden Death, and Hazard and Casualties of War, and the Seas, saved and excepted), one Act of Parliament, made in the twelfth Year of the Reign of his late Majesty King *Charles* the Second (intituled, *An Act for the encouraging and increasing of Shipping and Navigation*), or any other Statute or Law to the contrary notwithstanding.

From the passing of this Act till March 25, 1778, Merchant Ships, &c. may be navigated by Three-fourths Foreign Seamen.

II. Provided always, That nothing in this Act contained shall extend to take away or restrain the Effect of any such Royal Proclamation as his Majesty, his Heirs and Successors, are impowered to make by virtue of an Act, passed in the thirteenth Year of his late Majesty's Reign (intituled, *An Act for the better Supply of Mariners and Seamen, to serve in his Majesty's Ships of War, and on Board Merchant Ships, and other Trading Ships and Privateers*).

This Act not to restrain any Royal Proclamation to be made pursuant to an Act 23 Geo. II.

CAP.

## CAP. XXXV.

An Act for further continuing an Act, passed in the sixth Year of his present Majesty's Reign, intituled, *An Act to prohibit the Importation of Foreign-wrought Silks and Velvets for a limited Time, and for preventing unlawful Combinations of Workmen employed in the Silk Manufacture.*

Preamble.

'WHEREAS the Law herein-after mentioned has, by Experience, been found useful and beneficial, and is near expiring;' may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That an Act, made in the sixth Year of the Reign of his present Majesty, intituled, *An Act to prohibit the Importation of Foreign-wrought Silks and Velvets for a limited Time, and for preventing unlawful Combinations of Workmen employed in the Silk Manufacture*; which was to continue in Force for five Years, from the fourteenth Day of *June*, one thousand seven hundred and sixty-six, and from thence to the End of the then next Session of Parliament; and which, by another Act, made in the eleventh Year of the Reign of his present Majesty, was further continued from the Expiration thereof, until the fourteenth Day of *June*, one thousand seven hundred and seventy-six, and from thence to the End of the then next Session of Parliament, shall be, and the same is hereby further continued from the Expiration thereof until the fourteenth Day of *June*, one thousand seven hundred and eighty-two, and from thence to the End of the then next Session of Parliament.

Act 6 Geo. III. recited;

and further continued for six Years.

## CAP. XXXVI.

An Act for enlarging the Times appointed for the first Meetings of Commissioners or Trustees for putting in Execution certain Acts of this Session of Parliament.

Preamble.

'WHEREAS certain Acts may have been made and passed in this present Session of Parliament, appointing the first Meetings of the Commissioners or Trustees for putting such Acts in Execution upon certain Days which have elapsed before, or happened upon, the respective Days of passing such Acts; and Doubts may arise whether, in such Cases, the Commissioners or Trustees, appointed in and by such Acts, are authorised to meet and carry such Acts into Execution;' may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in case any Act or Acts of Parliament hath or have passed during this present Session of Parliament, and the Commissioners or Trustees for putting such Act or Acts in Execution, shall not have met and holden their first Meetings on the respective Days appointed by such Acts respectively, it shall and may be lawful for such Commissioners or Trustees, or such Number of them as by such Acts are authorised to meet and to put such Acts in Execution, to meet and proceed in the Execution of such Acts respectively on or before the Day Fortnight next after the End of this present Session of Parliament; and all such Meetings so had shall and are hereby declared to be as good, valid, and effectual, to all Intents and Purposes whatsoever, as if the Commissioners or Trustees had met and proceeded to put such Acts in Execution on the Days appointed in and by such respective Acts; and all Acts, Matters, and Things, which shall be done by such Commissioners or Trustees in the Execution of such Acts respectively, shall be as valid and effectual in all Respects, and to all Intents and Purposes whatsoever, as if their first Meetings had been held on the Days appointed by such Acts respectively.

Commissioners, &c. for executing any Act passed this Session, who have not held their first Meeting conformable to such Act, may meet within a Fortnight after the End of the present Sessions.

## CAP. XXXVII.

An Act to indemnify such Persons as have omitted to qualify themselves for Offices and Employments; and to indemnify Justices of the Peace, or others, who have omitted to register or deliver in their Qualifications within the Time limited by Law, and for giving further Time for those Purposes; and to indemnify Members and Officers, in Cities, Corporations, and Borough Towns, whose Admissions have been omitted to be stamped according to Law, or, having been stamped, have been lost or mislaid; and for allowing them Time to provide Admissions duly stamped; and to give further Time to such Persons as have omitted to make and file Affidavits of the Execution of Indentures of Clerks to Attornies and Solicitors.

" Preamble. Persons who have omitted to qualify themselves agreeable to Act 1 *Geo.* I. Act 13 *Car.* II. " Act 25 *Car.* II. Act 30 *Car.* II. Act 8 *Geo.* I. Act 9 *Geo.* I. Act 18 *Geo.* II. and Act 6 *Geo.* III. before " the passing of this Act; and who shall, on or before 25th *December* 1777, qualify themselves, shall be " indemnified against Forfeitures. Not to indemnify any Person for any Penalty incurred by neglecting " to qualify himself. Persons producing Appointments and Admissions before 25th *December* 1777, shall " be confirmed, and qualified to act as Clerk, Officer, or Member of Corporations, &c. may enjoy all " Offices into which they have been elected; and shall be indemnified from all Penalties and Damages in- " curred by reason of Omissions. Not to extend to restore Persons to any Office avoided by Judgment. " Persons who shall cause Affidavits to be filed before *Michaelmas* Term 1777, are indemnified, and dis- " charged from Penalties. Persons prosecuted and hereby meant to be indemnified, may plead the General " Issue.

## CAP. XXXVIII.

An Act for raiſing a certain Sum of Money by Loans or Exchequer Bills, for the Service of the Year one thouſand ſeven hundred and ſeventy-ſeven. 1,500,000 *l.*

## CAP. XXXIX.

An Act for granting to his Majeſty a Duty upon all Servants retained or employed in the ſeveral Capacities therein mentioned; and for repealing ſeveral Rates and Duties upon Glaſs, impoſed by an Act made in the nineteenth Year of the Reign of his late Majeſty, and for granting to his Majeſty other Rates and Duties upon Glaſs in lieu thereof, and for the better collecting the Duties upon Glaſs; and for repealing the ſeveral Rates and Duties charged, by an Act made in the twenty-ninth Year of the Reign of his ſaid late Majeſty, upon all Perſons and Bodies Politick and Corporate having certain Quantities of Silver Plate.

*Moſt gracious Sovereign,*

Preamble.

'WE your Majeſty's moſt dutiful and loyal Subjects, the Commons of *Great Britain*, in Parliament aſſembled, towards raiſing the neceſſary Supplies, which we have chearfully granted to your Majeſty in this Seſſion of Parliament, have reſolved to give and grant to your Majeſty the ſeveral Rates and Duties herein-after mentioned;' and do therefore moſt humbly beſeech your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That, from and after the fifth Day of *July*, one thouſand ſeven hundred and ſeventy-ſeven, there ſhall be charged, raiſed, levied, and paid unto his Majeſty, his Heirs and Succeſſors, after the Rate of twenty-one Shillings *per Annum* for every male Servant, within the Kingdom of *Great Britain*, who ſhall then have been, or ſhall afterwards be, retained or employed in the following Capacities; (that is to ſay) of Maitre d'Hotel, Houſe-ſteward, Maſter of the Horſe, Groom of the Chamber, Valet de Chambre, Butler, Under-butler, Clerk of the Kitchen, Confectioner, Cook, Houſe-porter, Footman, Running-footman, Coachman, Groom, Poſtilion, Stable-boy, and the reſpective Helpers in the Stables of ſuch Coachman, Groom, or Poſtilion, or in the Capacity of Gardener (not being a Day-labourer), Park-keeper, Game-keeper, Huntſman, Whipper-in, whether ſuch male Servants ſhall have been or ſhall be retained and employed in one or more of the ſaid Capacities, or in any other Buſineſs jointly with one or more of the ſaid Capacities of a Servant; which ſaid Sum of twenty-one Shillings *per Annum* ſhall be charged and paid in Manner herein-after mentioned; that is to ſay, Every ſuch Maſter or Miſtreſs ſhall be charged fifteen Shillings for every ſuch Servant ſo retained or employed within the Time which ſhall elapſe between the fifth Day of *July*, one thouſand ſeven hundred and ſeventy-ſeven, and the twenty-fifth Day of *March*, one thouſand ſeven hundred and ſeventy-eight; and every ſuch Maſter or Miſtreſs ſhall be charged the Sum of twenty-one Shillings for every ſuch Servant which ſhall be ſo retained or employed within every ſubſequent Year, ending on the twenty-fifth Day of *March*; and the ſaid ſeveral Sums herein-before mentioned ſhall be levied and paid in every Year, within ſix Months ſubſequent to the twenty-fifth Day of *March*, on which ſuch Charges are hereby directed to be made.

After July 5, 1777, 21 s. to be paid yearly for every male Servant employed as herein-after mentioned.

15 s. to be paid for every ſuch Servant for the Time between July 5, 1777, and March 25, 1778.

II. Provided always, That this Act ſhall not extend to any Servant who ſhall be retained or employed, *bona fide*, for the Purpoſes of Huſbandry or Manufacture, or of any Trade or calling by which the Maſter or Miſtreſs of ſuch Servant earn a Livelihood or Profit.

This Act not to extend to Servants employed in Huſbandry, Manufactures, &c.

III. Provided alſo, That the Duty hereby granted for every Coachman, Groom, Poſtilion, or Helper, let out to Hire by Way of Jobb, ſhall be paid by the Maſter or Miſtreſs for whoſe Uſe, and in whoſe Service, ſuch Coachman, Groom, Poſtillion, or Helper, ſhall be employed reſpectively; and that the Duty hereby granted for every Gardener, retained or employed by any Perſon or Perſons who ſhall contract for the keeping of any Garden or Gardens, ſhall be paid by the Perſon or Perſons for whoſe Uſe and in whoſe Garden ſuch Gardener ſhall be employed.

Who ſhall pay the Duty for Coachmen, Grooms, &c. let out to hire.

IV. Provided alſo, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to exempt any Perſon or Perſons from the Payment of the Duty impoſed by this Act, in reſpect of any Servant retained or employed in any of the Capacities aforeſaid, on Account or under Pretence that ſuch Servant is or ſhall be bound as an Apprentice to ſuch Perſon or Perſons; ſave and except ſuch Apprentices as are or ſhall be impoſed upon any Maſter or Miſtreſs, under and by virtue of the Powers given to Magiſtrates and Pariſh Officers by any Act of Parliament, ſo as the Number of ſuch Apprentices ſo impoſed upon any Maſter or Miſtreſs does not exceed two.

Duty to be paid for Servants employed as aforeſaid, notwithſtanding their being Apprentices.

Exception.

V. Provided alſo, That this Act, or any Thing herein contained, ſhall not extend, or be conſtrued to extend, to charge with the Duty hereby granted, the Butler or Butlers, Manciple, Cook or Cooks, Gardener or Gardeners, Porter or Porters, of any College or Hall within either of the Univerſities of *Oxford* or *Cambridge*, or the Univerſities of *Edinburgh*, *Glaſgow*, *Aberdeen*, or *Saint Andrews* in *Scotland*, or of the ſeveral Colleges of *Weſtminſter*, *Eton*, or *Wincheſter*, or to the Servants of his Majeſty, or any of the Royal Family, or of any Ambaſſador or Foreign Miniſter reſiding in the Kingdom of *Great Britain*.

Butlers, Cooks, &c. in the Univerſities;

Servants of the Royal Family, &c.

VI. Provided always, and be it enacted, That nothing herein contained ſhall extend to charge with the Duty hereby granted, any of the Royal Hoſpitals of *Chriſt*, *Saint Bartholomew*, *Bridewell*, *Bethlehem*, *Saint Thomas* in the City of *London* and Borough of *Southwark*, or *Guy's*, or the *Foundling Hoſpital*.

and certain Hoſpitals exempted.

VII. And

Duties to be collected by ſuch Perſons, and paid into the Exchequer under ſuch Penalties, &c. as are appointed for the Duties on Houſes and Windows, by two Acts 20 Geo. II.; Acts 21 Geo. II.

VII. And be it further enacted by the Authority aforeſaid, That the Duty by this Act impoſed as aforeſaid ſhall be aſſeſſed, raiſed, levied, collected, and received by ſuch Perſons, and ſhall be paid into his Majeſty's Exchequer, for the Purpoſes in this Act expreſſed, in ſuch and the like Form and Manner, and with ſuch Allowances, and under ſuch Penalties, Forfeitures, and Diſabilities, and according to ſuch Rules, Methods, and Directions, as are preſcribed or appointed for aſſeſſing, raiſing, levying, collecting, receiving, and paying, the Duties on Houſes and Windows or Lights, in and by an Act, made in the twentieth Year of the Reign of his late Majeſty, intituled, *An Act for repealing the ſeveral Rates and Duties upon Houſes, Windows, and Lights; and for granting to his Majeſty other Rates and Duties upon Houſes, Windows, or Lights; and for raiſing the Sum of four millions four hundred thouſand Pounds by Annuities, to be charged on the ſaid Rates or Duties*; and by another Act, made in the twentieth Year of the Reign of his ſaid late Majeſty, intituled, *An Act to inforce the Execution of an Act of this Seſſion of Parliament, for granting to his Majeſty ſeveral Rates and Duties upon Houſes, Windows, or Lights*; and by an Act, made in the twenty-firſt Year of his ſaid late Majeſty's Reign, intituled, *An Act for explaining, amending, and further enforcing the Execution of an Act, paſſed in the laſt Seſſion of Parliament, intituled*, "An Act for the repealing "ſeveral Rates and Duties upon Houſes, Windows, and Lights; and for granting to his Majeſty other "Rates and Duties upon Houſes, Windows, or Lights; and for raiſing the Sum of four millions four "hundred thouſand Pounds by Annuities, to be charged on the ſaid Rates or Duties;" and by an Act, made in the thirty-firſt Year of the Reign of his ſaid late Majeſty, intituled, *An Act for granting to his Majeſty ſeveral Rates and Duties upon Offices and Penſions, and upon Houſes, and upon Windows or Lights; and for raiſing the Sum of five millions by Annuities, and a Lottery, to be charged on the ſaid Rates and Duties*; and by an Act, made in the ſecond Year of the Reign of his preſent Majeſty, intituled, *An Act for granting to his Majeſty ſeveral Rates and Duties upon Windows or Lights*; and by an Act, made in the ſixth Year of the Reign of his ſaid preſent Majeſty, intituled, *An Act for repealing the ſeveral Duties upon Houſes, Windows, and Lights; and for granting to his Majeſty other Duties upon Houſes, Windows, and Lights*, or by any of them; and that all and every the Powers, Authorities, Rules, Directions, Penalties, Forfeitures, Clauſes, Matters, and Things, now in Force, contained in the ſaid ſeveral Acts, or any of them, for the aſſeſſing, raiſing, levying, collecting, and paying the Rates and Duties thereby granted, ſhall be in full Force, and be duly obſerved, practiſed, and put in Execution, throughout the whole Kingdom of *Great Britain*, for the aſſeſſing, raiſing, levying, collecting, and paying the Duties upon Servants by this Act granted, as fully and effectually, to all Intents and Purpoſes, as the ſame are or may be, for the aſſeſſing, raiſing, levying, collecting, and charging the Rates and Duties granted by the aforeſaid Acts, or any of them, ſo far as the ſaid Powers, Authorities, Rules, and Penalties, are applicable thereunto, and not altered by this Act; and that all Monies ariſing by the ſaid Duty granted by this Act (the neceſſary Charges of raiſing and accounting for the ſame excepted), ſhall, from Time to Time, be paid into the Receipt of his Majeſty's Exchequer at *Weſtminſter*, diſtinctly and apart from all other Branches of the public Revenue, and ſhall be carried to, and made Part of, the Fund commonly called *The Sinking Fund*.

31 Geo. II.

2 Geo. III. and 6 Geo. III.

Commiſſioners of the before-mentioned Acts, ſhall put this Act in Execution.

Time of firſt Meeting, &c.

VIII. And be it further enacted by the Authority aforeſaid, That, for the better Execution of this Act, and for the ordering, raiſing, levying, collecting, and paying the Duty hereby granted, the Commiſſioners authoriſed or appointed, or who ſhall be hereafter authoriſed or appointed, for putting in Execution the ſaid herein-before mentioned Acts, or any of them, ſhall be Commiſſioners for putting in Execution this preſent Act, and the Powers therein contained, in all and every the reſpective Counties, Shires, Stewartries, Ridings, Cities, Boroughs, Cinque-ports, Towns, and Places reſpectively within *Great Britain*; and that the ſaid Commiſſioners, in order to the ſpeedy Execution of this Act, ſhall, in their reſpective Counties, Shires, Stewartries, Ridings, Cities, Boroughs, Cinque-ports, Towns, and Places, for which they are or ſhall be appointed Commiſſioners reſpectively, meet on or before the thirtieth Day of *April*, one thouſand ſeven hundred and ſeventy-eight, and ſhall, in like Manner, meet yearly and every Year, at ſuch Day or Time as the ſaid Commiſſioners for the Time being ſhall think proper to appoint, before the thirtieth Day of *April* yearly; and ſhall then divide themſelves to act in ſeparate Diſtricts, and proceed in the Execution of this preſent Act, for aſſeſſing, raiſing, levying, and collecting the Duty hereby granted as aforeſaid, in ſuch and the ſame Manner as is preſcribed by the ſaid before-mentioned Acts, or any of them, with reſpect to the Rates and Duties thereby impoſed.

Commiſſioners to give Notice of the Appointment of Aſſeſſors.

IX. And it is hereby alſo enacted, That the ſaid Commiſſioners ſhall, in the Precepts to be from Time to Time directed by them to the Inhabitants of the Pariſhes or Places within their reſpective Diſtricts or Diviſions, whom they ſhall think fit to be Preſentors and Aſſeſſors under the ſaid before-mentioned Acts, or any of them, cauſe Notice to be inſerted, that ſuch Perſons are to be appointed Aſſeſſors of the Duty upon Servants granted by this Act.

Aſſeſſors to give Notice in Writing to Maſters, &c. to produce Liſts of their Servants employed within their Diſtricts, &c.

X. And be it further enacted by the Authority aforeſaid, That ſuch Perſons to be appointed Aſſeſſors as aforeſaid ſhall, within fourteen Days after ſuch their Appointment yearly, give or leave Notice or Warning in Writing, to or for the Maſter or Miſtreſs of every Servant on whom a Duty is impoſed by this Act, within the Limits of the Places for which ſuch Aſſeſſors are to act, at his or her Dwelling-houſe, to prepare and produce, within the Space of fourteen Days then next enſuing, a Liſt in Writing of his or her Servants retained or employed within the ſaid Pariſh or Diſtrict, deſcribing the Number by him or her retained or employed, the Chriſtian and Surname of each Servant, and the Office or Capacity in or for which each Servant is retained or employed; every ſuch Liſt to contain the greateſt Number of Servants at any one Time retained and employed in the Courſe of the Year, ending on the twenty-fifth Day of *March* in each preceding Year; and that every ſuch Maſter or Miſtreſs do and ſhall, after ſuch Notice ſo given or left, make out a Liſt of his or her Servants accordingly, and ſign the ſame with his or her own Hand, and deliver the ſame, or cauſe the ſame to be delivered, to ſuch Aſſeſſor or Aſſeſſors: And in caſe any ſuch Maſter or Miſtreſs ſhall neglect or refuſe to make out, ſign, and deliver ſuch Liſt within the Time before-mentioned, then ſuch Aſſeſſor or Aſſeſſors ſhall, from the beſt Information he or they can obtain, make an

How Aſſeſſors to proceed, in caſe Maſters neglect to deliver ſuch Liſts.

Aſſeſſment upon ſuch Maſter or Miſtreſs ſo refuſing or neglecting, for or in reſpect of the Number of Servants ſo retained or employed by ſuch Maſter or Miſtreſs, diſtinguiſhing them by their Chriſtian and Surname, and their reſpective Employments; and every ſuch Aſſeſſment ſo made upon any ſuch Neglect or Refuſal ſhall be final and concluſive upon ſuch Maſter or Miſtreſs, who ſhall not be at Liberty to appeal therefrom, unleſs ſuch Maſter or Miſtreſs ſhall prove that he or ſhe were not at their reſpective Dwelling-houſes at the Time of the Delivery of ſuch reſpective Notices, nor between that Day and the Time limited for their delivering their reſpective Liſts to the Aſſeſſor; or unleſs ſuch Maſter or Miſtreſs ſhall alledge and prove ſuch other Excuſe for not having delivered their Liſts as the Commiſſioners in their Judgment ſhall think reaſonable and ſufficient.

Liſts to contain the greateſt Number of Servants employed during the Time to which they relate.

XI. Provided always, That the Liſts which ſhall be delivered in Manner herein-before mentioned by Order of the ſaid Commiſſioners, and which ſhall be for the Space of Time which ſhall elapſe between the fifth Day of *July*, one thouſand ſeven hundred and ſeventy-ſeven, and the twenty-fifth Day of *March*, one thouſand ſeven hundred and ſeventy-eight, ſhall contain the greateſt Number of Servants which ſuch Maſter or Miſtreſs ſhall at any Time have retained or employed between the ſaid fifth Day of *July*, one thouſand ſeven hundred and ſeventy-ſeven, and the ſaid twenty-fifth Day of *March*, one thouſand ſeven hundred and ſeventy-eight.

Commiſſioners, on Application, to grant Relief to Perſons who have been aſſeſſed in different Places for the ſame Servants.

'XII. And whereas many Maſters and Miſtreſſes, who will be chargeable with the Duty impoſed by 'this Act, have or may have divers Houſes or Places of Reſidence in different Parts of the Kingdom, and 'ſome of their Servants may be ſtationed and reſident in ſuch reſpective Houſes or Places of Reſidence, and 'others of them may be removed from Time to Time to attend upon their ſaid Maſters or Miſtreſſes, or 'their Buſineſs: And whereas other Maſters or Miſtreſſes keeping Servants may from Time to Time 'change their Houſes, Lodgings, or Places of Abode: Therefore, to the End that no Perſon may be 'obliged to pay for the ſame Servants, or others coming in their Room, in more Pariſhes or Diſtricts than 'one within the ſame Year;' be it enacted by the Authority aforeſaid, That if any Maſter or Miſtreſs, having been aſſeſſed in one Pariſh or Diſtrict for his or her Servants retained or employed within the ſame, ſhall happen to be again aſſeſſed in another Pariſh or Diſtrict for or in reſpect of ſuch Servants, or any of them; in ſuch Caſe the Commiſſioners for the Diſtrict wherein the Houſe, Lodging, or Place of Reſidence or Abode of the Maſter or Miſtreſs aſſeſſed ſhall be ſituated, or the Majority of the Commiſſioners preſent at any Application for this Purpoſe, may, and are hereby required to alter any Aſſeſſment, on Proof given before them that the ſaid Maſter or Miſtreſs hath paid the Duty impoſed or intended by this Act, for or in reſpect of ſuch Servant or Servants, in another Place, and in what Place ſpecifically, or hath been aſſeſſed for the ſame; which Proof ſhall be made, as to the Fact of Payment, by producing a Receipt ſigned by the Collector to whom the ſame Payment was made, or in Default thereof by other reaſonable Evidence to the Satisfaction of the Commiſſioners, or the Majority of them, before whom ſuch Evidence ſhall be offered; and the aforeſaid Proof, as to the Fact of the Party having been aſſeſſed elſewhere, ſhall be made in like Manner, either by producing a Copy or Certificate of the Aſſeſſment, ſigned by two or more Commiſſioners of the Diſtrict for which ſuch Aſſeſſment had been made, which Copy or Certificate the Clerk then attending the ſaid Commiſſioners ſhall deliver *gratis* to the Party requiring the ſame; or in Default of ſuch Copy or Certificate, then ſuch Proof ſhall be made by other Evidence to the Satisfaction of the Commiſſioners preſent, or the Majority of them.

Directions for aſſeſſing Noblemen, &c. who employ Servants at Places where they have no Houſes.

'XIII. And whereas divers Noblemen, Gentlemen, and others, retain or employ Grooms, Stable-'boys, and other Servants, to look after and attend upon Horſes or Hounds at many Places within this 'Kingdom where they themſelves have no Houſes or Places of Reſidence;' be it therefore enacted by the Authority aforeſaid, That it ſhall and may be lawful for the Aſſeſſor or Aſſeſſors, within and for ſuch Diſtricts or Places reſpectively, to deliver or leave ſuch Notice as is herein-before directed to be given, at the Houſe or Houſes where ſuch Grooms, Stable-boys, or other Servants uſually reſide; and that all and every of ſuch Noblemen, Gentlemen, and others, ſhall deliver, or cauſe to be delivered, a Liſt or Liſts, ſigned by them reſpectively, ſpecifying the Number of Servants ſo retained and employed by them for the Purpoſes aforeſaid, to the Aſſeſſors within and for the reſpective Diſtricts or Limits where ſuch Servants ſhall uſually reſide, and the Aſſeſſments for and in reſpect of ſuch Servants ſhall be made and delivered by the Aſſeſſors within and for ſuch reſpective Limits or Diſtricts.

In caſe the Liſts delivered to the Aſſeſſors ſhall be found deficient, they may ſurcharge the ſame.

XIV. And it is hereby further enacted and declared by the Authority aforeſaid, That ſuch Aſſeſſors as aforeſaid ſhall not be bound by ſuch Liſts as ſhall be delivered to them reſpectively in purſuance of this Act, but ſhall be at Liberty, in caſe they ſhall find upon due Examination that any Servant or Servants are omitted in ſuch Liſts, to ſurcharge the ſame, and make a true Aſſeſſment upon every Maſter and Miſtreſs within their reſpective Diſtricts of the real Number of Servants ſo retained or employed by ſuch Maſter or Miſtreſs, diſtinguiſhing the Chriſtian and Surname of ſuch Servant or Servants, and their reſpective Employments; and ſhall from Time to Time make and deliver in Writing their Aſſeſſments of the Duty charged by this Act, within the Bounds or Limits for which they are reſpectively to act as aforeſaid, unto the ſaid Commiſſioners, or any two or more of them, within the Space of three Calendar Months next after the Time of their being ſo appointed Aſſeſſors; and that the ſaid Commiſſioners to whom ſuch Aſſeſſments ſhall be ſo delivered, or any two of them, ſhall, within the Space of one Calendar Month next after the Receipt of the ſame reſpectively, or as ſoon after as conveniently may be, ſet their Hands to the ſaid reſpective Aſſeſſments, and to ſuch Surcharge or Surcharges as ſhall or may have been made in the mean Time, either by the ſame Aſſeſſors, or by ſuch Surveyor or Surveyors as herein-after is or are mentioned, teſtifying their Allowance of the ſame; and ſhall likewiſe nominate and appoint two of the Perſons named in each of ſuch Aſſeſſments to be Collectors, or any other two ſuch Perſons as they ſhall think able and reſponſable, for the reſpective Diviſions and Places for which they ſhall be ſo preſented; and ſhall forthwith deliver, or cauſe to be delivered, ſuch Aſſeſſments ſo by them allowed of, unto the reſpective Perſons by

Aſſeſſors to deliver their Aſſeſſments to the Commiſſioners within three Months after their Appointment. Commiſſioners to ſign the ſame, and appoint Collectors, &c.

them nominated to be Collectors for the Year enſuing, who are hereby enjoined and required to collect and pay the Duties hereby aſſeſſed, and to give Acquittances for the ſame.

Surveyors under the before-mentioned Acts may inſpect the Liſts, before they are ſigned, and amend them.

XV. And be it further enacted by the Authority aforeſaid, That all and every Surveyor and Surveyors appointed and to be appointed under or by virtue of the ſaid ſeveral Acts herein-before mentioned, or any of them, for the Rates and Duties thereby impoſed, ſhall be, and he and they are and is hereby impowered and authoriſed to inſpect and examine any Liſt or Liſts to be made out and ſigned by any ſuch Maſter or Miſtreſs as aforeſaid, or any Aſſeſſment or Aſſeſſments for any Pariſh or Place, before the Commiſſioners ſhall have ſigned and allowed the ſame, and to alter and amend any ſuch Liſt or Liſts, Aſſeſſment or Aſſeſſments, if he or they ſhall ſee juſt Cauſe for ſo doing, by ſpecifying the Chriſtian and Surname of each Servant to be added to or taken from ſuch Liſt, together with their reſpective Employments; and every Perſon, in whoſe Cuſtody any ſuch Liſts or Aſſeſſments ſhall be, is hereby required, upon the Requeſt of any ſuch Surveyor or Surveyors as aforeſaid, to produce the ſame: And if any ſuch Surveyor or Surveyors ſhall, after any ſuch Liſt or Liſts, Aſſeſſment or Aſſeſſments, ſhall be ſo reſpectively made out, ſigned, and allowed as aforeſaid, find or diſcover, upon his or their Survey or Examination, that any Maſter or Miſtreſs, that ſhould and ought to be charged with the ſaid Duty hereby granted, ſhall have been omitted to be charged therewith, or ſhall have been under-rated, ſuch Surveyor or Surveyors ſhall certify the ſame in Writing under his Hand, together with the Chriſtian and Surname and the Employment of each Servant, by way of Surcharge, to any two or more of the ſaid Commiſſioners, in order to have ſuch Omiſſion or Under-rate certified in the ſaid Aſſeſſment, and ſuch Commiſſioners are thereupon to cauſe the ſame to be rectified, and the Duties levied accordingly.

If Surveyors diſcover any Omiſſions after the Liſts are ſigned, they are to certify the ſame to the Commiſſioners, &c.

Maſters to be doubly rated for thoſe Servants they omit in their Liſts.

One Half of which Surcharge to be allowed the Aſſeſſor or Surveyor making the ſame.

'XVI. And to the End that every Maſter and Miſtreſs may deliver, or cauſe to be delivered, to the 'Aſſeſſor or Aſſeſſors, a true Liſt of their reſpective Servants, according to the Intent of this Act,' be it further enacted by the Authority aforeſaid, That in all Caſes where any Aſſeſſor or Surveyor ſhall make a Surcharge upon any Maſter or Miſtreſs, for or in reſpect of any Servant or Servants omitted to be inſerted in any ſuch Liſt, ſuch Surcharge ſhall be made after the Rate of two Pounds two Shillings an Head for every ſuch Servant ſo omitted; and the Aſſeſſor or Surveyor ſo making ſuch Surcharge ſhall be, and is hereby intitled to, and ſhall have and receive, to and for his own Uſe, one Pound one Shilling of every ſuch Surcharge which ſhall be juſtly made upon any ſuch Liſt.

Surveyors or Aſſeſſors not to enter any Dwelling-houſe, &c. to examine the Number of Servants.

XVII. Provided always, and be it hereby further enacted, That nothing in this Act contained ſhall be conſtrued to authoriſe or impower any Surveyor or Aſſeſſor to enter the Dwelling-houſe, Outhouſes, or Garden, of any Perſon, for the Purpoſe or under the Pretence of inſpecting or examining the Number of Servants retained or employed by ſuch Perſon.

Perſons over-rated may appeal to the Commiſſioners.

Appellant to deliver, on Oath, a Liſt of the greateſt Number of Servants employed, &c.

XVIII. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall think himſelf, herſelf, or themſelves reſpectively overcharged or over-rated by any Aſſeſſment, Charge, or Surcharge, to be made by virtue or in purſuance of this Act, it ſhall be lawful for him, her, or them, reſpectively, to appeal to the ſaid Commiſſioners; and that the ſaid Commiſſioners, or any two or more of them, ſhall, and they are hereby required to hear and determine all ſuch Appeals, except where it ſhall appear to the ſaid Commiſſioners that the Maſter or Miſtreſs had omitted to deliver in their Liſts, and ſhall not aſſign ſufficient Cauſe to the Satisfaction of the Commiſſioners for ſuch Omiſſion in Manner herein-before mentioned; provided that at the Time of hearing the ſame, a Liſt ſhall be produced, by or on the Part of the Appellant, upon Oath, of the greateſt Number of Servants of ſuch Appellant, within the Diſtrict or Limits of the Places where ſuch Appeal ſhall be made, ſubject to the Duty hereby granted, that ſhall have been retained or employed by him or her at any Time between the fifth Day of *July*, one thouſand ſeven hundred and ſeventy-ſeven, and the twenty-fifth Day of *March*, one thouſand ſeven hundred and ſeventy-eight, with reſpect to the Space of Time which ſhall elapſe between the ſaid fifth Day of *July*, one thouſand ſeven hundred and ſeventy-ſeven, and the ſaid twenty-fifth Day of *March*, one thouſand ſeven hundred and ſeventy-eight; or with reſpect to any future Year, the greateſt Number of Servants which ſhall have been ſo retained or employed by him or her within the Year preceding the twenty-fifth Day of *March* in every ſuch Year, with a Deſcription of the Occupation of each Servant, and of the Capacity in which ſuch Servant ſhall have ſerved; and that all ſuch Appeals ſhall be heard and determined on the Days appointed, and in the Manner directed by the ſeveral Acts herein-before mentioned, with reſpect to the Duties on Houſes, Windows, or Lights.

Commiſſioners not to make any Abatement in the Charge, &c. unleſs it ſhall appear, on Oath, that the Appellant is over rated.

Ten Days Notice to be given of Appeal.

Commiſſioners, in certain Caſes, may remit the Penalty before directed to be paid to the Aſſeſſor, &c.

XIX. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners, or any of them, ſhall not, upon the hearing of any Appeal, make any Abatement or Defalcation in the Charge, or Surcharge, made upon any Perſon by ſuch Aſſeſſment as aforeſaid, or the Surcharge of any ſuch Surveyor or Surveyors as aforeſaid, but the ſame ſhall ſtand good and remain Part of the annual Aſſeſſment, unleſs it ſhall then appear to the ſaid Commiſſioners, by Examination upon Oath, that ſuch Perſon is over-rated in and by ſuch Aſſeſſment or Surcharge; and every Perſon intending to appeal to the ſaid Commiſſioners, ſhall, and is hereby required to give at the leaſt ten Days Notice thereof to the ſaid Surveyor, or to one or more of the Aſſeſſors of the Pariſh or Place wherein ſuch Perſon is rated, of ſuch Intention to appeal; and ſuch Surveyor and Aſſeſſors may then and there attend to juſtify the ſaid Aſſeſſment and Surcharge; and ſuch Surveyor and Aſſeſſors, and Appellant, ſhall have full and free Liberty to be preſent during all the Time of hearing ſuch reſpective Appeals, and of the ſaid Commiſſioners determining the ſame: And the ſaid Commiſſioners are hereby authoriſed and impowered, upon every ſuch Appeal, although they ſhall confirm the Surcharge of ſuch Aſſeſſor or Surveyor, upon the Application of any ſuch Maſter or Miſtreſs, to remit and ſtrike off the ſaid Penalty of one Pound one Shilling herein before directed to be paid to ſuch Aſſeſſor or Surveyor ſurcharging ſuch Liſt, in caſe they ſhall be of Opinion that there was any Doubt whether

whether ſuch Servant or Servants ſo ſurcharged was or were rateable within the Meaning of this Act, and were not wilfully omitted by ſuch Maſter or Miſtreſs out of ſuch Liſt or Liſts.

Penalty on Surveyors, &c. for making a falſe Surcharge.

XX. Provided always, and be it further enacted, That if, on ſuch Examination on the hearing ſuch Appeal, it ſhall appear to the ſaid Commiſſioners that ſuch Surcharge was falſely and vexatiouſly made; then, and in ſuch Caſe, ſuch Surveyor or Aſſeſſor ſo ſurcharging ſhall forfeit and incur ſuch Penalties and Puniſhment as in and by the herein-before mentioned Acts are directed to be inflicted on Surveyors or Aſſeſſors for Neglect of Duty.

Determination of Commiſſioners to be final; Except, &c.

XXI. And be it further enacted by the Authority aforeſaid, That all Appeals once heard and determined by the ſaid Commiſſioners, or any two or more of them, or the major Part of them then preſent, on the Day or Days by them appointed for hearing of Appeals, ſhall be final (except as is herein after directed).

Perſons diſſatisfied may, in England, appeal to the Court of King's Bench;

XXII. And be it further enacted by the Authority aforeſaid, That if either the ſaid Surveyor, or the Perſon ſo appealing, in that Part of *Great Britain* called *England*, or in *Wales*, or in *Berwick upon Tweed*, ſhall apprehend the Determination made by the ſaid Commiſſioners to be contrary to the true Intent and Meaning of this Act, and ſhall then declare himſelf or herſelf diſſatisfied with ſuch Determination, it ſhall and may be lawful to and for ſuch Surveyor or Perſon reſpectively to require the ſaid Commiſſioners to ſtate ſpecially, and ſign the Caſe upon which the Queſtion aroſe, together with their Determination thereupon; which Caſe the ſaid Commiſſioners, or the major Part of them then preſent, are hereby required to ſtate and ſign accordingly, and to cauſe the ſame to be delivered to the Party making ſuch Requeſt, as aforeſaid, to be by him tranſmitted to one of the Juſtices of the Court of *King's Bench*, or *Common Pleas*, or to one of the Barons of the Court of *Exchequer* for the Time being; and every ſuch Juſtice and Baron is hereby required, with all convenient Speed, to return an Anſwer to ſuch Caſe ſo tranſmitted, with his Opinion thereupon ſubſcribed thereto; according to which Opinion ſo certified, the Aſſeſſment, which ſhall have been the Cauſe of ſuch Appeal, ſhall be altered or confirmed: And that if either the ſaid Surveyor, or the Perſon ſo appealing, in that Part of *Great Britain* called *Scotland*, ſhall apprehend the Determination made by the ſaid Commiſſioners to be contrary to the true Intent and Meaning of this Act, and ſhall then declare himſelf or herſelf diſſatisfied with ſuch Determination, it ſhall and may be lawful to and for ſuch Surveyor or Perſon diſſatisfied reſpectively, to require the ſaid Commiſſioners, or the major Part of them then preſent, to ſtate ſpecially and ſign the Caſe upon which the Queſtion aroſe, together with their Determination thereupon; which Caſe the ſaid Commiſſioners are hereby required to ſtate and ſign accordingly, and to cauſe the ſame to be delivered to the Party making ſuch Requeſt as aforeſaid, to be by him tranſmitted to one of the Judges of the Court of *Seſſion*, or of the Barons of the *Exchequer* in *Scotland*; and every ſuch Judge and Baron is hereby required, with all convenient Speed, to return an Anſwer to ſuch Caſe ſo tranſmitted, with his Opinion thereupon ſubſcribed thereto; according to which Opinion ſo certified the Aſſeſſment, which ſhall have been the Cauſe of ſuch Appeal, ſhall be altered or confirmed: Provided always, That notwithſtanding any ſuch Caſe ſo tranſmitted to any of the ſaid Juſtices, Judges, or Barons, the Determination of the ſaid Commiſſioners ſhall ſtand with reſpect to the Payments which ſhall become due precedent to the Opinion certified by any ſuch Juſtice, Judge, or Baron, upon ſuch Caſe.

and in Scotland to the Court of Seſſion.

Recital of an Act in 19 Geo. II.

'XXIII. And whereas by an Act of Parliament made in the nineteenth Year of the Reign of his late 'Majeſty King *George* the Second (intituled, *An Act for granting to his Majeſty ſeveral Rates and Duties 'upon Glaſs, and upon Spirituous Liquors; and for raiſing a certain Sum of Money by Annuities, and a Lottery, 'to be charged on the ſaid Rates and Duties; and for obviating ſome Doubts about making out Orders at the Ex-'chequer for the Monies advanced upon the Credit of the Salt Duties, granted and continued to his Majeſty by an 'Act of the laſt Seſſion of Parliament)*, it was amongſt other Things enacted, That there ſhould be raiſed, 'levied, collected, and paid unto and for the Uſe of his Majeſty, his Heirs and Succeſſors, the ſeveral Rates 'and Duties therein expreſſed on all Glaſs imported into *Great Britain*, and the ſeveral other Rates and Du-'ties for and upon all the Materials or Metal, or other Preparations whatſoever, made uſe of in the making 'of all Crown, Plate, and Flint Glaſs, and all White Glaſs, and in making of common Bottles, and all 'other Green Glaſs in *Great Britain*; we, your Majeſty's moſt dutiful and loyal Subjects, the Commons of '*Great Britain*, in Parliament aſſembled, do think it would be for the Advantage of the Public to repeal the 'preſent Rates and Duties upon Glaſs imported into *Great Britain*, and upon the Materials or Metal made 'uſe of in making the ſeveral Sorts of Glaſs in the ſaid recited Act mentioned, and to grant unto your Ma-'jeſty, in lieu thereof, the ſeveral new and additional Rates and Duties herein-after mentioned; and alſo 'that further Regulations ſhould be eſtabliſhed for the better Collection of the ſaid Duties:' Be it therefore enacted, That, from and after the fifth Day of *July*, one thouſand ſeven hundred and ſeventy-ſeven, the before-mentioned Duties upon Glaſs imported, and upon the Materials or Metal uſed in making the ſeveral Sorts of Glaſs, granted by the ſaid recited Act, ſhall ceaſe, determine, and be no longer paid or payable, ſave only and except in all Caſes relating to the recovering any Arrears which may at that Time remain unpaid of the ſaid Rates and Duties upon Glaſs, or to any Penalties or Forfeitures in reſpect thereof, which ſhall have ariſen or grown due and payable to his Majeſty, or may have been incurred upon, or at any Time before the ſaid fifth Day of *July*, one thouſand ſeven hundred and ſeventy-ſeven, any Thing herein-before contained to the contrary notwithſtanding.

From July 5, 1777, the Duties on Glaſs imported, &c. granted by the before recited Act, to ceaſe.

New Duties to be paid in lieu thereof.

XXIV. And be it further enacted by the Authority aforeſaid, That in lieu thereof, from and after the ſaid fifth Day of *July*, one thouſand ſeven hundred and ſeventy-ſeven, there ſhall be raiſed, levied, collected, and paid unto and for the Uſe of his Majeſty, his Heirs and Succeſſors, for and upon all Glaſs which ſhall at any Time or Times hereafter be imported, or brought into the Kingdom of *Great Britain*, over and above all other Cuſtoms, Subſidies and Duties, by any Act or Acts of Parliament (now in Force and not hereby repealed) impoſed upon, or payable for the ſame, the ſeveral and reſpective Rates or new Duties herein-after expreſſed; (that is to ſay) For and upon all Plate, Enamel, Stained, and Paſte Glaſs, and upon all Window Glaſs, whether flaſhed or ſpread, or otherwiſe manufactured, and upon all other

white Glaſs, and upon all Cakes which ſhall be imported and brought into *Great Britain*, the Sum of one Shilling and Fourpence for every Pound Weight, and after that Rate for a greater or leſſer Quantity; and for and upon all green Glaſs, and for and upon all Bottles and Flaſks, whether the ſame be filled or empty, which will contain the Quantity of a Quart, reſpectively, which ſhall be imported and brought into *Great Britain*, the Sum of four Shillings for every Dozen; and for and upon all Bottles and Flaſks, whether the ſame be filled or empty, which will contain more or leſs than a Quart, which ſhall be imported and brought as aforeſaid, the Sum of four Shillings for every Dozen Quarts, be the Quantity of Bottles greater or leſſer; the ſaid ſeveral and reſpective Rates and Duties to be paid by the Importer or Importers thereof reſpectively.

Foreign Glaſs liable to any Duty, which ſhall be imported clandeſtinely, to be forfeited;

'XXV. And, in order the better to prevent the clandeſtine Importation of any Foreign Glaſs,' be it enacted by the Authority aforeſaid, That in caſe any Foreign Glaſs of any Kind, liable to the Payment of any Cuſtoms, Subſidies, or Duties, by any Act or Acts of Parliament, or Law whatſoever, ſo imported as aforeſaid, ſhall be landed or put on Shore out of any Ship or Veſſel, or unſhipped with Intent to be put on Shore, before due Entry be made thereof at the Cuſtom-houſe, in the Port or Place where the ſame ſhall be imported, and the reſpective Duty or Duties payable for the ſame ſhall be paid or ſecured, or without a Warrant for the landing or delivering of the ſame, firſt ſigned by the Commiſſioners, Collectors, or other proper Officer or Officers of the Cuſtoms reſpectively; all ſuch Glaſs as ſhall be ſo landed or put on Shore, or taken out of any Ship or Veſſel, contrary to the Intention of this preſent Act, ſhall be forfeited, or the Value thereof, and ſhall or may be ſeized or recovered of the Importer or Proprietor thereof, by any Officer or Officers of the Cuſtoms or Exciſe; and moreover the Maſter, Mate, or other Perſon or Perſons taking the Charge or Command of ſuch Ship or Veſſel, and all and every other Perſon or Perſons who ſhall be any Ways concerned, or aiding or aſſiſting, in ſuch unſhipping or landing of ſuch Glaſs as aforeſaid, ſhall, for every ſuch Offence, forfeit and loſe the Sum of one hundred Pounds.

and the Maſter of the Veſſel, &c. to forfeit 100l.

New Duties on the Materials uſed in making of Glaſs,

XXVI. And be it further enacted by the Authority aforeſaid, That, from and after the ſaid fifth Day of *July*, one thouſand ſeven hundred and ſeventy-ſeven, there ſhall be raiſed, levied, collected, and paid unto and for the Uſe of his Majeſty, his Heirs and Succeſſors, for and upon all the Materials or Metal, or other Preparations whatſoever, by what Name ſoever they now are, or hereafter may be called or known, which ſhall hereafter be made uſe of in the making of Glaſs in *Great Britain* (over and above all other Rates and Duties), by any Act or Acts of Parliament (now in Force and not hereby repealed) impoſed upon or payable for the ſame, the ſeveral and reſpective additional Rates or new Duties herein-after expreſſed; that is to ſay, For and upon all the Materials or Metal, or other Preparations whatſoever, by what Name ſoever they now are, or hereafter may be called or known, that ſhall hereafter be made uſe of in the making

Plate Glaſs, &c.

of all Plate or Flint Glaſs, and of all Enamel, Stained, or Paſte Glaſs, and of all Phial Glaſs, commonly called or known by the Name of *Apothecary* or other Phials, the Sum of eighteen Shillings and Eightpence for every Hundred Weight, and after that Rate for a greater or leſs Quantity; and for and upon all the Materials or Metal, or other Preparations whatſoever, by what Name ſoever they now are, or hereafter may be called or known, that ſhall hereafter be made uſe of in the making of Spread Window Glaſs, commonly called or known by the Name of *Broad Glaſs*, a Duty of ſeven Shillings for every Hundred Weight, and after that Rate for a greater or leſſer Quantity; and for and upon all the Materials or Metal, or other Preparations whatſoever, by what Name ſoever they now are, or hereafter may be called or known, that ſhall hereafter be made uſe of in the making of all other Window Glaſs (not being Spread Glaſs), whether flaſked or otherwiſe manufactured, and commonly called or known by the Name of *Crown Glaſs*, a Duty of fourteen Shillings for every Hundred Weight, and after that Rate for a greater or leſſer Quantity; and for and upon all the Materials or Metal, or other Preparations whatſoever, by what Name ſoever they now are, or hereafter may be called or known, that ſhall hereafter be made uſe of in the making of Glaſs now called *German Sheet Glaſs*, a Duty of fourteen Shillings for every Hundred Weight, and after that Rate for a greater or leſſer Quantity; and for and upon all the Materials or Metal, or other Preparations whatſoever, by what Name ſoever they now are, or hereafter may be called or known, that ſhall hereafter be made uſe of in the making of common Bottles (the ſame not being Phials), and of Veſſels made uſe of in Chymical Laboratories, and of Garden Glaſſes, and of all other Veſſels or Utenſils made of common Bottle Metal, the Sum of three Shillings and Sixpence for every Hundred Weight, and after that Rate for a greater or leſſer Quantity; the ſaid ſeveral and reſpective Rates and Duties to be paid by the Maker or Makers thereof reſpectively.

Broad Glaſs.

Crown Glaſs.

German Sheet Glaſs.

Common Bottles.

Makers of Glaſs to enter their Names, Furnaces, &c. as directed by the above-recited Act.

XXVII. And be it further enacted by the Authority aforeſaid, That all and every Perſon or Perſons, who, from and after the ſaid fifth Day of *July*, one thouſand ſeven hundred and ſeventy-ſeven, ſhall become a Maker or Makers of Glaſs, ſhall make ſuch Entry and Entries, in Writing, of their reſpective Names, and of their reſpective Furnaces, Pots, Pot, Chambers, Warehouſes, Rooms, and other Places, for making or keeping of Glaſs, or of Materials mixed and prepared for making of Glaſs, and give like Notice before they uſe any Pot or Pots, for the preparing or making of Glaſs, as Makers of Glaſs were by the ſaid recited Act directed to make; on Pain of forfeiting, for every Neglect, as by the ſaid recited Act is directed.

Directions relating to making Entries, Oaths, &c.

'XXVIII. And whereas in and by the ſaid recited Act, it is, amongſt other Things, enacted, That all 'ſuch Entries, Oaths, or Affirmations, therein mentioned, as ſhould be made in all other Parts of *Great* '*Britain*, without the Limits of the weekly Bills of Mortality, ſhould be made with or by the reſpective 'Collectors or Superviſors of the Diſtrict or Diviſion within which the reſpective Makers of Glaſs ſhould 'inhabit: And whereas Makers of Glaſs, or ſome of the Partners, often inhabit out of and at ſuch Diſtance 'from the Diſtrict or Diviſion wherein ſuch Glaſs was made, as to render it difficult to carry the ſaid Pro-'viſions into Execution;' for Remedy whereof, be it further enacted by the Authority aforeſaid, That all ſuch Entries, Oaths, and Affirmations, in and by the ſaid recited Act required to be made in all other Parts of *Great Britain*, without the Limits of the weekly Bills of Mortality, ſhall be made with or by the reſpective

tive Collectors or Supervisors of the Diſtrict or Diviſion, within which the reſpective Glaſs-houſes ſhall be ſituate, any Thing therein contained to the contrary notwithſtanding, and ſhall be made without any Fee or Charge whatſoever to be demanded or taken for the ſame.

New Duties to be raiſed, &c. in like Manner, and under ſuch Penalties and Forfeitures, as are preſcribed by the above-recited Act;

XXIX. And be it further enacted by the Authority aforeſaid, That the ſaid ſeveral Duties by this Act impoſed within and throughout the ſaid Kingdom of *Great Britain*, ſhall be raiſed, levied, collected, and paid, and be ſubject to be drawn back upon the Exportation of ſuch Glaſs (except in ſuch Caſes where it is otherwiſe directed by this preſent Act), in ſuch like Form and Manner, and with ſuch Allowances, and under ſuch Penalties and Forfeitures, and according to ſuch Rules, Methods, and Directions, as are preſcribed or appointed for raiſing, levying, collecting, and paying the ſeveral and reſpective Duties upon Glaſs, in and by the ſaid recited Act and this Act; and all and every the Powers, Authorities, Rules, Directions, Penalties, Forfeitures, Clauſes, Matters, and Things therein mentioned, for managing, raiſing, levying, collecting, mitigating, recovering, adjudging, aſcertaining, and paying the ſeveral and reſpective Rates and Duties thereby granted (other than in ſuch Caſes only for which other Penalties are preſcribed in and by this preſent Act) ſhall be in full Force, and be duly obſerved, practiſed, and put in Execution, to all Intents and Purpoſes, as well as for managing, raiſing, levying, collecting, mitigating, recovering, and paying the ſeveral Rates and Duties by this Act granted, as fully and effectually as if the ſaid Act, and all and every the ſaid Powers, Authorities, Rules, Directions, Methods, Penalties, Forfeitures, Clauſes, Matters, and Things, were particularly repeated and re-enacted in the Body of this preſent Act; and all the Monies ariſing by the ſeveral Rates and Duties by this Act granted (the neceſſary Charges of raiſing, collecting, and accounting for the ſame excepted), ſhall, from Time to Time, be paid into the Receipt of his Majeſty's Exchequer at *Weſtminſter*, diſtinctly and apart from all other Branches of the public Revenue.

Except, &c.

Duties granted by this Act to be paid into the Exchequer ſeparately.

'XXX. And whereas the Duties upon Glaſs, granted by the afore-recited Act of the nineteenth Year of 'the Reign of his late Majeſty King *George* the Second, were, together with certain Duties upon Spi-'rituous Liquors, made a Fund for the Payment of the ſeveral Annuities granted by the ſaid Act; and by 'an Act of the twenty-fifth Year of the Reign of his ſaid late Majeſty King *George* the Second, the ſame 'were directed to be carried to the Sinking Fund, after reſerving ſufficient to anſwer and pay ſuch Annu-'ities on Lives at the Exchequer as were eſtabliſhed by the afore-mentioned Act of the nineteenth Year of 'his ſaid late Majeſty;' be it therefore enacted by the Authority aforeſaid, That, from and after the fifth Day of *July*, one thouſand ſeven hundred and ſeventy-ſeven, the yearly Sum of ſixty-three thouſand and ſeventy-eight Pounds, eight Shillings, and eightpence, being the Amount of the annual Produce into the Exchequer of the Duties upon Glaſs, hereby repealed, ſhall, by half-yearly Sums, be reſerved and ſet apart, at the ſaid Receipt of the Exchequer, on the fifth Day of *January* and the fifth Day of *July* in every Year, out of the Duties hereby granted, and ſhall be applied to the ſame Uſes and Purpoſes as the Duties hereby repealed were applicable; and the Reſidue of the Produce of the Duties hereby granted ſhall be carried to and made a Part of the Fund commonly called the *Sinking Fund*, towards making good to the ſame the Charge thereupon for Payment of ſuch Annuities as ſhall or may be charged on the ſaid Fund by any Act of this Seſſion of Parliament.

63,078l. 8s. 8d. out of the Duties hereby granted, to be applied in the ſame Manner as the former Duties;

and the Reſidue to be carried to the Sinking Fund.

'XXXI. And whereas, in the manufacturing of all Sorts of Glaſs, Part of the Metal and other Mate-'rials uſed for making of Glaſs, are left at the Bottom of each Pot uſed for preparing and mixing the ſame, 'which cannot be conveniently wrought out, and other Waſte doth neceſſarily happen in the manufac-'turing of thoſe Materials, and the Allowances by the ſaid recited Act given and provided are not ſuf-'ficient;' it is hereby further enacted and provided, That in all Pots, containing more than one hundred Weight, uſed for the preparing and mixing of Metal and other Materials for making of Flint, Enamel, Stained Glaſs, and of all Phial Glaſs, an Allowance ſhall be made to the Makers of ſuch Glaſs of one-fourth Part of the Metal or other Materials contained therein, and of one Inch deep at the Bottom of every ſuch Pot; and in ſmall Pots, commonly called *Pile Ends*, which will not contain one hundred Weight, and uſed as aforeſaid, an Allowance ſhall be made to ſuch Makers of one-fifth only of the Metal or Materials contained therein; and in Pots uſed for the making of Crown and Plate Glaſs, and of all Window Glaſs, whether flaſhed or ſpread, or otherwiſe manufactured, an Allowance ſhall be made to ſuch Makers of one-fourth Part of the Metal or other Materials contained therein, and of four Inches deep at the Bottom; and in Pots uſed for the making of common Bottles (not being Phials) and of other Veſſels or Utenſils hereinbefore mentioned, to be made of common Bottle Metal, an Allowance ſhall be made to the Makers thereof of one-fifth Part of the Metal or other Materials contained therein, and three Inches deep at the Bottom of every ſuch Pot; and the reſpective Commiſſioners for the inland Duties on Glaſs in *Great Britain* are hereby authoriſed and required to make the reſpective Allowances herein directed; which Allowances are hereby declared to be in full Compenſation for all Waſte, Damage, or Loſs whatſoever, except the Allowance by the ſaid recited Act made and provided where Pots uſed for the preparing and mixing of Metal and other Materials for making of Glaſs ſhall crack or break.

Allowances to be made to the Makers of Glaſs for Waſte.

XXXII. And be it further enacted by the Authority aforeſaid, That if any Maker of Glaſs ſhall be deſirous of manufacturing or working up any of the Metal or Materials that ſhall be left in the Bottom of any Pot or Pots, for which the Allowance ſhall have been made of three Inches or of four Inches at the Bottom of ſuch Pots reſpectively to the Maker as aforeſaid, into any Glaſs Wares whatever, and ſhall, by the Space of ſix Hours next before he, ſhe, or they, begins to work the ſame, give Notice in Writing to the Officer of Exciſe of the Diviſion or Place where ſuch Glaſs ſhall be ſo manufactured or worked, of his, her, or their Intention to manufacture or work the ſame, ſpecifying in ſuch Notice the particular Manufacture or Work he intends to make from ſuch Bottoms, and from which Pot or Pots, and the particular Time of beginning to work the ſame; then, and in every ſuch Caſe, it ſhall and may be lawful for every ſuch Maker of Glaſs to manufacture and work the ſaid Bottoms; and the Metal and Materials in the ſaid Bottoms ſhall, in ſuch Caſe, be chargeable and be charged by the Officers for the ſaid Duties with the Duty of eighteen

Glaſs-makers may work up Materials left in the Bottom of their Pots, after having given Notice to the proper Officers of Exciſe.

eighteen Shillings and eight-pence for every hundred Weight, and ſo in Proportion for every greater or leſſer Quantity; and in every ſuch Caſe, an Allowance ſhall be made to ſuch Makers of Glaſs of one Inch, and no more, at the Bottom of every ſuch Pot; any Thing herein-before contained to the contrary notwithſtanding: And if any Maker of Glaſs ſhall manufacture or work any Part of the Metal or Materials that ſhall be left at the Bottom of any ſuch Pot or Pots as aforeſaid, without having given ſuch Notice as herein is directed and required, ſuch Maker of Glaſs ſhall forfeit and loſe, for every ſuch Offence, the Sum of fifty Pounds.

Penalty on doing it, without giving proper Notice.

'XXXIII. And whereas ſome Makers of Glaſs, in giving Notice under the Directions of the ſaid recited 'Act, have neglected or refuſed to ſpecify the true Kind and Weight of the Metal or Preparation put into 'each particular Pot uſed for the making of Glaſs, and have alſo put in Metal or Materials into the Pot or 'Pots after a Gauge of the Metal therein hath been taken by the Officer, under Pretence that the ſame 'were Moyles or Glaſs of the preſent or of ſome former Making, by which Means the Revenue is greatly 'defrauded;' for Remedy whereof, it is hereby enacted and declared, That every Maker of Glaſs ſhall, in every Notice hereafter to be given, expreſs in Writing the particular Time and Hour when he intends to begin to fill or charge his Pot or Pots, and the Account of the true Weight of the Metal or Preparation to be made uſe of in each particular Pot uſed for the making of Glaſs, and the Species and particular Kind of Glaſs intended to be made in each Pot: And if any Maker of Glaſs ſhall neglect or refuſe to give the Notice by this preſent Act, and the ſaid recited Act, directed and required, or after ſuch Notice given, and a Gauge taken by the Officer of the Metal or Preparation in their Pots, ſhall, without a freſh Notice in Writing, put into any ſuch Pot any Metal, Material, or Preparation whatſoever, every ſuch Maker of Glaſs ſhall, in every ſuch Caſe, forfeit and loſe the Sum of fifty Pounds.

Particulars of the Notice to be given by Glaſs-makers before they charge their Pots.

Penalty on Neglect.

'XXXIV. And for the more effectual aſcertaining the Weight and Species of the Materials or Metal, 'or other Preparations made uſe of in the making of Glaſs, and preventing Frauds which may be com-'mitted therein, or in relation to ſuch Notice and Account hereby required to be reſpectively given, and 'in order that the ſame may be properly examined,' be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Gaugers, or other Officers of Exciſe, to take a Sample or Samples, not exceeding four Ounces in the Whole, out of each of the ſaid Pots, or any other Thing containing ſuch Preparations for making Glaſs as aforeſaid, paying for ſuch Sample or Samples (if demanded) the Sum of one Halfpenny for each Ounce; and in caſe any Perſon or Perſons ſhall obſtruct or hinder the Gaugers, or other Officers of Exciſe, in taking ſuch Sample or Samples, he, ſhe, or they ſhall reſpectively forfeit, for every ſuch Offence, the Sum of fifty Pounds.

Officers of Exciſe may take a Sample of the Materials out of each Pot, &c.

Penalty on obſtructing them.

'XXXV. And whereas it was further provided by the ſaid Act, That it ſhould be lawful for any Per-'ſon or Perſons who ſhould have actually paid his Majeſty's Duties by the ſaid Act payable for any Quan-'tity of Glaſs whatſoever made from any of the Materials thereby charged, and to and for any other 'Perſon or Perſons who ſhould buy, or be lawfully intitled to any ſuch Quantity of Glaſs from the ſaid 'Perſon or Perſons who actually paid his Majeſty's Duties for the ſame, to export ſuch Glaſs for any 'Foreign Parts, by Way of Merchandiſe, upon the Terms, and according to the Directions, and with 'ſuch Drawback and Allowance, as are therein expreſſed: And whereas Glaſs is often exported in ſuch 'Quantities according to the Demands of the Markets beyond the Seas, and the Manner hereby preſcribed 'for obtaining ſuch Drawback and Allowance is attended with Difficulty to the Exporters; for the En-'couragement therefore of the Glaſs Manufacturers and Exporters of Glaſs in *Great Britain*,' be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for any Perſon or Perſons, who have actually paid or been charged with his Majeſty's Duties by this preſent Act, or by the ſaid recited Act reſpectively, payable for any Quantity of Glaſs whatſoever, made from any of the Materials thereby reſpectively charged, and to and for any other Perſon or Perſons who ſhall buy, or be lawfully intitled to any ſuch Quantity of Glaſs, from the ſaid Perſon or Perſons who actually paid his Majeſty's Duties for the ſame, to export ſuch Glaſs for any Foreign Parts, by Way of Merchandiſe, in any Seaport, or upon any navigable River near to which ſuch Glaſs-houſe ſhall be ſituated, within any of the uſual and allowed Ports by Law eſtabliſhed, for and upon Account of himſelf or any other, in the Preſence of an Officer of Exciſe, to be appointed by the reſpective Commiſſioners of Exciſe in *Great Britain*, upon twelve Hours Notice thereof being given to the ſaid Officer of Exciſe within the Limits whereof the ſaid Glaſs ſhall be exported (who is hereby impowered and required to ſee the ſaid Glaſs weighed); and Proof being made upon Oath, or by Affirmation, in caſe the Perſon be a known Quaker, by the Clerk or Chief Manager of the reſpective Glaſs-houſe where ſuch Glaſs was made, that the Duty of ſuch Glaſs hath been reſpectively paid or charged according to the Directions of this preſent or the ſaid recited Act, expreſſing the Quantity and Weight of ſuch Glaſs; and alſo like Oath or Affirmation by ſuch Clerk or Chief Manager, or of one or more Perſon or Perſons having Knowledge of the Packing and intended Exportation thereof, expreſſing the Quality and Weight of ſuch Glaſs, and that no broken nor Waſte Glaſs hath been packed with, nor is included in, any Box, Crate, or other Package containing the ſaid Glaſs, and that the ſame Glaſs is to be really and truly exported beyond the Seas as Merchandiſe; and thereupon the Collector for the ſaid Duties upon Glaſs, or ſuch other Perſon or Perſons as ſhall be deputed by the ſaid reſpective Commiſſioners of Exciſe to act in his Abſence, ſhall give to ſuch Perſon or Perſons *gratis* a Certificate or Certificates, expreſſing the Qualities and Weight of ſuch Glaſs, and that the Duties are paid, or charged for the ſame as aforeſaid; which Certificate being produced to the Officer of Exciſe at the Port where the ſaid Glaſs ſhall be exported, and Oath or Affirmation as aforeſaid being made by the Exporter, or his Clerk or Chief Manager, before the Officer of Exciſe of the ſaid Port (who is hereby authoriſed and required to adminiſter the ſame without any Fee or Charge) that the ſaid Glaſs ſo exported is the ſame mentioned and deſcribed in the ſaid Certificate, and ſufficient Security being given before the ſhipping thereof for Exportation, to be approved of by the ſaid reſpective Commiſſioners of Exciſe, or the Perſon or Perſons to be reſpectively appointed by them for that Purpoſe, in Treble the Value of the Duty intended

Any Perſon who has paid the Duties granted by this Act, and the recited Act, for any Quantity of Glaſs, may export the ſame from any Seaport, &c. near the Glaſs-houſe, in the Preſence of an Officer of Exciſe: And on proving that the Duty hath been paid, &c.

the Collector ſhall give a Certificate;

on producing whereof to the Officer of Exciſe at the Port of Exportation, &c. and on giving Security that the Whole of the ſaid Glaſs ſhall be exported, &c.

tended to be drawn back, that the particular Glaſs which ſhall be intended to be exported as aforeſaid, and every Part thereof, ſhall be ſhipped and exported, and that the ſame, or any Part thereof, ſhall not be relanded or brought again into any Part or Parts of *Great Britain*; which Security the Officer of Exciſe of the ſaid Port where ſuch Glaſs ſhall be exported is hereby directed and authoriſed to take, in his Majeſty's Name, and to his Uſe, inſtead of the Security directed by the ſaid recited Act to be taken by the Cuſtomer or Collector of the reſpective Port for ſuch Exportation; and then the ſaid Officer of Exciſe of the ſaid Port where ſuch Glaſs ſhall be exported ſhall give a Certificate under his Hand, expreſſing the Quality and true Weight of the Glaſs ſo exported, and that the ſame was ſhipped in his Preſence, and that ſufficient Security has been given for the due exporting thereof; which Certificate being produced to the Collector appointed to receive the ſaid Duties upon Glaſs, or ſuch Collector of the Port where the ſaid Glaſs was exported, he ſhall forthwith pay or allow to the Perſons or Agents ſo exporting the ſame a Drawback or Allowance of eighteen Shillings and eight-pence *per* hundred Weight for all Plate, Flint, Enamel, Stained, or Paſte Glaſs, and for all Phial Glaſs, made in *Great Britain*; and ſeven Shillings *per* hundred Weight for all Spread Window-glaſs made in *Great Britain*; and fourteen Shillings *per* hundred Weight for all other Window-glaſs (not being Spread Glaſs) whether flaſhed or otherwiſe manufactured, and commonly called or known by the Name of *Crown Glaſs*, made in *Great Britain*; and fourteen Shillings *per* hundred Weight for all Glaſs called *German Sheet Glaſs*, made in *Great Britain*; and three Shillings and Sixpence *per* hundred Weight for all Common Bottles, not being Phials, and for all other Veſſels or Utenſils made of Common Bottle Metal made in *Great Britain*; and after that Rate for a greater or leſſer Quantity: And if ſuch Collector ſhall not have Money in his Hands to pay the ſame, then the ſaid reſpective Commiſſioners of Exciſe in *Great Britain* are required to pay the ſaid Certificate or Certificates out of the Duties upon Glaſs, ariſing by this or the ſaid recited Act.

a Drawback ſhall be paid.

'XXXVI. And whereas it frequently happens that the Collectors of the Duties, under the Manage-'ment of the Commiſſioners of Exciſe, who are by Law required and impowered to adminiſter the 'Oath or Affirmation, and thereupon to give Certificates that ſuch Duties have been duly paid or ſecured, 'are frequently abſent from Home in the Execution of other Parts of their Duty, whereby the Export-'ation of ſuch Wares or Merchandiſe may be greatly delayed;' be it therefore enacted by the Authority aforeſaid, That it ſhall and may be lawful for ſuch Perſon or Perſons as ſhall be appointed by the Commiſſioners of Exciſe in *Great Britain* reſpectively for the Time being, or the major Part of them, within their ſeveral Diſtricts, to adminiſter ſuch Oath or Affirmation, in the Abſence of the reſpective Collectors, to the Perſons ſo applying for the ſame, in order to export ſuch Wares and Merchandiſes as aforeſaid, and to give *gratis* to ſuch Perſons ſuch Certificate or Certificates as required by the ſeveral Acts whereby ſuch Duties are reſpectively charged upon ſuch Wares or Merchandiſes, in the ſame Manner as the Collectors of Exciſe are by Law required and impowered to do.

Commiſſioners of Exciſe to appoint Perſons to adminiſter Oaths in the Abſence of Collectors.

'XXXVII. And whereas Frauds have been committed by relanding or unſhipping of Glaſs, after be-'ing entered and ſhipped for Exportation, and alſo by entering broken Glaſs or waſte Glaſs for Export-'ation, in order to obtain the Drawback or Allowance for the ſame, as if it was Glaſs exported for Mer-'chandiſe, which was the true Intent and Meaning of the ſaid recited Act; now the better to prevent 'ſuch Abuſes,' be it further enacted and declared by the Authority aforeſaid, That if, after the ſhipping of any Glaſs to be exported purſuant to this preſent Act, in order to obtain the reſpective Allowances or Drawbacks therein mentioned, the Glaſs ſo ſhipped to be exported, or any Part thereof, ſhall be fraudulently unſhipped, unladed, relanded, or put into any other Ship, Veſſel, or Boat, within the Kingdom of *Great Britain*, that then, and in every ſuch Caſe, over and above all other Penalties and Forfeitures, the Exporter or Exporters of ſuch Glaſs, and all and every Perſon and Perſons who ſhall be any ways concerned, or aiding or aſſiſting, in fraudulently unſhipping, unlading, relanding, or putting into any other Ship, Veſſel, or Boat, any Part of the ſaid Glaſs, in any Part of *Great Britain*, ſhall, for every ſuch Offence, forfeit and loſe the Sum of one hundred Pounds; and every Perſon and Perſons who ſhall knowingly enter, or cauſe or ſuffer to be entered, any broken or waſte Glaſs for Exportation, with Intent that any Drawback or Allowance ſhould be obtained, ſhall, over and above all other Penalties and Forfeitures, for every ſuch Offence, alſo forfeit and loſe the Sum of one hundred Pounds.

Penalty on fraudulently relanding, &c. Glaſs ſhipped for Exportation;

or entering broken or waſte Glaſs.

XXXVIII. And be it further enacted by the Authority aforeſaid, That no Perſon whatſoever, being a Maker of Glaſs, or who is or ſhall be any way intereſted in, or concerned in, the Trade or Buſineſs of making Glaſs, or in any Glaſs-houſe or Glaſs-houſes already or hereafter to be ſet up, ſhall, during ſuch Time as he ſhall be ſo concerned or intereſted in ſuch Glaſs Manufacture, Trade, Buſineſs, or Glaſs-houſe as aforeſaid, or in any of the ſaid Trades or Buſineſſes, be capable, or have any Power to act as a Juſtice of the Peace in any Matter or Thing whatſoever which ſhall any ways concern the Execution of the Powers or Authorities given or granted by this preſent Act, or any other Act of Parliament relating to the Duty or Duties impoſed upon Glaſs, or upon the Materials for making of Glaſs; and in caſe any ſuch Perſon or Perſons ſhall, contrary to the true Intent and Meaning hereof, preſume to execute any ſuch Powers or Authorities, it is hereby enacted and declared, That all and every ſuch Act ſo done by ſuch Perſon or Perſons ſhall be null and void to all Intents and Purpoſes whatſoever.

No Glaſs-maker, &c. to act as a Juſtice of Peace in any Matter relating to the Duties on Glaſs.

'XXXIX. And whereas there may have been Contracts or Bargains made for the Purchaſe and Sale of 'home-made Glaſs and Bottles, to be delivered and received at future Times after the ſaid fifth Day of '*July*, one thouſand ſeven hundred and ſeventy-ſeven; which Contracts and Bargains, by Reaſon of the 'Duties on Glaſs and Glaſs Bottles hereby impoſed, cannot be complied with by the Sellers without great 'Loſs and Damage;' be it therefore enacted by the Authority aforeſaid, That all Contracts or Bargains made, or to be made, before the ſaid fifth Day of *July*, one thouſand ſeven hundred and ſeventy-ſeven, for the Purchaſe and Sale of home-made Glaſs or Glaſs Bottles, to be delivered and received at any future Time or Times, which ſhall not be performed and complied with on or before the ſaid fifth Day of *July*, one thouſand ſeven hundred and ſeventy-ſeven, ſhall be, and are hereby declared to be, null and void, and

All Contracts for home-made Glaſs or Glaſs Bottles, which ſhall not be performed before July 5, 1777, to be void;

and all Money advanced on Account of ſuch Contracts, to be repaid with Intereſt.

and of no Effect; and in caſe any Sum or Sums of Money ſhall have been advanced and paid by any Purchaſer or Purchaſers for or on account of any home-made Glaſs or Glaſs Bottles, which ſhall not be delivered on or before the ſaid fifth Day of *July*, one thouſand ſeven hundred and ſeventy-ſeven, all ſuch Sums of Money ſhall be forthwith repaid to the Perſon or Perſons who ſhall have advanced and paid the ſame, together with legal Intereſt for the ſame, from the Time and Times that ſuch Sum or Sums of Money ſhall have been reſpectively advanced and paid.

Penalty on Perſons obſtructing Officers in the Execution of this Act.

XL. And it is hereby enacted, That if any Maker of Glaſs, or any other Perſon or Perſons, ſhall obſtruct or hinder any of the ſaid Officers in the Execution of any of the Powers given him or them by this Act for aſcertaining and ſecuring the ſaid Duties upon Glaſs, the Perſon or Perſons ſo offending therein ſhall, for every ſuch Offence, forfeit the Sum of fifty Pounds.

Penalties and Forfeitures how to be recovered and applied.

XLI. And be it further enacted and declared by the Authority aforeſaid, That all Fines, Penalties, and Forfeitures, by this Act impoſed, ſhall be ſued for, levied, recovered, or mitigated, by ſuch Ways, Means, and Methods, as any Fine, Penalty, or Forfeiture is or may be recovered or mitigated by any Law or Laws of Exciſe, by this Act, or by Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, or in the Court of Exchequer in *Scotland*; and that one Moiety of every ſuch Fine, Penalty, or Forfeiture, ſhall be to his Majeſty, his Heirs and Succeſſors, and the other Moiety to him or them who ſhall diſcover, inform, or ſue for the ſame.

Act 29 Geo. II. for granting Duties on Silver Plate, repealed.

'XLII. And whereas it has been found by Experience, that the Rates and Duties ariſing by an Act, 'made in the twenty-ninth Year of the Reign of his late Majeſty King *George* the Second, intituled, *An 'Act for granting to his Majeſty ſeveral Rates and Duties, payable by all Perſons and Bodies Politic or Corporate 'having certain Quantities of Silver Plate*, are very vexatious and troubleſome in the levying and collecting 'the ſame, and of ſmall Advantage to the Public;' be it therefore enacted by the Authority aforeſaid, That, from and after the fifth Day of *July*, one thouſand ſeven hundred and ſeventy-ſeven, the ſeveral annual Rates and Duties charged by the ſaid recited Act ſhall ceaſe, determine, and be no longer paid or payable; and that then, and from thenceforth, all the Powers and Authorities given and granted, and the Rules and Regulations eſtabliſhed and preſcribed by the ſaid recited Act, or by any other Act or Acts of Parliament for or in relation to the managing, ſecuring, aſcertaining, collecting, recovering, levying, and paying the ſaid Rates and Duties, and all Penalties and Forfeitures in reſpect thereof, ſhall alſo ceaſe, determine, and be no longer put in Execution; ſave only and except in all Caſes relating to the recovering any Arrears which may at that Time remain unpaid of the ſaid Rates and Duties, or to any Penalty or Forfeiture which ſhall have been incurred upon or at any Time before the ſaid fifth Day of *July*, one thouſand ſeven hundred and ſeventy-ſeven; any Thing herein-before contained to the contrary notwithſtanding.

Perſons ſued for executing this Act, may plead the general Iſſue, and recover treble Coſts.

XLIII. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall, at any Time or Times, be ſued, moleſted, or proſecuted, for any Thing by him or them done or executed in purſuance of this Act, or of any Clauſe, Matter, or Thing herein contained, ſuch Perſon or Perſons ſhall and may plead the general Iſſue, and give the ſpecial Matter in Evidence for his or their Defence; and if, upon the Trial, a Verdict ſhall paſs for the Defendant or Defendants, or the Plaintiff or Plaintiffs become nonſuited, then ſuch Defendant or Defendants ſhall have Treble Coſts awarded to him or them againſt ſuch Plaintiff or Plaintiffs.

## CAP. XL.

An Act to authoriſe the carrying of the Captures therein mentioned into any Part of his Majeſty's Dominions in *North America*; and for aſcertaining the Value of ſuch Part of Ships and Goods as belong to the Recaptors.

Preamble.

Act 16 Geo. III. recited.

'WHEREAS by an Act, made in the ſixteenth Year of the Reign of his preſent Majeſty (intituled, *'An Act to prohibit all Trade and Intercourſe with the Colonies of* New Hampſhire, Maſſachuſet's Bay, 'Rhode Iſland, Connecticut, New York, New Jerſey, Penſylvania, *the three lower Counties on* Delaware, 'Maryland, Virginia, North Carolina, South Carolina, *and* Georgia, *during the Continuance of the preſent 'Rebellion within the ſaid Colonies reſpectively; for repealing an Act, made in the fourteenth Year of the Reign 'of his preſent Majeſty*, to diſcontinue the landing and diſcharging, lading or ſhipping, of Goods, Wares, 'and Merchandiſe, at the Town and within the Harbour of *Boſton*, in the Province of *Maſſachuſet's Bay*; *'and alſo two Acts, made in the laſt Seſſion of Parliament, for reſtraining the Trade and Commerce of the Colo- 'nies in the ſaid Acts reſpectively mentioned; and to enable any Perſon or Perſons, appointed and authoriſed by his 'Majeſty to grant Pardons, to iſſue Proclamations, in the Caſes, and for the Purpoſes therein mentioned)*; it 'was (amongſt other Things) provided and enacted, That no Captures which ſhould be taken by virtue 'of the ſaid Act, ſhould be carried into any of the Colonies or Plantations in *America*, therein before par- 'ticularly mentioned, during and ſo long Time as ſuch Colonies or Plantations reſpectively ſhould con- 'tinue in a State of Rebellion: And whereas many ſuch Captures have been, ſince the paſſing of the ſaid 'Act, carried into the Port and Harbour of *New York*, and it may be expedient to allow that ſuch Cap- 'tures ſhould be carried into the ſaid Port and Harbour, or into any other Port, Harbour, or Place, in his 'Majeſty's Dominions aforeſaid, provided the ſame be done with the Conſent, Licence, and Warrant, of 'the ſaid Perſon or Perſons, appointed and authoriſed by his Majeſty to grant a Pardon or Pardons to any 'Number or Deſcription of Perſons;' be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That it ſhall and may be lawful for the Perſon or Perſons, appointed and authoriſed by his Majeſty to grant Pardons, as aforeſaid, and they, or either or any of them, are hereby impowered to grant his or their Licence or Warrant, authoriſing any Captor or Captors,

Any Perſon authoriſed by his Majeſty to grant Pardons, &c. may grant a Licence to carry Captures into any Port in America.

or any other Perſon or Perſons whatſoever in their Behalf, to carry any ſuch Captures into any Port, Harbour, or Place, in any of his Majeſty's Dominions aforeſaid; any Thing in the ſaid Act contained to the contrary notwithſtanding.

II. And be it alſo enacted by the Authority aforeſaid, That all ſuch Captures which have been already carried into the ſaid Port and Harbour of *New York*, or which, before the firſt Day of *Auguſt*, one thouſand ſeven hundred and ſeventy-ſeven, ſhall be carried in there, or into any of his Majeſty's Dominions, with ſuch Licence and Warrant as aforeſaid, ſhall be deemed to have been lawfully carried into ſuch Port or Harbour; and after Condemnation as lawful Prize, the ſame ſhall and may, with the like Licence and Warrant, be exported from thence, and brought and imported into this Kingdom, or any other of his Majeſty's Dominions, upon Payment of the ſame Cuſtoms and Duties, and ſubject to the ſame Reſtrictions and Regulations in all other Reſpects, as the ſame now are ſubject to by the ſaid recited Act; any Thing therein to the contrary thereof notwithſtanding.

All Captures which have been carried into the Harbour of New York, or before Aug. 1, 1777, ſhall be carried into any of his Majeſty's Dominions, with Licence aforeſaid, ſhall be deemed to have been lawfully carried in, &c.

'III. And whereas, ſince the paſſing of the ſaid Act, ſeveral Ships and Veſſels, with their Cargoes, 'which had been taken by the Inhabitants of ſome of his Majeſty's rebellious Colonies or Plantations in '*America*, and were afterwards retaken, have been condemned in the Courts of Admiralty or Vice-admi-'ralty in the *Weſt Indies*, and in *America*, and afterwards ſold in order to aſcertain one-eighth Part of the 'Value of ſuch Ships, Veſſels, and Cargoes, to which the Recaptors are intitled by virtue of the ſaid Act; 'by Means whereof the original Owners, and others intereſted therein, have been greatly damnified: For 'Remedy whereof,' be it declared and enacted by the Authority aforeſaid, That when any Ship, Veſſel, or Boat, taken by virtue of the ſaid Act, or any Goods therein, ſhall appear and be proved, in any Courts of Admiralty or Vice-admiralty aforeſaid, to have belonged to any of his Majeſty's Subjects of *Great Britain* or *Ireland*, or any of the Dominions and Territories remaining and continuing in their Allegiance to the King, and under his Majeſty's Protection, and to have been taken or ſurprized by any of the Inhabitants of his Majeſty's rebellious Colonies or Plantations therein before mentioned, and to be in the Poſſeſſion or Power of ſuch unlawful Captor at the Time of ſuch retaking: then, and in ſuch Caſe, ſuch Ships, Veſſels, Boats, and Goods, belonging to ſuch his Majeſty's Subjects remaining and continuing under his Protection and Obedience, as aforeſaid, ſhall in all Caſes be adjudged to be reſtored, and ſhall be, by Decree of the ſaid Vice-admiralty Court, accordingly reſtored to ſuch Owner or Owners, he or they paying one-eighth of the Value thereof to the Recaptors, or giving good and ſufficient Security, to the Satisfaction of the Recaptors, to pay one-eighth of the true Value of ſuch Ship and Goods ſo retaken, for and in lieu of Salvage: And for aſcertaining ſuch one-eighth Part, where it ſhall be judged neceſſary by the Owner or Owners of ſuch Veſſel or Boat, or the Goods therein ſo retaken as aforeſaid, to be removed into any other Port or Place in order to be ſold or diſpoſed of, the Judge of the Vice-admiralty Court, in which the ſaid Ship and Goods ſhall be decreed to be reſtored, ſhall forthwith cauſe the ſame to be appraiſed by Perſons to be named by the Claimant and Recaptors; or if they do not agree, to be appointed by the Court, and ſworn truly to appraiſe the ſame according to the beſt of their Skill and Knowledge; and that no Ship, Veſſel, or Boat, or Goods, Wares, and Merchandiſes, laden therein, ſo retaken as aforeſaid, ſhall be ſold or diſpoſed of for the Purpoſe of paying any ſuch Salvage or eighth Part, or on any other Account whatſoever, unleſs by the Conſent of the Owners; except in Caſes where there ſhall be no Claim for ſuch retaken Ships, Veſſels, Boats, or Goods; in which Caſe, the Judge of the ſaid Vice-admiralty Court ſhall order as much of the Cargo, after having been appraiſed as aforeſaid, to be ſold, as will be ſufficient to pay the Recaptors the one-eighth of the Value of the Ship and Cargo, and the Expences of the Appraiſement and Sale; and if the Cargo be not ſufficient for that Purpoſe, then the Ship or Veſſel to be likewiſe ſold, and the Remainder, after paying the ſaid Salvage, to be depoſited in the Regiſtry of ſuch Vice-admiralty Court, for the Benefit of the Owners who ſhall thereafter apply for and claim the ſame; and except alſo in ſuch Caſes where any Part of the Cargo ſhall appear to be in a periſhing Condition; in which Caſe the ſaid Judge ſhall direct the Sale of ſuch periſhing Part, for the Benefit of the Perſons concerned therein.

Veſſels, &c. which had been taken from his Majeſty's Subjects not in Rebellion, and which ſhall be retaken,

ſhall be reſtored to the Owners,

on paying 1-8th Part of the Value thereof.

Veſſels, &c. to be appraiſed;

but not ſold without the Conſent of the Owners; except, &c.

## CAP. XLI.

An Act to prevent the clandeſtine unſhipping from and receiving Goods at Sea on board Veſſels employed in the *Eaſt India* Company's Service; for aſcertaining the Manner of diſcharging Bonds given for the due Exportation of certain Goods from *Great Britain* to Foreign Parts; and to oblige the Maſters of *Britiſh* or *Iriſh* Ships, ſailing from any of his Majeſty's Dominions into the *Baltick*, to deliver a Manifeſto of their Cargoes to the *Britiſh* Conſul reſiding there.

Preamble,

'WHEREAS the Laws heretofore made to prevent the clandeſtine running of Goods from on board 'Ships employed in the Service of the *Eaſt India* Company on their homeward Voyages, and the 'receiving of Goods on board ſuch Ships at Sea on their outward Voyages from this Kingdom, are inſuffi-'cient to anſwer thoſe Purpoſes, it having been found by Experience that very large Quantities of Muſlins, 'Teas, and other Goods, are unſhipped from on board ſuch Ships into Veſſels that meet them at Sea on their 'Voyages homewards, which Goods are afterwards run on Shore on the Coaſts of this Kingdom without 'Payment of Duties; and alſo that large Quantities of Wine, Brandy, and other Goods, are clandeſtinely 'laden and put on board Ships employed in the ſaid Company's Service on their outward-bound Voyages 'at Sea, from Veſſels that wait hovering for them upon the Coaſt of this Kingdom, laden with ſuch 'Goods from foreign Parts; to the great Loſs of the public Revenue, the Detriment of the *Eaſt India* 'Company, and the Prejudice of the fair Traders: For Remedy whereof,' may it pleaſe your Majeſty

that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That, from and after the twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-ſeven, if any Muſlin, Tea, or other Goods, Wares, or Merchandiſes whatſoever, ſhall be unſhipped at Sea, and taken out of any Ship or Veſſel employed in the Service of the ſaid *Eaſt India* Company, on her Voyage homewards to this Kingdom, at any Diſtance from the Coaſts thereof (unleſs in Caſe of apparent Neceſſity, or ſome other lawful Reaſon, of which the Maſter, Commander, or other Perſon having Charge of ſuch Ship or Veſſel, ſhall give immediate Notice to, and make Proof of before, the Collector and Comptroller, or the Chief Officer or Officers of the Cuſtoms, at the firſt Port of this Kingdom where he ſhall arrive); all ſuch Muſlin, Tea, or other Goods, Wares, and Merchandiſes, and every Ship, Veſſel, or Boat, into which the ſame ſhall be unſhipped and taken, or which ſhall be uſed in the removing, carrying, or conveying the ſame, ſhall be forfeited and loſt; and the Maſter, Commander, or other Perſon having Charge of ſuch Ship or Veſſel from which ſuch Goods ſhall be ſo unſhipped and taken, knowingly permitting or ſuffering ſuch Goods to be ſo unſhipped and taken out of ſuch Ship or Veſſel, and every other Perſon who ſhall be aiding, aſſiſting, or otherwiſe concerned in the unſhipping or receiving of ſuch Goods, ſhall forfeit Treble the Value thereof.

Penalty on unſhipping Goods at Sea from any homeward-bound Veſſel employed by the Eaſt India Company, at any Diſtance from the Coaſts of this Kingdom (unleſs in caſe of Neceſſity, &c.);

II. And it is hereby further enacted by the Authority aforeſaid, That, from and after the ſaid twenty-fourth Day of *June*, if any Wine, Brandy, or other Goods whatſoever, ſhall be laden or put on board any Ship or Veſſel, employed in the Service of the ſaid *Eaſt India* Company, at Sea, at any Diſtance from the Coaſts of this Kingdom, after ſuch Ship or Veſſel hath been cleared outwards, and departed from the Port of *London* on her outward-bound Voyage (excepting ſuch Proviſions and Stores as ſhall be neceſſary for the Uſe and Suſtenance of the Perſons on board ſuch Ship or Veſſel during the Voyage), all ſuch Wine, Brandy, and other Goods, and every Ship, Veſſel, or Boat, out of and from which ſuch Wine, Brandy, or other Goods, ſhall be ſo unladen, ſhall be forfeited and loſt; and the Maſter, Commander, or other Perſon having the Charge of ſuch *Eaſt India* Ship, knowingly permitting or ſuffering any ſuch Goods to be ſo taken on board ſuch Ship, and every other Perſon who ſhall be aiding, aſſiſting, or otherwiſe concerned in the unſhipping or receiving of the ſaid Goods, ſhall forfeit Treble the Value thereof.

or on putting on board any ſuch Veſſel outward-bound, after ſhe has left the Port of London, any Wine, Brandy, &c. except for the Uſe of the Perſons on board during the Voyage.

III. And be it further enacted by the Authority aforeſaid, That all Penalties and Forfeitures, as well ſpecific as pecuniary, by this Act impoſed, ſhall and may be ſued for, proſecuted, and recovered, in any of his Majeſty's Courts of Record at *Weſtminſter*, by Action, Bill, Plaint, or Information, in the Name of his Majeſty's Attorney-general, or in the Name of ſome Officer or Officers of the Cuſtoms, by the ſame Rules, Methods, Ways, and Means, as other Penalties and Forfeitures inflicted for Offences againſt the Laws for ſecuring the Revenue of Cuſtoms are and may be ſued for, proſecuted, and recovered; and that one-third Part of all ſuch Penalties and Forfeitures ſhall be to the Uſe of his Majeſty, his Heirs and Succeſſors, one other third Part thereof to the Uſe of the ſaid United Company, and the remaining third Part thereof to the Officer or Officers of the Cuſtoms who ſhall inform and proſecute for the ſame.

Penalties and Forfeitures how to be recovered and applied.

'IV. And whereas the Proviſions made by Law for the diſcharging Bonds entered into for the due 'Exportation of Goods which are prohibited to be worn or uſed in this Kingdom, or which are intitled 'to a Drawback, Bounty, or Premium, upon Exportation into foreign Parts, have been found inſuffi-'cient to anſwer the Purpoſes intended, there being great Reaſon to believe the Certificates of ſuch Goods 'being landed abroad have, in many Caſes, been fraudulently obtained, notwithſtanding the Goods have 'been relanded in *Great Britain*, contrary to the Condition of ſuch Bonds; for Remedy whereof,' be it enacted by the Authority aforeſaid, That, from and after the twenty-ninth Day of *September*, one thouſand ſeven hundred and ſeventy-ſeven, no Bond, which ſhall be given in purſuance of any Act or Acts of Parliament for the due and regular Exportation of any Goods, which now are or hereafter may be prohibited to be worn or uſed in *Great Britain*, or which now are or hereafter may be intitled to any Drawback, Bounty, or Premium, payable out of any Money ariſing by the Revenue of Cuſtoms upon Exportation from this Kingdom into foreign Parts, ſhall be delivered up, cancelled, or diſcharged, until Certificates ſhall be produced of the Exportation to and landing ſuch Goods at the Ports and Places mentioned in ſuch Bonds, or until Proof be made upon Oath in relation thereto, in ſuch Manner and Form as is herein-after directed; that is to ſay, In caſe any ſuch Goods ſhall be entered for Exportation to *Ireland*, the Iſlands of *Guernſey*, *Jerſey*, *Alderney*, *Sark*, or *Man*, or his Majeſty's Colonies or Plantations in *America*, a Certificate ſhall be produced under the Hand and Seal of the Collector and Comptroller, or other Chief Officer of the Cuſtoms where ſuch Goods ſhall be landed, teſtifying the landing thereof, and deſcribing the Number of the Caſks, Cheſts, or other Package containing the ſame, and the particular Marks of ſuch Caſks, Cheſts, or Package; and the Condition of all ſuch Bonds to be given for the Exportation of ſuch Goods to *Ireland*, or the Iſlands of *Guernſey*, *Jerſey*, *Alderney*, *Sark*, or *Man*, ſhall be to produce ſuch Certificate within ſix Calendar Months from the Date of ſuch Bond, the Danger of the Seas and Enemies excepted; and the Condition of all ſuch Bonds to be given for the Exportation of any ſuch Goods to the *Britiſh* Colonies or Plantations in *America*, ſhall be to produce ſuch Certificate in eighteen Calendar Months from the Date of ſuch Bond, the Dangers of the Seas and Enemies excepted: And in caſe any ſuch Goods ſhall be entered for Exportation to any other Part of *Europe*, ſuch Bond ſhall not be delivered up, cancelled, or diſcharged, until a like Certificate ſhall be produced, under the Hand and Seal of the *Britiſh* Conſul, or other Perſon acting as ſuch, who ſhall be reſident at the Port or Place where ſuch Goods ſhall be landed; or if there be no ſuch *Britiſh* Conſul, or Perſon acting as ſuch, reſiding there, then under the Hand and Common Seal of the Chief Magiſtrate for ſuch Port or Place; and the Condition of ſuch laſt-mentioned Bonds ſhall be to produce ſuch Certificate in fifteen Calendar Months from the Date of ſuch Bonds, the Danger of the Seas and Enemies excepted: And if any ſuch Goods ſhall be entered for Exportation to any Place within the Limits of the *Eaſt India* Company's Charter, ſuch Bonds ſhall not be delivered up, cancelled, or diſcharged, until a like Certificate ſhall be produced, under

After Sept. 29, 1777, no Bond which ſhall be given for the Exportation of prohibited Goods, or Goods intitled to a Drawback, ſhall be diſcharged, until proper Certificates ſhall be produced of the Exportation and Landing thereof.

the Hands and Seals of the Governor and Council at and for the Place where ſuch Goods ſhall be landed; and the Condition of all ſuch Bonds ſhall be to produce ſuch Certificates within thirty Calendar Months from the Date of ſuch Bonds, the Danger of the Seas and Enemies excepted: And in caſe any ſuch Goods ſhall be entered for Exportation to any Parts beyond the Seas in *Africa*, ſuch Bonds ſhall not be delivered up, cancelled, or diſcharged, until a like Certificate ſhall be produced, under the Hand and Seal of the Collector or other Chief Officer of the Cuſtoms, if any ſuch Officer ſhall be eſtabliſhed at the Place where ſuch Goods ſhall be landed; and if no ſuch Officer ſhall be eſtabliſhed there, then, and in that Caſe, not until a like Certificate ſhall be produced, under the Hand and Seal of the *Britiſh* Conſul, or other Perſon acting as ſuch, at the Place where ſuch Goods ſhall be landed; and the Condition of all ſuch Bonds as ſhall be given for the Exportation of ſuch Goods to any Part of *Africa*, where any Officer of the Cuſtoms ſhall or may be eſtabliſhed, or where any *Britiſh* Conſul, or Perſon acting as ſuch, may be reſident, ſhall be to produce ſuch reſpective Certificates within eighteen Calendar Months from the Date of ſuch Bonds: And if ſuch Goods ſhall be entered for Exportation to or landed at any Part of *Africa*, where no Officer of the Cuſtoms ſhall be eſtabliſhed, or no *Britiſh* Conſul, or Perſon acting as ſuch, ſhall be reſident, then, and in that Caſe, ſuch Bonds ſhall not be delivered up, cancelled, or diſcharged, until Proof is made by the Oath of the Maſter and Mate, or other Perſon having the Charge of the Ship or Veſſel during the Voyage in which ſuch Goods were exported, that the ſaid Goods, and every Part thereof, were fairly landed or diſpoſed of in or on ſome Part of the Coaſt of *Africa*, and had not been relanded in *Great Britain*, *Ireland*, or the Iſles of *Guernſey*, *Jerſey*, *Alderney*, *Sark*, or *Man*, or the Iſlands of *Faro* or *Ferro*; and by the Oath of the Merchant Exporter, if living, that, to the beſt of his, her, or their Knowledge and Belief, the ſaid Goods had been landed or diſpoſed of at the Place or Places mentioned in the Oath made by the Maſter and Mate, or other Perſon taking the Charge of the Ship or Veſſel during the Voyage, and have not been brought back again or relanded in any Part of *Great Britain*, *Ireland*, or the Iſlands of *Guernſey*, *Jerſey*, *Alderney*, *Sark*, or *Man*, or the Iſlands of *Faro* or *Ferro*; which Oaths ſhall be made within eighteen Calendar Months from the Date of each reſpective Bond, before the Collector and Comptroller, or other principal Officer of the Cuſtoms for the Port where ſuch Bond was given, who are hereby reſpectively authoriſed and impowered to adminiſter the ſame: And in caſe no ſuch Certificates ſhall be reſpectively produced, or Proof made as aforeſaid, within the reſpective Times herein-before mentioned, it ſhall and may be lawful for the Commiſſioners of his Majeſty's Cuſtoms in *England* or *Scotland*, or any three or more of them reſpectively, to cauſe ſuch Bonds to be put in Suit, unleſs they ſhall find ſufficient Cauſe to forbear the ſame, any Law, Cuſtom, or Uſage, to the contrary notwithſtanding.

Commanders of Britiſh or Iriſh Veſſels, within ten Days after Arrival at any Port in the Baltick where a Britiſh Conſul reſides, ſhall deliver to him, in Writing, the Particulars of their Cargo, &c.

V. And it is hereby further enacted by the Authority aforeſaid, That, from and after the twenty-ninth Day of *September*, one thouſand ſeven hundred and ſeventy-ſeven, where any *Britiſh* or *Iriſh* Ship or Veſſel ſhall ſail from *Great Britain* or *Ireland*, or any other Part of his Majeſty's Dominions, to any Port or Place in the *Baltick*, where any Conſul now is or hereafter may be appointed for his Majeſty's Subjects trading thither, the Maſter, Commander, or other Perſon having the Charge of ſuch Ship or Veſſel, ſhall, within ten Days after the Arrival of ſuch Ship or Veſſel at ſuch Port or Place, deliver to the ſaid Conſul reſiding there, or to ſuch other Perſon or Perſons as ſhall be appointed for that Purpoſe by him, a true Manifeſt in Writing, upon Oath, ſpecifying the Particulars of the whole Cargo of ſuch Ship or Veſſel, with the Marks and Numbers of the Package containing the ſame, if unloaded or delivered there, or of ſuch Part thereof as ſhall be ſo unloaded or delivered there, and to whom conſigned; which Oath ſuch Conſul, or other Perſon or Perſons to be appointed by him, is and are hereby reſpectively impowered and required to adminiſter *gratis*; and in caſe any Maſter, Commander, or other Perſon having the Charge of any ſuch Ship or Veſſel, ſhall neglect or refuſe to deliver ſuch Manifeſt in the Manner herein directed, ſuch Conſul, or other Perſon or Perſons appointed by him, ſhall, and they are hereby reſpectively authoriſed and required to detain the Clearance outwards of ſuch Ship or Veſſel, and not to give or deliver any Diſpatch, Paſſport, or Bill of Health, for any ſuch Ship or Veſſel.

Defendants, in any Suit relating to this Act, may plead the General Iſſue,

and recover Treble Coſts.

VI. And be it further enacted by the Authority aforeſaid, That if any Action or Suit ſhall be commenced againſt any Perſon or Perſons for any Thing done in purſuance of this Act, the Defendant or Defendants in ſuch Action or Suit may plead the General Iſſue, and give this Act and the ſpecial Matter in Evidence, at any Trial to be had thereupon, and that the ſame was done in purſuance and by the Authority of this Act: And if it ſhall appear ſo to have been done, then the Jury ſhall find for the Defendant and Defendants; and if the Plaintiff ſhall be nonſuited, or diſcontinue his Action after the Defendant or Defendants ſhall have appeared, or if Judgment ſhall be given, upon any Verdict or Demurrer, againſt the Plaintiff, the Defendant or Defendants ſhall recover Treble Coſts, and have the like Remedy for the ſame as Defendants have in other Caſes by Law.

## CAP. XLII.

### An Act for preventing Abuſes in the making and vending Bricks and Tiles.

Preamble.

'WHEREAS the Laws heretofore made for regulating the Dimenſions of Bricks for Sale, and for fixing the Lengths, Breadths, and Thickneſſes of Pantiles, have expired, and there is at preſent no Proviſion made by any Law for that Purpoſe: And whereas many Inconveniencies have ariſen to the Public by Frauds committed in leſſening the Size of Bricks under their uſual Proportion without any Diminution of Price: For Remedy whereof, and for the common Good and Benefit of your Majeſty's Subjects,' may it pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That, from and after the firſt Day of *July*, one thouſand ſeven hundred and ſeventy-ſeven, all Bricks which ſhall be made or burnt for

After July 1, 1777, all Bricks made in England for Sale to be 8 1-half Inches

for Sale in any Part of *England*, ſhall, when burnt, be not leſs than eight Inches and an Half long, and not leſs than two Inches and an Half thick, and not leſs than four Inches wide; and that all Pantiles which ſhall, from and after the ſaid firſt Day of *July*, one thouſand ſeven hundred and ſeventy-ſeven, be made for Sale in any Part of *England*, ſhall, when burnt, be not leſs than thirteen Inches and an Half long, and not leſs than nine Inches and an Half wide, and not leſs than Half an Inch thick.

long, 2 1-half thick, and 4 wide; and all Pantiles 13 1-half Inches long, 9 1-half wide, and half an Inch thick.

II. And be it further enacted, That all and every Perſon and Perſons who, at any Time or Times from and after the ſaid firſt Day of *July*, one thouſand ſeven hundred and ſeventy-ſeven, ſhall make any Bricks or Pantiles for Sale, which, when burnt, ſhall be of leſs Dimenſions in Length, Breadth, or Thickneſs, than the ſame are herein-before preſcribed to be, ſhall forfeit and pay the Sum of twenty Shillings for every thouſand of Bricks, and the Sum of ten Shillings for every thouſand of Pantiles, and ſo proportionably for a greater or leſſer Number of Bricks or Pantiles that ſhall be ſo made for Sale, contrary to the true Intent and Meaning of this Act.

Penalty on making Bricks or Tiles of leſs Dimenſions.

Maſhes of Sieves, &c. not to be more than a Quarter of an Inch aſunder.

III. And be it further enacted, That the Size of the Sieves or Screens for ſifting or ſcreening Sea Coal Aſhes to be mixed with Brick Earth in the making of Bricks, ſhall not exceed one Quarter of an Inch between the Maſhes of ſuch Sieve or Screen.

All Contracts for ingroſſing of Bricks and Tiles, or for hindering a free Sale thereof, &c. ſhall be void.

'IV. And, for preventing all Combinations amongſt any Brick-makers or Tile-makers, in order to 'advance or inhance the Price of Bricks or Tiles,' be it further enacted, That all and every Contract or Contracts, Covenant or Covenants, Agreement or Agreements, whether the ſame be in Writing or not, heretofore made or entered into, or hereafter to be made or entered into, by or between any Brick-maker or Tile-maker, or any other Perſon or Perſons whatſoever concerned or intereſted, or to be concerned or intereſted, in the making of any Bricks or Tiles for Sale, for ingroſſing of Bricks and Tiles, or for reſtraining or hindering any Perſon or Perſons whomſoever from freely ſelling the ſame, or for limiting or fixing any certain Price or Prices, under which the ſame ſhall not be ſold, ſhall be and are hereby declared to be illegal, null, and void, to all Intents and Purpoſes: And if any Brick-maker or Tile-maker, or other Perſon concerned or intereſted, or to be concerned or intereſted, in the making of Bricks or Tiles for Sale, ſhall, at any Time after the ſaid firſt Day of *July*, one thouſand ſeven hundred and ſeventy-ſeven, keep up, continue, act in, make, enter into, ſign, ſeal, or be knowingly intereſted or concerned in any ſuch Contract, Covenant, or Agreement, herein-before declared to be illegal, null, and void, or ſhall knowingly act or officiate therein as Clerk, Agent, or Servant, to or for any Perſon ſo contracting, agreeing, or acting, contrary to the true Intent and Meaning of this Act, every Perſon ſo offending ſhall forfeit and pay in Manner following; (that is to ſay) Every Brick-maker or Tile-maker, or other Perſon concerned or intereſted in making Bricks or Tiles for Sale, the Sum of twenty Pounds; and every Clerk, Agent, or Servant, the Sum of ten Pounds; one Moiety of which Penalties ſhall go and be applied to the Poor of the Pariſh where the Offence ſhall be committed, and the other Moiety to ſuch Perſon or Perſons as ſhall ſue for the ſame, within ſix Calendar Months next after the ſaid Offence ſhall have been committed; to be recovered, with full Coſts of Suit, by Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoin, Wager of Law, or Protection, ſhall be allowed, or more than one Imparlance given.

Penalty on Brick-makers, &c. who, after July 1, 1777, ſhall enter into, ſign, or continue in, any ſuch Contract.

Penalties and Forfeitures may be levied by Diſtreſs;

V. And be it further enacted, That, from and after the firſt Day of *July*, one thouſand ſeven hundred and ſeventy-ſeven, all Penalties and Forfeitures inflicted or authoriſed to be impoſed, the Manner of levying of which hath not been otherwiſe provided for, ſhall and may, upon Proof of the Offences reſpectively, and Conviction before any Juſtice of the Peace of the County, Riding, Diviſion, or Place, wherein the Offence ſhall be committed, be levied by Diſtreſs and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant or Warrants under the Hand and Seal of ſuch Juſtice, rendering the Overplus, if any, after deducting the ſaid Penalties and Forfeitures, and the Charges of ſuch Diſtreſs and Sale, to the Owner or Owners of ſuch Goods and Chattels; and ſuch Juſtice is hereby authoriſed and impowered to hear and determine the ſame, either by Confeſſion of the Party or Parties, or by the Oath of one credible Witneſs, and is alſo authoriſed and required to grant ſuch Warrant for the Purpoſes aforeſaid, and to adminiſter ſuch Oath *gratis*; and all ſuch Penalties and Forfeitures ſhall from Time to Time be paid, one Moiety to the Informer, and the other Moiety to the Poor of the Pariſh where ſuch Offender or Offenders ſhall live; or in caſe ſufficient Diſtreſs ſhall not be found, or ſuch Penalties and Forfeitures ſhall not be forthwith paid, it ſhall be lawful for ſuch Juſtice, and he is hereby authoriſed and required, by Warrant under his Hand and Seal, to cauſe ſuch Offender or Offenders to be committed to the common Gaol, or Houſe of Correction, for the County, Riding, Diviſion, or Place where the Matter ſhall ariſe, there to remain, without Bail or Mainprize, for any Time not exceeding two Calendar Months, unleſs ſuch Penalties and Forfeitures, and all reaſonable Charges, ſhall be ſooner paid.

and ſhall be paid, Half to the Informer, and Half to the Poor of the Pariſh.

On Failure of Diſtreſs, Offender to be committed.

How Juſtices to proceed for Conviction of Offenders.

VI. And be it further enacted, That all and every Juſtice or Juſtices of the Peace, before whom any Perſon or Perſons ſhall be convicted of any Offence againſt this Act, ſhall and may cauſe the Conviction to be drawn up in the following Form of Words, or in any Form of Words to the ſame Effect, as the Caſe may be; *videlicet:*

Form of Conviction.

'BE it remembered, That on the Day of in the Year of our Lord *A. B.* is convicted before me *C. D.* one of his Majeſty's 'Juſtices of the Peace for the County *or* Place *(as the Caſe may be)*; [*ſpecifying the Offence, Time and Place 'when and where the ſame was committed, as the Caſe ſhall be*].

'Given under my Hand and Seal, the Day and Year aforeſaid.'

Information to be laid within a Month after Sale or Delivery, &c.

VII. Provided always, and be it further enacted, That no Penalty inflicted by this Act, in reſpect of the Dimenſions of Bricks or Tiles, ſhall be recovered, unleſs the Information ſhall be laid within the Space of one Calendar Month next after the Sale or Delivery of ſuch Bricks or Tiles, nor ſhall any Perſon be liable to more than one Penalty for any one Offence.

VIII. And be it further enacted, That if any Perſon or Perſons ſhall think him, her, or themſelves aggrieved by any Thing done in purſuance of this Act, ſuch Perſon or Perſons may, within the Space of four Calendar Months after the Cauſe of Complaint ſhall have ariſen, appeal to the Juſtices of the Peace at any General Quarter Seſſions of the Peace for the County, Riding, Diviſion, or Place, wherein the Cauſe of Complaint ſhall ariſe, ſuch Appellant giving, or cauſing to be given, twenty-one entire Days Notice, at the leaſt, in Writing, of his, her, or their Intention to bring ſuch Appeal, and of the Cauſe or Matter thereof, to the Perſon or Perſons whoſe Acts are complained againſt; and within eight Days after ſuch Notice, entering into a Recognizance before ſome ſuch Juſtice as aforeſaid, with two ſufficient Securities, conditioned to try ſuch Appeal at, and abide the Order of, and pay ſuch Coſts as ſhall be awarded by, the Juſtices at ſuch Quarter Seſſions; and the ſaid Juſtices, upon due Proof of the Notice ſo given, and of the Recognizance ſo taken, ſhall proceed to hear and determine the Cauſes and Matters of ſuch Appeal in a ſummary Way, and award ſuch Coſts to the Party appealing or appealed againſt, as they the ſaid Juſtices ſhall think proper, and the Determination of ſuch Quarter Seſſions ſhall be binding and concluſive to all Intents and Purpoſes; and no Order made, concerning any of the Matters aforeſaid, or any other Proceedings to be had touching the Conviction of any Offender againſt this Act, ſhall be quaſhed for want of Form, or be removed by *Certiorari*, or any other Writ or Proceſs whatſoever, into any of his Majeſty's Courts of Record at *Weſtminſter*.

Perſons aggrieved may appeal to the Quarter Seſſions,

on giving twenty-one Days Notice, &c.

Determination of the Seſſions to be final.

## CAP. XLIII.

An Act for repealing the eleventh Rule in the Book of Rates, ſo far as the ſame relates to making any Allowance upon the Importation of damaged Currants and Raiſins, and for making the Importer of ſuch Goods an Abatement in the Duties in lieu thereof; and for explaining the ſaid Rule with reſpect to ſuch Allowance for Damage on other Goods; and to permit the Exportation of Tobacco-pipe Clay from this Kingdom to the *Britiſh* Sugar Colonies or Plantations in the *Weſt Indies*, for a limited Time.

Preamble.

Act 12 Car. II. recited.

'WHEREAS by the eleventh Rule in the Book of Rates, annexed and referred to by an Act of 'Parliament made in the twelfth Year of the Reign of his late Majeſty King *Charles* the Second '(intituled, *A Subſidy granted to the King of Tonnage and Poundage, and other Sums of Money payable upon 'Merchandiſe exported and imported*), which has been continued by ſeveral ſubſequent Acts of Parliament, 'and is now in Force, excepting ſuch Alterations as have been ſince made with reſpect to Wines and 'Tobacco, it is provided, That if any Tobacco, or other Goods or Merchandiſe, brought into this 'Kingdom, ſhall receive any Damage by Salt-water, or otherwiſe, ſo that the Owner thereof ſhall be 'prejudiced in the Sale of ſuch Goods, the principal Officers of the Cuſtom-houſe, or any two of them, 'whereof the Collector for the Time being to be one, ſhall have Power to chuſe two indifferent Mer'chants, experienced in the Value of ſuch Goods, who, upon viſiting the ſaid Goods, ſhall certify and 'declare, upon their corporal Oaths firſt adminiſtered by the ſaid Officers, what Damage ſuch Goods 'have received, and are leſſened in their true Value; and according to ſuch Damage, in relation to the 'Rates ſet on them in the ſaid Book of Rates, the ſaid Officers are to make a proportionable Abatement, 'unto the Merchant or Owner, of the Subſidy due for the ſame: And whereas frequent Diſputes do ariſe 'between the Officers of the Cuſtoms and the Merchants in adjuſting the Allowances which Currants and 'Raiſins may deſerve and be intitled to, it having been found by Experience extremely difficult to diſtin'guiſh what Damage ſuch Goods have received by unavoidable Accident in the Courſe of the Voyage, 'from the natural and conſequential Decay ſome of theſe Articles are particularly liable to from heating, 'if of an inferior Quality, or packed in bad Condition before they are ſhipped in foreign Parts, which 'has put the Merchants, trading in theſe Commodities at different Ports in this Kingdom, upon a very 'unequal Footing, and been very prejudicial to the public Revenue:' Now, for Remedy whereof, be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That, from and after the twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-ſeven, the ſaid eleventh Rule, annexed to the ſaid Book of Rates, ſo far as the ſame relates to Currants and Raiſins, ſhall be, and the ſame is hereby repealed, made void, and ſhall no longer be put in Practice; any Thing in the ſaid Act of Tonnage and Poundage, or in any other Act or Acts of Parliament, to the contrary in any-wiſe notwithſtanding.

After June 24, 1777, the 11th Rule in the Book of Rates, ſo far as it relates to Currants and Raiſins, ſhall be repealed.

'II. And whereas it may be reaſonable to make the Merchants importing ſuch Goods a certain Com'penſation for the Allowance they would be intitled to out of the ſeveral Duties, in proportion to the 'different Damage ſuch Goods may be liable to, whereby the Revenue may be collected with greater Cer'tainty, and not ſo liable to Abuſe;' be it further enacted by the Authority aforeſaid, That, from and after the ſaid twenty-fourth Day of *June*, it ſhall and may be lawful for the proper Officers of the Cuſtoms, at the ſeveral Ports in this Kingdom, to make the following Abatement or Deduction, from the net Amount of the Duties payable upon the Importation of the ſeveral Goods herein-after expreſſed, to the Merchant or Merchants importing the ſame; that is to ſay, For Currants, eight Pounds *per Centum*; for Raiſins Solis, one Pound *per Centum*; for *Smyrna* Raiſins, ſix Pounds *per Centum*; for *Lipari*, *Faro*, *Belvidere*, and Great or *Lexia* Raiſins, ten Pounds *per Centum*; and for *Denia* Raiſins, twenty Pounds *per Centum*; which ſaid ſeveral Abatements ſhall be deemed and taken to be in lieu of all former Allowances ſuch Goods were reſpectively intitled to in conſideration of any Damage whatſoever; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Certain Deductions to be made from the Duties payable on the Importation of Currants and Raiſins.

III. And

No Abatement to be made in the Duties on any other Goods, by virtue of the ſaid 11th Rule, unleſs the Importer ſhall prove they are damaged by ſome Accident, &c.

III. And it is hereby further enacted by the Authority aforeſaid, That, from and after the ſaid twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-ſeven, no Abatement or Allowance ſhall be made in the Duties for any other Goods whatſoever, by virtue or in purſuance of the ſaid eleventh Rule in the Book of Rates herein-before recited, for or on account of any Damage ſuch Goods may have received, unleſs the Importer or Owner of ſuch Goods ſhall prove, to the Satisfaction of the Commiſſioners of his Majeſty's Cuſtoms at *London* or *Edinburgh* reſpectively, or to the Collector and Comptroller of the Cuſtoms at the Out-ports of this Kingdom where ſuch Goods may be imported, that ſuch Goods are damaged, and are leſſened in their true Value, by means of ſome unavoidable Accident which happened to them during the Courſe of the Voyage, after ſuch Goods were ſhipped and laden in foreign Parts on board ſuch Ship or Veſſel importing the ſame, and before ſuch Goods were landed in this Kingdom; any Thing in the ſaid Rule, or any Law, Cuſtom, or Uſage, to the contrary notwithſtanding.

An Act of 13 and 14 Car. II. recited.

'IV. And whereas, by an Act of Parliament, made in the thirteenth and fourteenth Years of the Reign 'of King *Charles* the Second (intituled, *An Act againſt exporting of Sheep, Wool, Wool-fells, Mortlings, 'Shortlings, Yarn made of Wool, Wool-flocks, Fullers-earth, Fulling-clay, and Tobacco-pipe Clay*), and by 'ſeveral other Acts of Parliament which are now in Force, the Exportation of Tobacco-pipe Clay from 'this Kingdom into foreign Parts is prohibited: And whereas Tobacco-pipe Clay is abſolutely neceſſary 'and uſeful in the cleanſing and improving of Powdered Sugars, and is at this Time very much wanted 'for that Purpoſe in the *Britiſh* Sugar Colonies and Plantations in the *Weſt Indies*, and it is expedient to 'permit the Exportation thereof to the ſaid Colonies for a limited Time;' be it therefore enacted by the Authority aforeſaid, That, from and after the twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-ſeven, and until the twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-nine, and from thence to the End of the then next Seſſion of Parliament, it ſhall and may be lawful to and for any Perſon or Perſons to export, from any Port in this Kingdom, any Quantity of Tobacco-pipe Clay to any *Britiſh* Sugar Colony or Plantation in the *Weſt Indies*, in any Ship or Veſſel that may lawfully trade thither; any Thing in the ſaid recited Act, or any other Act or Acts of Parliament, to the contrary notwithſtanding.

From June 24, 1777, to June 24, 1779, Tobacco-pipe Clay may be exported to the Britiſh Sugar Colonies in the Weſt Indies.

## CAP. XLIV.

An Act to continue the ſeveral Laws therein mentioned, relating to encouraging the making of Indico in the *Britiſh* Plantations in *America*; to the regiſtering the Prices at which Corn is ſold in the ſeveral Counties of *Great Britain*, and the Quantity exported and imported; to encouraging the manufacturing of Leather, by lowering the Duty payable upon the Importation of Oak Bark, when the Price of ſuch Bark ſhall exceed a certain Rate; to the allowing Timber and Wood to be exported from the Iſland of *Dominica* into any other of the *Britiſh* Iſlands, Colonies, or Plantations in *America*; and to the allowing a Bounty on the Exportation of *Britiſh*-made Cordage.

Preamble.

'WHEREAS the Laws herein-after mentioned have, by Experience, been found uſeful and beneficial, and are near expiring;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That an Act, made in the twenty-firſt Year of the Reign of his late Majeſty King *George* the Second, intituled, *An Act for encouraging the making of Indico in the* Britiſh *Plantations in* America, which was to continue in Force for ſeven Years from the twenty-fifth Day of *March*, one thouſand ſeven hundred and forty-nine, and from thence to the End of the then next Seſſion of Parliament; and which, by another Act of the twenty-eighth Year of his ſaid late Majeſty's Reign, is further continued from the twenty-fifth Day of *March*, one thouſand ſeven hundred and fifty-ſix, until the twenty-fifth Day of *March*, one thouſand ſeven hundred and ſixty-three, and from thence to the End of the then next Seſſion of Parliament; and which, by another Act, made in the third Year of the Reign of his preſent Majeſty, intituled, *An Act to continue and amend two Acts, made in the twenty-firſt and twenty-eighth Years of his late Majeſty's Reign*, "for encouraging the making of Indico in the *Britiſh* Plantations in *America*;" *and for extending the Proviſions of an Act of the thirtieth Year of his late Majeſty's Reign, with reſpect to bringing Prize-goods into this Kingdom, to* Spaniſh *Prize-goods taken ſince the late Declaration of War with* Spain, is further continued from the Expiration thereof until the twenty-fifth Day of *March*, one thouſand ſeven hundred and ſeventy, and from thence to the End of the then next Seſſion of Parliament; and which, by another Act, made in the tenth Year of the Reign of his preſent Majeſty, is further continued until the twenty-fifth Day of *March*, one thouſand ſeven hundred and ſeventy-ſeven, and from thence to the End of the then next Seſſion of Parliament; ſhall be, and the ſame, together with all the Proviſions, Regulations, Reſtrictions, Powers, and Clauſes, mentioned in the ſaid recited Act of the third Year of his preſent Majeſty, ſo far as they relate to encouraging or concern the making of Indico in the *Britiſh* Plantations in *America*, is hereby further continued from the Expiration thereof until the twenty-fifth Day of *March*, one thouſand ſeven hundred and eighty-one, and from thence to the End of then next Seſſion of Parliament.

Act 21 Geo. II. further continued for four Years.

Act 10 Geo. III. further continued for ſeven Years.

II. And be it further enacted by the Authority aforeſaid, That an Act, made in the tenth Year of the Reign of his preſent Majeſty, intituled, *An Act for regiſtering the Prices at which Corn is ſold in the ſeveral Counties of* Great Britain, *and the Quantity exported and imported*, which was to continue in Force for ſeven Years, and from thence to the End of the then next Seſſion of Parliament, ſhall be, and the ſame is hereby

continued

continued from the Expiration thereof for the further Term of ſeven Years, and from thence to the End of the then next Seſſion of Parliament.

Act 12 Geo. III. further continued for five Years.

III. And be it further enacted by the Authority aforeſaid, That an Act, made in the twelfth Year of the Reign of his preſent Majeſty, intituled, *An Act for encouraging the Manufacture of Leather, by lowering the Duty payable upon the Importation of Oak Bark, when the Price of ſuch Bark ſhall exceed a certain Rate, for a limited Time*, which was to continue in Force for five Years, and from thence to the End of the then next Seſſion of Parliament, ſhall be, and the ſame is hereby continued, from the Expiration thereof, for the further Term of five Years, and from thence to the End of the then next Seſſion of Parliament.

So much of an Act of 13 Geo. III. as relates to exporting Timber from Dominica to the Britiſh Iſlands, &c. in America, further continued for five Years.

IV. And be it further enacted by the Authority aforeſaid, That ſo much of an Act, made in the thirteenth Year of the Reign of his preſent Majeſty, intituled, *An Act to continue and amend an Act, made in the ſixth Year of the Reign of his preſent Majeſty, intituled*, " An Act for opening and eſtabliſhing certain " Ports in the Iſlands of *Jamaica* and *Dominica*, for the more free Importation and Exportation of certain " Goods and Merchandiſes; for granting certain Duties to defray the Expences of opening, maintaining, " ſecuring, and improving ſuch Ports; for aſcertaining the Duties to be paid upon the Importation of " Goods from the ſaid Iſland of *Dominica* into this Kingdom; and for ſecuring the Duties upon Goods " imported from the ſaid Iſland into any other *Britiſh* Colony;" *and for allowing Timber and Wood to be exported from the ſaid Iſland of* Dominica *into any other of the* Britiſh *Iſlands, Colonies, or Plantations in* America, *for a limited Time*; as relates to allowing Timber and Wood to be exported from the Iſland of *Dominica* into any other of the *Britiſh* Iſlands, Colonies, or Plantations in *America*, for a limited Time, which was to continue in Force until the firſt Day of *November*, one thouſand ſeven hundred and ſeventy-ſix, and from thence to the End of the then next Seſſion of Parliament, ſhall be, and the ſame is hereby continued, from the Expiration thereof, until the firſt Day of *November*, one thouſand ſeven hundred and eighty-one, and from thence to the End of the then next Seſſion of Parliament.

Act 6 Geo. III. further continued for four Years.

V. And be it further enacted by the Authority aforeſaid, That an Act, made in the ſixth Year of the Reign of his preſent Majeſty, intituled, *An Act for allowing a Bounty on the Exportation of* Britiſh-*made Cordage*; *and for diſcontinuing the Drawbacks upon Foreign rough Hemp exported*; which was to be in Force from the firſt Day of *July*, one thouſand ſeven hundred and ſixty-ſix, for the Term of five Years, and from thence to the End of the then next Seſſion of Parliament; and which, by another Act, made in the twelfth Year of the Reign of his preſent Majeſty, was amended, and further continued for the Term of three Years; and which, by another Act, made in the fourteenth Year of the Reign of his preſent Majeſty, was further continued for the Term of three Years, and from thence to the End of the then next Seſſion of Parliament; ſhall be, and the ſame is hereby further continued, from the Expiration thereof, for the further Term of four Years, and from thence to the End of the then next Seſſion of Parliament.

## CAP. XLV.

An Act for allowing further Time for Inrolment of Deeds and Wills made by Papiſts, and for Relief of Proteſtant Purchaſers. *Further Time given till Jan.* 1, 1778.

## CAP. XLVI.

An Act for raiſing a certain Sum of Money by way of Annuities, and for eſtabliſhing a Lottery.

" 5,000,000 *l.* to be raiſed by Annuities, and 500,000 *l.* by a Lottery. Contributors to the 5,000,000 *l.* " to be intitled to certain Annuities; which ſhall be charged upon the Sinking Fund. Every Contributor " of 100 *l.* ſhall, upon Payment of 10 *l.* more, be intitled to a Lottery Ticket. Preamble; reciting, that " Books have been opened at the Bank, and Depoſits made, purſuant to a Reſolution of the Houſe of " Commons. All Perſons who have made Depoſits, purſuant to the aforeſaid Reſolution, are required to " pay the Remainder of their Subſcriptions at certain Times ſpecified. Subſcribers to the Annuities to " be allowed Intereſt for all Monies paid in Advance. Subſcribers to the Lottery, on paying in the " Whole of their Subſcriptions, ſhall receive Tickets to the Amount thereof. Subſcribers to the 5,000,000 *l.* " intitled to an Annuity of 4 *l. per Cent.* for ten Years, *&c.* and an Annuity of 10 *s.* for ten Years only. " Annuities to be payable and transferrable at the Bank of *England*, &c. Caſhier of the Bank to give Re- " ceipts to Contributors for Money received; which ſhall be aſſignable, *&c.* Caſhier to give Security, " to the good Liking of the Commiſſioners of the Treaſury; and to pay all Monies received into the Ex- " chequer. Commiſſioners of the Treaſury impowered to apply the Money paid in by the Caſhier. A " Book to be provided in the Accountant-general's Office, in which Contributors Names ſhall be entered, " *&c.* Subſcriptions paid in Part, and not completed, ſhall be forfeited to the Public. As ſoon as Con- " tributors have completed their Payments, the Sums ſubſcribed ſhall, in the Books of the Bank, be placed " to their Credit. Contributors who ſhall pay 30 *l. per Cent.* of their Subſcriptions, on or before *June* 30, " 1777, ſhall have an Annuity of 10 *s.* for every 100 *l.* ſubſcribed, to continue for ten Years. Annuities " granted by this Act charged upon the Sinking Fund. Governor, *&c.* of the Bank to appoint a Chief " Caſhier, and Accountant-general. Monies to be iſſued at the Exchequer to the Chief Caſhier, for Pay- " ment of Annuities created by this Act. Accountant-general to examine Receipts and Payments. An- " nuities to be deemed perſonal Eſtate. Books to be kept by the Accountant-general, wherein ſhall be " entered all Transfers of Sums advanced on this Act. Method of transferring. The Annuities of 10 *s.* " *per Cent. per Ann.* ſhall be a ſeparate Stock from the other Annuities. Perſons poſſeſſed of Stock may " deviſe the ſame by Will, *&c.* Commiſſioners of the Treaſury are to diſcharge all incidental Charges " attending the Execution of this Act. After the Expiration of ten Years, from *April* 5, 1777, on ſix " Months Notice, and Repayment by Parliament, *&c.* Annuities to ceaſe. The Bank to continue a " Company till Redemption of the Annuities. 500,000 *l.* to be raiſed by a Lottery; the Prizes whereof

" to

" to be paid out of any Supplies granted this Seſſion. Managers and Directors of the Lottery to be " appointed by the Treaſury. Method of the Lottery Books, &c. Managers to examine the Books with " the Tickets, and deliver them to the Caſhiers of the Bank, taking a Receipt for the ſame. Caſhiers to " return the Books, with the undiſpoſed Tickets, with an Account of Monies paid in. Undiſpoſed " Tickets to be delivered into the Exchequer. Tickets of the middle Columns to be rolled up, and " faſtened with Thread or Silk; and cut off indentwiſe into a Box marked with the Letter (*A*). Box to " be locked up, and ſealed. Books to be prepared with two Columns, on each of which 50,000 Tickets " are to be printed. The Number and Value of the fortunate Tickets. 500 *l.* to each firſt-drawn Ticket " of the firſt ten Days, and 1000 *l.* to the laſt-drawn. Tickets of the outermoſt Columns of the laſt-men- " tioned Book to be rolled up and tied. Public Notice to be given of putting the Tickets into the Boxes. " Lottery to begin drawing on *Nov.* 17, 1777. Method to be obſerved in drawing, &c. Number of the " fortunate Tickets, and the Sums, to be printed. Diſputes to be adjuſted by the Managers. Penalty on " forging Tickets, &c. Felony. Offenders (not in Priſon) diſcovering Perſons guilty, to receive a Par- " don, and 50 *l.* Reward. Proviſo. Managers to be ſworn. The Oath. Caſhier may receive the Sums " ſubſcribed before receiving the Lottery Book; giving a Note for the ſame; which ſhall entitle the Bearer " to a Ticket for every 10 *l.* ſo paid. Contributors not making good their Payments within the Times li- " mited, forfeit their Depoſits with reſpect to the Lottery; and the Tickets for ſuch Sums to be delivered " into the Exchequer. Commiſſioners of the Treaſury may reward the Managers, &c. as they ſhall think " fit. Limitation of the Sale of Chances, &c. Penalty. Office-keepers, &c. ſelling Shares in Tickets " of which they are not poſſeſſed, forfeit 500 *l.* and ſuffer three Months Impriſonment. No Perſon ſhall " keep any Office for the Sale of Tickets, &c. in *Oxford* or *Cambridge*, on Penalty of 20 *l.* Offenders may " be proſecuted in the Vice-chancellor's Court. Forfeitures may be levied by Diſtreſs, &c. Proceedings " not to be removed by *Certiorari*, until ſufficient Surety is given to proſecute the ſame with Effect, &c. " This Act not to prejudice the Privileges and Juriſdictions of the Mayor, &c. of *Oxford*. Offences com- " mitted in *Ireland* againſt *Britiſh* Acts for preventing unlawful Lotteries, made puniſhable: Penalties may " be ſued for in *Dublin*. The 500,000 *l.* for the Payment of the fortunate Tickets, to be charged on any " Supplies granted this Seſſion; and ſhall be paid to the Proprietors, without any Deduction, on *March* 1, " 1778, &c. Managers to give Notice of the Times for exchanging Tickets for Certificates. Certificates " to be numbered, &c. and ſigned, &c. No Fee to be taken for receiving or paying Contribution-monies, " or for any Receipts, &c. on Penalty of 20 *l.* General Iſſue. Treble Coſts."

## CAP. XLVII.

An Act for granting to his Majeſty a certain Sum of Money out of the Sinking Fund, and for applying certain Monies therein mentioned for the Service of the Year one thouſand ſeven hundred and ſeventy-ſeven; and for further appropriating the Supplies granted in this Seſſion of Parliament.

*Moſt Gracious Sovereign*,

" WE, your Majeſty's moſt dutiful and loyal Subjects, the Commons of *Great Britain*, in Parliament " aſſembled, towards raiſing the neceſſary Supplies which we have chearfully granted to your Ma- " jeſty in this Seſſion of Parliament, have reſolved to give and grant to your Majeſty the Sum herein after " mentioned;' and do therefore moſt humbly beſeech your Majeſty that it may be enacted, &c.

" 1,939,636 *l.* 5 *s.* 9 *d.* 3 *q.* granted out of the Sinking Fund, for the Service of the current Year. Treaſury " impowered to raiſe the ſaid Sum, or any Part thereof, by Loans or Exchequer Bills, on the Credit of " the Sinking Fund. All Perſons who ſhall lend any Money upon the Credit of this Act to have a Tally of " Loan, with Orders for Repayment of the Money, with Intereſt. Orders to be regiſtered in Courſe. " No undue Preference to be given in Payment. No Fee to be taken, on Forfeiture of Treble Damages, " with full Coſts. Penalty of undue Preference in point of Regiſtry or Payment. Auditor, &c. neglect- " ing his Duty, liable for Damages, &c. to be recovered at *Weſtminſter*. No undue Preference in the re- " giſtering, where Orders are brought the ſame Day; nor if ſubſequent Orders are paid before others not " brought in Courſe, ſo as Money be reſerved for the preceding Orders. Orders may be aſſigned. If it " ſhall be judged more adviſeable, the Treaſury may raiſe the ſaid Sum by Exchequer Bills inſtead of " Loans; and the Bills in ſuch Caſe to be made as thoſe preſcribed by the Land Tax Act of this Seſſion. " All Advantages and Penalties in the Land Tax Act of this Seſſion, relating to Loans or Exchequer Bills " thereby authoriſed to be made forth, extended to this Act. The ſaid Exchequer Bills, Intereſt, and " Charges, are to be paid out of the Sinking Fund. Bank authoriſed to lend to his Majeſty the Sum of " 1,939,636 *l.* 5 *s.* 9 *d.* 3 *q.*; notwithſtanding Act 5 and 6 *Gul. & Mariæ*. The Sum of 295,832 *l.* 18 *s.* 6 *d.*; " and 760,363 *l.* 18 *s.* 2 *d.* 1 *q.* Surplus of the Sinking Fund in the Exchequer on *April* 5, 1777; and " 3,991 *l.* 13 *s.* 7 *d.* remaining in the Exchequer of the Duties on Rice exported, and Apples imported, and " on Cambricks and Sugars, granted by 6 *Geo.* III. and Monies paid by Counties who have not raiſed Mi- " litia; and alſo of impreſt Monies remaining for the Diſpoſition of Parliament;—and ſuch Monies as ſhall " be paid into the Exchequer between *April* 5, 1777, and *April* 5, 1778, of the Produce of the Duties on " *Gum Senega*, and *Gum Arabic*;—and ſuch Sums as ſhall be paid into the Exchequer by the Executors of " the late Lord *Holland*; ſhall be applied towards making good the Supply. Out of the Surplus of the " Sinking Fund, 1,391 *l.* 0 *s.* 7 *d.* to be applied towards the neceſſary Expences of the Forces in *America*, " *Nova Scotia*, *Newfoundland*, and the ceded Iſlands, for the Year 1777.—13,973 *l.* 16 *s.* granted laſt Seſſion " for defraying the Charge of the Artillery of the Landgrave of *Heſſe Caſſell*, for the Year 1776;—3,383 *l.* 6 *s.*

" 8 *d.* granted laſt Seſſion for defraying the Charge of the Artillery of *Hanau*; and 403 *l.* 19 *s.* 9 *d.* 1 *q.* (out " of the Savings of a Grant of laſt Seſſion, for the Charge of a Regiment of Foot of *Waldeck*), ſhall be ap- " plied towards defraying the Charge of Artillery for the foreign Troops in the Pay of *Great Britain* for " the Year 1776. The Monies ariſing by the Land Tax,—Malt Tax,—1,500,000 *l.* by Exchequer Bills,— " Monies ariſing by the Annuities and Lottery,—1,000,000 *l.* by the Vote of Credit,—and 25,832 *l.* 18 *s.* " 6 *d.* 3 *q.* remaining in the Exchequer on *January* 5, 1777;—and 760,363 *l.* 14 *s.* 2 *d.* 1 *q.* remaining in the " Exchequer on *April* 5, 1777;—and 2,919 *l.* 13 *s.* 7 *d.* of the Monies on Rice exported, and Duties on " Apples imported, and on Sugars and Cambricks, by Act 6 *Geo.* III.; and the Monies paid by Counties " who have not raiſed Militia; and the impreſt Monies remaining for the Diſpoſition of Parliament; and " ſuch Monies as ſhall be paid into the Exchequer between *April* 5, 1777, and *April* 5, 1778, of the Pro- " duce of the Duties on *Gum Senega* and *Gum Arabic*; and 1,939,636 *l.* 5 *s.* 9 *d.* 3 *q.* by this Act granted, " out of the Exceſſes, *&c.* compoſing the Sinking Fund; together with the Money ariſing from the Sale " of *French* Prizes taken before the Declaration of War; and alſo ſuch Sums of Money as his Majeſty ſhall " direct to be applied to the public Service, which ſhall ariſe out of the Sale of the ceded Iſlands in the " *Weſt Indies*; ſhall be applied to the Uſes following: 2,206,305 *l.* 2 *s.* 10 *d.* towards Naval Services; " 1,000,000 *l.* towards paying off and diſcharging the Debt of the Navy. 4000 *l.* to the Royal Hoſpital for " Seamen at *Greenwich*, &c. 320,111 *l.* 18 *s.* 11 *d.* for the Charges of the Office of Ordnance, and " 272,705 *l.* 18 *s.* 1 *d.* for the Charges of the Office of Ordnance, not provided for in 1776; 3,791,241 *l.* 9 *s.* " 3 *d.* 1 *q.* towards maintaining the Land Forces; of which 648,009 *l.* 16 *s.* 5 *d.* for defraying the Charges " of 20,731 effective Men, *&c.* and 3213 Invalids, for Guards, *&c.* in *Great Britain*, &c.; 948,[illegible] *l.* " 10 *s.* 8 *d.* for Forces and Garriſons in *Africa*, &c. 47,178 *l.* 0 *s.* 3 *d.* to make good the Difference of Pay " between the *Britiſh* and *Iriſh* Eſtabliſhment of Troops ſerving in *America*; 11,473 *l.* 18 *s.* 6 *d.* Halfpenny, " for General and General Staff Officers in *Great Britain*; 56,074 *l.* 19 *s.* 4 *d* Halfpenny, for five *Hanove-* " *rian* Battalions at *Gibraltar* and *Minorca*, and for Proviſions for three of the ſaid Battalions at *Gibraltar*, " for the Year 1777; 336,932 *l.* 1 *s.* 6 *d.* 3 *q.* for 12,667 Troops of *Heſſe Caſſel*, &c. 18,181 *l.* 15 *s.* 6 *d.* 1 *q.* " for a Regiment of *Hanau*, &c. 17,370 *l.* 8 *s.* 2 *d.* 3 *q.* for a Regiment of *Waldeck*, &c. 93,947 *l.* 15 *s.* 8 *d.* " for 4,300 *Brunſwickers*, &c. 41,427 *l.* 17 *s.* 7 *d.* 1 *q.* for Proviſions for foreign Troops ſerving in *America*; " 6,617 *l.* 5 *s.* 3 *d.* 1 *q.* to make good a Deficiency in the Sum voted laſt Seſſion, for the Troops of the " Landgrave of *Heſſe Caſſel* for the Year 1776; and 1013 *l.* 16 *s.* 10 *d.* 3 *q.* for a Regiment of Foot of *Hanau*, " for 1776; and 3,390 *l.* 18 *s.* 4 *d.* 1 *q.* for the Charge of *Chaſſeurs*, the Troops of the Landgrave of *Heſſe* " *Caſſel*, for 1776; 36,728 *l.* 11 *s.* 8 *d.* Halfpenny, for a Regiment of *Chaſſeurs*, the Troops of the Land- " grave of *Heſſe Caſſel*, &c. for 1777; 16,326 *l.* 10 *s.* 1 *d.* Halfpenny, for a Regiment of *Chaſſeurs* of *Hanau*, " &c. for 1777: 29,788 *l.* 2 *s.* 4 *d.* Halfpenny, for 1285 Troops of the Margrave of *Brandeburg Anſpach*, " including Artillery, *&c.* for 1777; 26,053 *l.* 7 *s.* 4 *d.* for defraying the Charge of Artillery for foreign " Troops, for 1777; 5,152 *l.* 12 *s.* 3 *d.* 3 *q.* for further defraying the Charge of Artillery for foreign " Troops, for 1776; 93,616 *l.* 8 *s.* 4 *d.* to the reduced Officers of the Land Forces and Marines; 734 *l.* 12 *s.* " 1 *d.* to the two Troops of Horſe Guards reduced, *&c.*; 370 *l.* for Penſions to Officers Widows, *&c.*; " 105,279 *l.* 13 *s.* 9 *d.* to the Out-penſioners of *Chelſea Hoſpital*; 1,200,602 *l.* 12 *s.* 5 *d.* 3 *q.* towards extraor- " dinary Expences of the Land Forces, *&c.* not provided for; 41,820 *l.* 14 *s.* 5 *d.* to diſcharge unſatisfied " Claims, upon Account of Hoſpitals during the late War in *Germany*; 618,240 *l.* 9 *s.* 6 *d.* 1 *q.* for diſ- " charging the Arrears due upon the Civil Liſt, on *January* 5, 1777; 1,500,000 *l.* for diſcharging Exche- " quer Bills of laſt Seſſion; 1,000,000 *l.* for paying off the Exchequer Bills of laſt Seſſion; 13,960 *l.* 2 *s.* to " make good to his Majeſty the like Sum iſſued in purſuance of the Addreſſes of the Houſe of Commons; " 3,000 *l.* for the Civil Eſtabliſhment of the Iſland of *St. John*; 2,816 *l.* for the Civil Eſtabliſhment of *Geor-* " *gia*; 4,596 *l.* 10 *s.* 5 *d.* for ſupporting the Civil Eſtabliſhment of *Nova Scotia*; 5,950 *l.* for the Civil Eſta- " bliſhment of *Eaſt Florida*; 5,900 *l.* for the Civil Eſtabliſhment of *Weſt Florida*; 2,933 *l.* 5 *s.* for defraying " Expences attending Surveys in *North America*; 5,550 *l.* for ſupporting the Civil Eſtabliſhment of *Sene-* " *gambia*; 6,997 *l.* 13 *s.* 7 *d.* on account of the Expence of new Roads, *&c.* in the Highlands of *Scotland*; " 3000 *l* for the *Britiſh Muſeum*; 32,034 *l.* 16 *s.* 6 *d.* for Relief of *American* Civil Officers, *&c.*; 1,879 *l.* " 10 *s.* 6 *d.* to make good to his Majeſty the like Sum iſſued to *Duncan Campbell*, for the Expence of con- " fining, *&c.* Convicts on the *Thames*; 44,599 *l.* 13 *s.* 4 *d.* Halfpenny, to the Sinking Fund, to make good " the Deficiency on *July* 5, 1776, *&c.* 61,288 *l.* 7 *s.* 1 *d.* 3 *q.* to make good the Deficiency of Grants for " the Service of the Year 1776. The ſaid Aids to be applied only to the Uſes before mentioned. By Act " 15 *Geo.* III. a Sum not exceeding 97,375 *l.* 12 *s.* was appropriated to be paid to reduced Officers. Over- " plus Monies, above ſatisfying ſaid Officers, to be diſpoſed of to Officers who were maimed, *&c.* in the " late Wars, or to Officers Widows and Children, as his Majeſty ſhall direct."

## CAP. XLVIII.

An Act for rendering more effectual an Act made in the fourteenth Year of the Reign of his preſent Majeſty, for promoting the Diſcovery of a Method for finding the Longitude at Sea, ſo far as relates to the Encouragement and Reward of Perſons making leſſer Diſco- veries for finding the ſame, or making other uſeful Diſcoveries and Improvements in Na- vigation; and to the making of Experiments relating thereto.

Preamble. Act 14 Geo. III. recited.

' WHEREAS by an Act, made in the fourteenth Year of the Reign of his preſent Majeſty, (intituled, *An Act for the Repeal of all former Acts concerning the Longitude at Sea, except ſo much thereof as relates to the Appointment and Authority of the Commiſſioners thereby conſtituted, and alſo ſuch Clauſes as relate to the conſtructing, printing, publiſhing, vending, and licenſing of Nautical Almanacks and other uſeful Tables;*

'*Tables*; *and for the more effectual Encouragement and Reward of ſuch Perſon and Perſons as ſhall diſcover a* '*Method for finding the ſame, or ſhall make uſeful Diſcoveries in Navigation*; *and for the better making Experi-* '*ments relating thereto*); the Commiſſioners for the Diſcovery of Longitude at Sea were authoriſed and im- 'powered to hear and receive any Propoſal or Propoſals for diſcovering the ſaid Longitude, or for making 'any other uſeful Improvement in Navigation; and in caſe they ſhould think it proper to cauſe Experi- 'ments to be made thereof, then to certify the ſame, together with the Names of the Author or Authors of 'ſuch Propoſal or Propoſals, under their Hands and Seals, to the Commiſſioners of the Navy; and were 'alſo authoriſed and impowered, in caſe they ſhould adjudge any Perſon or Perſons to have made any Diſ- 'covery for finding the Longitude at Sea, which, though not of ſo great Uſe as to be intitled to any of the 'great Rewards in the ſaid recited Act ſpecified, yet that the ſaid Diſcovery was of conſiderable Uſe to the 'Public, or to have made any other Diſcovery or Diſcoveries, Improvement or Improvements, uſeful to 'Navigation; then to certify from Time to Time, under their Hands and Seals, to the ſaid Commiſſion- 'ers of the Navy, ſuch leſs Reward or Sum or Sums of Money as they the ſaid Commiſſioners for the Diſ- 'covery of Longitude ſhould think reaſonable to be paid to ſuch Perſon or Perſons; and the ſaid Commiſ- 'ſioners of the Navy were thereby authoriſed and required to make out a Bill or Bills upon the Treaſurer 'of the Navy, for ſuch Sum or Sums of Money as the ſaid Commiſſioners for the Diſcovery of Longitude 'ſhould think neceſſary for making ſuch Experiments, or for rewarding in a leſſer Degree leſſer Diſcove- 'ries for finding the Longitude at Sea, or any other Diſcoveries and Improvements uſeful to Navigation; 'which Sum or Sums of Money the ſaid Treaſurer was thereby authoriſed and required to pay immedi- 'ately to ſuch Perſon or Perſons, his or their Executors, Adminiſtrators, or Aſſigns, out of any Money 'that ſhould be in his the ſaid Treaſurer's Hands unapplied to the Uſe of the Navy: And whereas, by 'reaſon of ſeveral Payments made by the Treaſurer of the Navy to ſeveral Perſons in purſuance of the Di- 'rections of the ſaid Act, the ſaid Commiſſioners for the Diſcovery of Longitude have nearly expended 'the Whole of the Sum of five thouſand Pounds granted by the ſaid Act for the Purpoſes aforeſaid: And 'whereas, if proper Encouragement and Rewards were continued to be given to ſuch ingenious Perſon or 'Perſons as ſhall make any Diſcovery for finding the Longitude at Sea, which, though not of ſo great Uſe 'as to be entitled to any of the great Rewards in the ſaid recited Act ſpecified, ſhall nevertheleſs be ad- 'judged, by the Commiſſioners for the Diſcovery of Longitude, to be of conſiderable Uſe to the Public, 'or who ſhall make other uſeful Diſcoveries and Improvements in Navigation, it would contribute to the 'Advantage of the Trade and to the Honour of this Kingdom;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That it ſhall and may be lawful to and for the ſaid Commiſſioners for the Diſcovery of Longitude, and they have hereby full Power and Authority, whenever they ſhall be ſatisfied of the Probability of any Propoſal or Propoſals that ſhall be made to them for diſcovering the ſaid Longitude, or making any other uſeful Diſcovery and Improvement in Navigation, ſo as to think it proper to cauſe Experiments to be made thereof, to certify the ſame to the Commiſſioners of the Navy; and alſo in caſe they ſhall adjudge any Perſon or Perſons to have made any Diſcovery for finding the Longitude at Sea, which, though not of ſo great Uſe as to be intitled to any of the great Rewards in the ſaid recited Act ſpecified, yet that the ſaid Diſcovery is of conſiderable Uſe to the Public, or to have made any other Diſcovery or Diſcoveries, Improvement or Improvements, uſeful to Navigation, to certify ſuch leſs Reward, or Sum or Sums of Money, as they the ſaid Commiſſioners for the Diſcovery of Longitude ſhall think reaſonable to be paid to ſuch Perſon or Perſons; and the Commiſſioners of the Navy are hereby authoriſed and required to make out a Bill or Bills upon the Treaſurer of the Navy, for ſuch Sum or Sums as ſhall be ſo certified to them by the ſaid Commiſſioners for the Diſcovery of Longitude; and the ſaid Treaſurer of the Navy is hereby authoriſed and required to pay immediately ſuch Sum or Sums, to the Perſon or Perſons who ſhall be appointed by the ſaid Commiſſioners for the Diſcovery of Longitude to make ſuch Experiments, or to receive ſuch leſs Reward or Sum or Sums of Money for making leſſer Diſcoveries for finding the Longitude at Sea, or any other Diſcoveries and Improvements uſeful to Navigation, out of any Money which ſhall be in his the ſaid Treaſurer's Hands unapplied to the Uſe of the Navy.

Commiſſioners of the Navy, on being certified by the Commiſſioners of Longitude of the Probability of any Propoſals for diſcovering the Longitude, &c.

ſhall order a Reward to be paid to the Authors of ſuch Propoſals.

II. Provided always, and be it enacted, That all ſuch Sum or Sums of Money as ſhall be paid by the Treaſurer of the Navy, by virtue of this Act, for the Purpoſes of making ſuch Experiments as aforeſaid, and of rewarding in a leſſer Degree leſſer Diſcoveries for finding the Longitude at Sea, and alſo other Diſcoveries and Improvements uſeful to Navigation, do not all together exceed the Sum of five thouſand Pounds.

The Sums to be paid by virtue of this Act, not to exceed 5,000 l.

III. Provided alſo, That ſuch Sum or Sums ſhall be certified, and ſuch Bills ſhall be made out, and Payment thereof made, in ſuch Manner, and under the ſame Regulations and Proviſions, as are in and by the ſaid recited Act preſcribed, with regard to the Sum of five thouſand Pounds, by the ſaid Act made applicable to the Encouragement and Reward of ſuch Perſon or Perſons as ſhould make leſſer Diſcoveries for finding the Longitude at Sea, or make other uſeful Diſcoveries and Improvements in Navigation, and to the better making of Experiments relating thereto.

The Sums to be certified, and Payment made, agreeable to the Regulations of the above-recited Act.

## CAP. XLIX.

An Act to enable the Lords Commiſſioners of his Majeſty's Treaſury to compound a Debt due to the Crown from the Eſtate of *William Harry* deceaſed, and his Sureties.

CAP.

## CAP. L.

An Act for granting to his Majeſty certain Duties on Licences, to be taken out by all Perſons acting as Auctioneers, and certain Rates and Duties on all Lands, Houſes, Goods, and other Things, ſold by Auction; and upon Indentures, Leaſes, Bonds, Deeds, and other Inſtruments.

*Moſt Gracious Sovereign,*

Preamble.

'WE, your Majeſty's moſt dutiful and loyal Subjects, the Commons of *Great Britain*, in Parliament aſſembled, think that it would be for the Advantage of the Public that all Perſons uſing or exerciſing the Trade or Buſineſs of an Auctioneer ſhould be obliged to take out a Licence for that Purpoſe, ſpecifying their Names and Places of Abode reſpectively, and to grant unto your Majeſty a Duty upon ſuch Licences; and alſo a certain Rate upon all Sales of any Eſtates, Goods, or Effects whatſoever, ſold by way of Auction, as herein-after mentioned;' and therefore do moſt humbly beſeech your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That, from and after the twenty-ninth Day of *September*, one thouſand ſeven hundred and ſeventy-ſeven, every Perſon exerciſing the Trade or Buſineſs of an Auctioneer, within the Cities of *London* and *Weſtminſter*, and the Weekly Bills of Mortality, ſhall yield and pay annually, to and for the Uſe of his Majeſty, his Heirs and Succeſſors, for a Licence to uſe and exerciſe the ſaid Trade or Buſineſs, the Sum of twenty Shillings; and every Perſon exerciſing the Trade or Buſineſs of an Auctioneer, without the Cities of *London* and *Weſtminſter*, and the Weekly Bills of Mortality, ſhall yield and pay annually, to and for the Uſe of his Majeſty, his Heirs and Succeſſors, for a Licence to uſe and exerciſe the ſaid Trade or Buſineſs, the Sum of five Shillings.

After Sept. 29, 1777, every Auctioneer within the Bills of Mortality, to pay 20 s. annually; and without the ſaid Bills 5 s. annually.

II. Provided always, and be it further enacted, That no Perſon who ſhall be authoriſed by the Lord Mayor and Court of Aldermen of the City of *London*, to act as a Broker within the ſaid City, ſhall be liable to the Payment of any greater yearly Sum than five Shillings, for a Licence to act as an Auctioneer within the Cities of *London* and *Weſtminſter*, any Thing in this Act to the contrary notwithſtanding.

Brokers authorized by the Lord Mayor, &c. of London, may act as Auctioneers on Payment of 5 s. annually.

III. And be it further enacted by the Authority aforeſaid, That, from and after the ſaid twenty-ninth Day of *September*, no Perſon or Perſons whatſoever, who now, or at any Time or Times hereafter, doth or ſhall exerciſe the Calling or Occupation of an Auctioneer, Agent, Factor, or Seller by Commiſſion, at any Sale of any Eſtates, Goods, or Effects whatſoever, by Outcry, knocking down of Hammer, Candle, by Lot, Parcel, or any other Mode of Sale at Auction, or whereby the beſt or higheſt Bidder is deemed to be the Purchaſer, or who ſhall act in any of the ſaid Capacities, ſhall preſume, by him, her, or themſelves, or by any other Perſon or Perſons whatſoever, employed by him, her, or them, for his, her, or their Benefit, to deal in, vend, or ſell any ſuch Eſtates, Goods, or Effects whatſoever, by public Sale or otherwiſe, by way of Auction, as aforeſaid, in any Manner whatſoever, without firſt taking out a Licence, in Manner herein-after mentioned, before he, ſhe, or they, ſhall ſo put up to Sale, or ſell any ſuch Eſtates, Goods, or Effects, by public Sale, by way of Auction, as aforeſaid; and in which Licence ſhall be ſet forth the true Name and Place of Abode of the Perſon or Perſons taking out the ſame; for which he, ſhe, or they ſhall, immediately upon the taking out thereof, pay down for each and every Licence, ſo to be taken out from Time to Time, the ſaid ſeveral Sums of twenty Shillings, and five Shillings, reſpectively, over and beſides any other Duties or Payments to which ſuch Perſon or Perſons may be liable for trading in, vending, or ſelling any Gold or Silver Plate, or otherwiſe, in Manner following; that is to ſay, If ſuch Licences be taken out within the Limits or Juriſdiction of the Chief Office of Exciſe in *London*, then ſuch Licences ſhall be granted under the Hands and Seals of two or more of his Majeſty's Commiſſioners for the Duty of Exciſe for the Time being, or of ſuch Officer as the Commiſſioners of Exciſe ſhall appoint for that Purpoſe, and the ſaid Duty of twenty Shillings for the ſame ſhall be paid at the Chief Office of Exciſe in *London*; but if ſuch Licences ſhall be taken out without the Limits aforeſaid, then ſuch Licences ſhall be granted under the Hands and Seals of the ſeveral Collectors and Surveyors of Exciſe, within their reſpective Collections and Diſtricts, and the ſaid Duty of five Shillings for the ſame ſhall be paid, by all and every the Perſons ſo taking out ſuch Licences, at the Office of Exciſe next adjoining to the Place where they reſpectively reſide or inhabit, or at any other Place, and to ſuch Perſons as his Majeſty's Commiſſioners of Exciſe for the Time being ſhall appoint to deliver out ſuch Licences and to receive the ſaid Duty: And in caſe ſuch Licences be taken out within the Limits of the City of *Edinburgh*, ſuch Licences ſhall be granted under the Hands and Seals of two or more of his Majeſty's Commiſſioners of Exciſe in *Scotland* for the Time being, and the Duty of five Shillings for the ſame ſhall be paid at the Chief Office of Exciſe in *Edinburgh*, in the ſame Manner as is herein-before directed in regard to the Licences to be taken out within the Limits or Juriſdiction of the Chief Office of Exciſe in *London*; but if ſuch Licences ſhall be taken out in any other Part of *Scotland*, without the Limits aforeſaid, then ſuch Licences ſhall be granted under the Hands and Seals of the ſeveral Collectors and Surveyors of Exciſe in *Scotland*, within their reſpective Collections and Diſtricts, and the Duties for the ſame ſhall be paid in like Manner as is herein-before directed with regard to the Licences to be taken out in *England*, without the Limits or Juriſdiction of the Chief Office of Exciſe in *London*; and ſuch reſpective Commiſſioners of Exciſe, and the Perſons appointed by them reſpectively, and alſo all ſuch Collectors and Surveyors, are hereby reſpectively authoriſed and required

No Perſon after Sept. 29, 1777, ſhall act as an Auctioneer or Factor, at the Sale of any Eſtates, &c. without taking out a Licence.

Certain Perſons authoriſed to grant Licences in England;

and in Scotland.

quired to grant and deliver ſuch Licences to all Perſons applying for the ſame, upon their paying the ſeveral Sums of twenty Shillings, and five Shillings, as aforeſaid, reſpectively, for each and every ſuch Licence.

Licences to be renewed, and 20s. or 5s. paid every Year:

IV. And be it further enacted by the Authority aforeſaid, That every Perſon or Perſons who ſhall take out any ſuch Licence as aforeſaid, is and are hereby required to take out a freſh Licence, ten Days at leaſt before the Expiration of twelve Calendar Months after the taking out the firſt Licence, before he, ſhe, or they do preſume to vend or ſell by way of Auction, as aforeſaid, and in the ſame Manner to renew every ſuch Licence from Year to Year, paying down the like Sum of twenty Shillings, or of five Shillings, reſpectively, for each and every new or renewed Licence, at the Places and at the Times before-mentioned: And if any Perſon or Perſons ſhall preſume or offer to vend or ſell by way of Auction, as aforeſaid, without firſt taking out ſuch Licence, and renewing the ſame yearly, in Manner aforeſaid, ſuch Perſon or Perſons ſhall, if the Offence ſhall be committed within the Cities of *London* or *Weſtminſter*, or within the Weekly Bills of Mortality, forfeit and loſe, for every ſuch Offence, the Sum of one hundred Pounds; and if ſuch Offence ſhall be committed in any Place without the Limits aforeſaid, then ſuch Perſon or Perſons ſhall, for every ſuch Offence, forfeit and loſe the Sum of fifty Pounds.

On Penalty, if within the Bills of Mortality, of 100l. and, if without the Bills, of 50l.

After Sept. 29, 1777, certain Duties laid on Lands, Houſes, &c. ſold by Auction;

V. And be it further enacted by the Authority aforeſaid, That, from and after the ſaid twenty-ninth Day of *September*, there ſhall be raiſed, levied, collected, and paid, in ſuch Manner as herein-after is mentioned, to and for the Uſe of his Majeſty, his Heirs and Succeſſors, for and upon all Manner of Sales by way of Auction, as aforeſaid, in *Great Britain*, the reſpective Rates and Duties herein-after expreſſed; (that is to ſay) The Sum of Threepence for every twenty Shillings of the Purchaſe-money ariſing by Sale at Auction, of any Intereſt, in Poſſeſſion or Reverſion, in any Freehold, Copyhold, or Leaſehold Lands, Tenements, Houſes, or Hereditaments, and of any Annuities or Sums of Money charged thereon, and of any Utenſils in Huſbandry and Farming, Stock, Ships, and Veſſels, and of any reverſionary Intereſt in the public Funds; and the Sum of Sixpence for every twenty Shillings out of the Purchaſe-money ariſing by Sale at Auction, of all Furniture, Fixtures, Plate, Jewels, Pictures, Books, Horſes, and Carriages, and all other Goods and Chattels whatſoever; the ſaid reſpective Rates and Duties to be paid by every ſuch Auctioneer, Agent, Factor, or Seller by Commiſſion, out of the Monies ariſing at each and every ſuch Sale or Auction, as aforeſaid.

to be paid by the Auctioneer, &c. out of the Produce of the Sale.

Every Auctioneer, within the Limits of the Chief Office of Exciſe in London, to give Security by Bond for 200l. to his Majeſty;

VI. And it is hereby further enacted by the Authority aforeſaid, That, from and after the ſaid twenty-ninth Day of *September*, each and every Perſon acting as Auctioneer as aforeſaid, at every ſuch public Sale or Auction, in *London*, *Weſtminſter*, or in any other Parts within the Limits or Juriſdiction of the Chief Office of Exciſe in *London*, ſhall, at the Time of receiving ſuch Licence, give Security, by Bond, to his Majeſty, his Heirs and Succeſſors, in the Sum of two hundred Pounds, with two or more ſufficient Sureties, which Security the ſaid Commiſſioners for the Duty of Exciſe reſpectively for the Time being, or any two or more of them, or ſuch Perſon or Perſons as the ſaid Commiſſioners of Exciſe reſpectively ſhall appoint to deliver out ſuch Licences, and to receive the ſaid Duties, is or are hereby authoriſed to take, that he will, within fourteen Days after each and every ſuch Sale or Auction, deliver to the Perſon or Perſons, ſo to be appointed as aforeſaid, an exact and particular Account in Writing, of the total Amount of the Money bid at ſuch Sale, and of the ſeveral Articles, Lots, or Parcels, which ſhall have been ſold, the Price of each Article, Lot, or Parcel, in every ſuch Sale, and what Article or Articles, Lot or Lots, Parcel or Parcels, if any, was or were bought in by the Owner, or by his Direction (ſuch Direction to be in Writing, and witneſſed by the Owner); and at the ſame Time make Payment of all ſuch Sum and Sums of Money as ſhall be due and payable to his Majeſty, in purſuance of, and according to the true Intent and Meaning of this Act; which Sum or Sums of Money he is hereby authoriſed and directed to retain out of the Produce of each Sale made as aforeſaid; and ſuch Perſon, or the Perſon acting as Clerk at ſuch Sale (if any) ſhall make Oath of the Truth of every ſuch Account, before the Officer appointed to receive the ſaid Duty, which Oath ſuch Officer is hereby authoriſed and required to adminiſter: And if it ſhall appear to the Satisfaction of the ſaid Commiſſioners, or of the Perſon or Perſons ſo appointed by them in this Behalf, as aforeſaid, that the Party giving ſuch Bond hath acted agreeably to the Directions of this Act, during the reſpective Year for which his Licence was to continue in relation whereto each Bond ſhall have been ſo given; then, in each and every ſuch Caſe, they ſhall cauſe ſuch Bond to be delivered up; but in caſe no ſuch Account ſhall be delivered as herein before mentioned, or if it ſhall appear that any ſuch Account was not truly made, or that the Party hath acted contrary to the true Intent and Meaning of ſuch Bond, and of this preſent Act, it ſhall and may be lawful for the ſaid Commiſſioners, or the Perſons ſo appointed by them as aforeſaid (unleſs they ſhall find ſufficient Cauſe to forbear the ſame), to cauſe each and every ſuch Bond to be proſecuted according to Law; and thereupon, in caſe of a Verdict or Judgment againſt the Defendant, ſuch Licence ſhall thenceforth become void to all Intents and Purpoſes, and ſuch Defendant ſhall from thenceforth be incapable of ever after having any ſuch Licence; and in caſe of acting under Colour of any ſuch Licence, ſhall be liable to all the Penalties which may be incurred by this Act for acting as an Auctioneer without Licence.

that he will, within fourteen Days after every Auction, deliver a particular Account in Writing of the whole Money bid, and the Price of each Lot, &c.

And if it ſhall appear to the Commiſſioners of Exciſe, &c. that the Auctioneer hath acted agreeably to this Act, the ſaid Bond ſhall be delivered up; but if the contrary ſhall appear, the Bond to be proſecuted, &c.

VII. And it is hereby further enacted by the Authority aforeſaid, That each and every Perſon ſo acting as aforeſaid, at every ſuch public Sale or Auction, in any other Part of *Great Britain*, ſhall, at the Time of receiving ſuch Licence as aforeſaid, give Security by Bond, as aforeſaid, in the Sum of fifty Pounds; which Security the Collectors or Superviſors, or other Officer to be appointed for granting ſuch Licence as aforeſaid, ſhall, and they are hereby authoriſed to take; that he will, within ſix Weeks after every ſuch Sale, deliver in an exact and particular Account, as is herein-before required to be delivered by Perſons vending or telling by Auction, within the Bills of Mortality, and ſhall at the ſame Time make Payment of all ſuch Sum and Sums of Money as ſhall be due and payable to his Majeſty, for or on Account of each Sale by him made, from Time to Time, within ſuch ſix Weeks reſpectively; and all the Powers, Direc-

Every Auctioneer, without the Bills of Mortality, ſhall give Bond, as aforeſaid, for 50l. that he will, within ſix Weeks after each Sale, deliver in a particular Account, &c.

tions,

tions, Penalties, and Forfeitures, herein-before preſcribed or contained, for the better levying, ſecuring, or accounting for the ſaid Duties, ſhall be obſerved in the ſaid ſeveral Collections and Diſtricts reſpectively, as if the ſame were again particularly repeated and re-enacted.

Auctioneer may make it a Condition of Sale, that the Purchaſer ſhall pay the Rate granted by this Act.

VIII. Provided always, and it is hereby further enacted, That nothing herein contained ſhall extend, or be conſtrued to reſtrain any Seller by Auction, or Perſon acting as Auctioneer at any Sales by way of Auction, from making it a Condition of Sale, that the Pound-rate granted by this Act, or any certain Portion thereof, ſhall be paid by the Purchaſer, over and above the Price bidden at ſuch Sale by Auction; and in ſuch Caſe, the Perſon ſo acting as Auctioneer is hereby authoriſed and required to demand Payment of the ſaid Duty from ſuch Purchaſer or Purchaſers, or ſuch Portion thereof as expreſſed in ſuch Condition or Agreement, and upon Neglect or Refuſal to pay the ſame, ſuch Bidding ſhall be null and void to all Intents and Purpoſes.

This Act not to alter any Contract between Buyer and Seller by Auction, &c.

IX. Provided alſo, That nothing in this Act contained ſhall be conſtrued to alter, change, determine, or make void, any other Condition, Contract, Covenant, or Agreement whatſoever, between any Buyer or Seller by Auction, or any other Perſon, touching the Payment of any of the Rates or Duties hereby reſpectively impoſed, ſo as the ſame do not extend to the leſſening or Abatement of the full Sum appointed by this Act to be raiſed, levied, collected, and paid, as is herein-before mentioned and directed, any Thing herein contained to the contrary notwithſtanding.

If the Owner of any Eſtate, &c. ſold by Auction, ſhall be the Purchaſer, he ſhall be allowed the Duties;

provided Notice be given to the Auctioneer before the Sale, &c. who ſhall make Oath of the ſame, &c.

X. Provided alſo, and it is hereby further enacted by the Authority aforeſaid, That in caſe the real Owner of any Eſtate, Goods, or Effects, put up to Sale by way of Auction, ſhall become the Purchaſer by means of his own bidding, or the bidding of any other Perſon on his Behalf, or for his Uſe, at ſuch Sale, without Fraud or Colluſion, then and in ſuch Caſe the reſpective Commiſſioners of Exciſe in *Great Britain*, and ſuch Collectors, Surveyors, and other Officers of Exciſe, as are hereby reſpectively authoriſed within their reſpective Collections and Diſtricts to receive the ſaid Duties, are hereby authoriſed and required to make an Allowance to ſuch Owner of the Duties ariſing by this Act upon ſuch Bidding; provided Notice be given to the Auctioneer before ſuch Bidding, both by the Owner and the Perſon intended to be the Bidder, of the latter being appointed by the former, and having agreed accordingly to bid at the Sale, for the Uſe and Behoof of the Seller; and provided ſuch Notice be verified by the Oath of the Auctioneer, as alſo the Fairneſs and Reality of the ſaid Tranſaction, to the beſt of his Knowledge and Belief: And in caſe any Diſpute ſhall ariſe whether ſuch Purchaſe by the Owner was not made by Colluſion, or in order to leſſen the full Sum appointed by this Act to be paid, or concerning the Fairneſs of ſuch Tranſaction; then, and in ſuch Caſes, the Proof thereof ſhall lie upon the Perſon acting as Auctioneer; and on Failure therein, or in caſe of any unfair Practice, then no ſuch Allowance ſhall be made, as aforeſaid, any Thing herein contained to the contrary notwithſtanding.

Certain Sales to which this Act ſhall not extend.

XI. Provided alſo, and it is hereby further enacted, That nothing in this Act contained ſhall extend to any Sale or Sales by way of Auction of Eſtates or Chattels, made by any Rule, or Order, or Decree, of his Majeſty's Court of Chancery, or of Exchequer, in *England*, before the Maſters in Chancery, or the Deputy Remembrancer of the ſaid Court of Exchequer; or by any Order or Decree of the Courts of Seſſion or Exchequer in *Scotland* reſpectively; or at any ſuch Sales made by the *Eaſt India* Company, or the *Hudſon's Bay* Company, or by Order of his Majeſty's Commiſſioners for the Duty of Cuſtoms or of Exciſe, or by Order of the Board of Ordnance, or Commiſſioners of the Navy and Victualling, or any ſuch Sales of Eſtates or Chattels, made by the Sheriff in Execution of Judgments, or of Goods diſtrained for Rent, or for Nonpayment of Tithes, or of Goods and Effects of Bankrupts, ſold by Order of the Aſſignees, under a Commiſſion of Bankruptcy, any Thing herein contained to the contrary notwithſtanding.

This Act not to extend to the firſt Sale of Goods imported from any Britiſh Colony in America, &c. nor to Ships, &c. taken as Prize, and ſold for the Benefit of the Captors, &c. nor to Sales made for the Benefit of Creditors, &c.

XII. Provided alſo, and it is hereby further enacted by the Authority aforeſaid, That nothing in this Act ſhall extend, or be conſtrued to extend, to charge with the ſaid Tax or Duty, any Goods imported into this Kingdom by way of Merchandize from any *Britiſh* Colony or Plantation in *America*, on the firſt Sale of ſuch Goods, by or for the Account of the original Importer, to whom the ſame were conſigned, and by whom they were entered at the Cuſtom-houſe, at the Port of Importation, ſo as ſuch Sale be made within twelve Months after ſuch Goods ſhall be ſo imported; nor to any Ships, or their Tackle, Apparel, and Furniture, or the Cargoes thereof, which may be taken and condemned as Prize, which ſhall be ſold in this Kingdom, by or for the Benefit of the Captors thereof; nor to any Ships or Goods that may be wrecked or ſtranded in this Kingdom, and ſold by Auction for the Benefit of the Inſurers or Proprietors thereof; or which may be ſold free of Duty to defray the Charges of Salvage; nor to Sales made for the Benefit of Creditors, by the Direction of any Deed or Deeds, executed before the firſt Day of *April*, one thouſand ſeven hundred and ſeventy-ſeven; nor to Sales made by Truſtees, choſen in purſuance of an Act, made in the twelfth Year of the Reign of his preſent Majeſty (intituled, *An Act for rendering the Payment of the Creditors of Inſolvent Debtors more equal and expeditious, and for regulating the Diligence of the Law by Arreſtment, and poinding, and for extending the Privilege of Bills to Promiſſory Notes, and for limiting Actions upon Bills and Promiſſory Notes, in that Part of* Great Britain *called* Scotland); any Thing herein contained to the contrary notwithſtanding.

Sales of certain Eſtates, Woods, &c. to which this Act ſhall not extend.

XIII. Provided alſo, That nothing in this Act contained ſhall extend to the Sale or Sales of any Eſtate or Eſtates to be held by a Leaſe or Leaſes, or Copy or Copies of Court Rolls or Entries, for a Life or Lives, or for any Term or Terms of Years; or to the Sale or Sales of any Woods, Coppices, Produce of Mines or Quarries, or to any Contract relating thereto, or to the cutting or working the ſame, or to the Sale of any Materials uſed in the working of ſuch Mines or Quarries reſpectively; or to the Sale of any Cattle, and live or dead Stock, or unmanufactured Produce of Land; ſo as ſuch Sale or Sales of Woods, Coppices, Produce of Mines or Quarries, Cattle, Corn, Stock, or Produce of Land, be made whilſt they continue on the Lands producing the ſame, and by the Owner or Owners of ſuch Lands, or Proprietor or Proprietors of, or Adventurer or Adventurers in, ſuch Mines or Quarries reſpectively, or by his or their Steward

Steward or Agent, Stewards or Agents; any Thing herein-before contained to the contrary thereof notwithſtanding.

Duties ariſing by this Act to be paid into the Exchequer ſeparate from all others.

XIV. And be it further enacted by the Authority aforeſaid, That all the Money ariſing by the Rates and Duties reſpectively chargeable by this Act (the neceſſary Charges of raiſing and accounting for the ſame excepted) ſhall from Time to Time be paid into the Receipt of his Majeſty's Exchequer at *Weſtminſter*, ſeparate and apart from all other Branches of the Public Revenues, and ſhall be carried to, and made Part of, the Fund, commonly called *The Sinking Fund*.

Penalties and Forfeitures how to be recovered and applied.

XV. And be it further enacted by the Authority aforeſaid, That all Fines, Penalties, and Forfeitures impoſed by this Act, ſhall be ſued for, levied, recovered, or mitigated, by ſuch Ways, Means, and Methods, as any Fine, Penalty, or Forfeiture is or may be recovered or mitigated by any Law or Laws of Exciſe (not otherwiſe directed by this Act), or by Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, or in the Court of Exchequer in *Scotland*; and that one Moiety of every ſuch Fine, Penalty, or Forfeiture (all neceſſary Charges for the Recovery thereof being firſt deducted), ſhall be to his Majeſty, his Heirs and Succeſſors, and the other Moiety to him or them who ſhall diſcover, inform, or ſue for the ſame.

After Aug. 1, 1777, an additional Stamp-duty of 1 s. 6 d. ſhall be paid for every Skin of Parchment, &c. for which 1 s. is payable by Act 16 Geo. III.

XVI. And be it further enacted by the Authority aforeſaid, That, from and after the firſt Day of *Auguſt*, one thouſand ſeven hundred and ſeventy-ſeven, there ſhall be raiſed, levied, collected, and paid, throughout the Kingdom of *Great Britain*, unto and for the Uſe of his Majeſty, his Heirs and Succeſſors, the ſeveral Rates and Duties following; that is to ſay, For every Skin or Piece of Vellum or Parchment, or Sheet or Piece of Paper, upon which ſhall be ingroſſed, written, or printed, in *Great Britain*, any Indenture, Leaſe, Bond, or other Deed (ſave and except Policies of Inſurance) for which a Stamp-duty of one Shilling is payable, by virtue of an Act made in the ſixteenth Year of the Reign of his preſent Majeſty, over and above all other Rates and Duties by the ſaid Act, or by any other Act of Parliament impoſed, an additional Stamp-duty of one Shilling and Sixpence.

Additional Stamp-duties to be paid after July 5, 1777;

XVII. And be it further enacted by the Authority aforeſaid, That, from and after the fifth Day of *July*, one thouſand ſeven hundred and ſeventy-ſeven, there ſhall be raiſed, levied, collected, and paid, throughout the Kingdom of *Great Britain*, unto and for the Uſe of his Majeſty, his Heirs and Succeſſors, the Rates and Duties following; (that is to ſay)

Conveyance, Surrender, &c. 2 s. 6 d.

For every Skin or Piece of Vellum or Parchment, or Sheet or Piece of Paper, upon which ſhall be ingroſſed, written, or printed, any Conveyance, Surrender of Grants or Offices, Releaſe, or other Deed whatſoever which ſhall be inrolled of Record in any of the Courts at *Weſtminſter*, or in any other Court of Record whatſoever, or by any *Cuſtos Rotulorum*, or Clerk of the Peace, over and above the Duty now payable thereon, an additional Stamp-duty of two Shillings and Sixpence:

Policy of Inſurance for above 1000 l. 5 s.

For every Skin or Piece of Vellum or Parchment, or Sheet or Piece of Paper, upon which ſhall be ingroſſed, written, or printed, in *Great Britain*, any Policy of Inſurance, whereby the Property of one or more Perſons in Houſes and Goods, or both, ſhall be inſured to a greater Amount, in the Whole, than one thouſand Pounds, over and above the ſeveral Duties by any Acts of Parliament already impoſed, an additional Stamp-duty of five Shillings:

Copyhold Surrender, &c. 2 s. 3 d.

For every Skin or Piece of Vellum or Parchment, or Sheet or Piece of Paper, upon which ſhall be ingroſſed, written, or printed, any Surrender of, or Admittance to, any Copyhold Land or Tenement, within thoſe Parts of *Great Britain* called *England*, *Wales*, and the Town of *Berwick upon Tweed*, or any Grant or Leaſe, by Copy of Court Roll, or any other Copy of the Court Roll of any Honour or Manor, within the ſaid Parts of *Great Britain* (other than and except the original Surrender to the Uſe of a Will, and the Court Roll or Books wherein the Proceedings of the Court are entered or inrolled), over and above the Duty now payable thereon, an additional Stamp-duty of two Shillings and Three-pence:

Surrender of any Cuſtom-right Eſtate, not being Copyhold, 4 s. 6 d.

For every Skin or Piece of Vellum or Parchment, or Sheet or Piece of Paper, upon which ſhall be ingroſſed, written, or printed, any Copy of any Surrender of, and Admittance to, any Cuſtom-right or Tenant-right Eſtate, not being Copyhold, which ſhall paſs by Surrender and Admittance, or by Admittance only, and which ſhall not paſs by Deed, within thoſe Parts of *Great Britain* called *England*, *Wales*, and the Town of *Berwick upon Tweed*, a Stamp-duty of four Shillings and Sixpence:

Surrender of Lands, &c. to Superiors, in Scotland, 1 s. 6 d.

For every Skin or Piece of Vellum or Parchment, or Sheet or Piece of Paper, upon which ſhall be ingroſſed, written, or printed, any Principal or Original Inſtrument of Surrender or Reſignation of any Lands, Tenements, Hereditaments, or Heritable Rights, to be made to any of his Majeſty's Subjects, who are or ſhall be Superiors thereof, or to any City, Town, Borough, or Corporation, or to any Magiſtrates or others who have Power to receive ſuch Surrenders or Reſignations, in *Scotland*, over and above the Duty now payable thereon, an additional Stamp-duty of one Shilling and Sixpence:

Retour of Service of Heirs, &c. 1 s. 6 d.

For every Skin or Piece of Vellum or Parchment, or Sheet or Piece of Paper, upon which ſhall be ingroſſed, written, or printed, any Principal or Original Retour of any Service of Heirs, or any Precept of *Clare Conſtat* of Lands or Tenements, holding of any Subject as aforeſaid, in *Scotland*, over and above the Duty now payable thereon, an additional Stamp-duty of one Shilling and Sixpence:

Charter of Reſignation, &c. 1 s. 6 d.

For every Skin or Piece of Vellum or Parchment, or Sheet or Piece of Paper, upon which ſhall be ingroſſed, written, or printed, any Charter of Reſignation, Confirmation, *Novo damus*, or Charter upon Apprizing or Adjudication made or granted by ſuch Superior, or others, as aforeſaid, in *Scotland*, over and above the Duty now payable thereon, an additional Stamp-duty of one Shilling and Sixpence:

Original Saiſine taken upon any Mortgage, &c. 1 s. 6 d.

For every Skin or Piece of Vellum or Parchment, or Sheet or Piece of Paper, upon which ſhall be ingroſſed, written, or printed, any Principal or Original Saiſine taken or following upon any Mortgage, Wadſet, Heritable Bond, Alienation, or Diſpoſition, or upon any Charter, Precept of *Clare Conſtat*, *Retours*, Apprizings, or Adjudications of Lands or Tenements, holding of any Subject as aforeſaid, in *Scotland*,

*Scotland*, over and above the Duty now payable thereon, an additional Stamp-duty of one Shilling and Sixpence:

For every Skin or Piece of Vellum or Parchment, or Sheet or Piece of Paper, upon which ſhall be ingroſſed, written, or printed, any Principal or Original Inſtrument of Surrender or Reſignation, Service or Cognition of Heirs, Charter, or Saiſine of any Houſes, Lands, Tenements, or Hereditaments, holding Burgage, or of Burgage Tenure, in *Scotland*, over and above the Duty now payable thereon, an additional Stamp-duty of one Shilling and Sixpence.

Original Inſtrument of Surrender, Service of Heirs, &c. 1 s. 6 d.

XVIII. And be it further enacted by the Authority aforeſaid, That, for the better and more effectual levying, collecting, and paying all the ſaid additional and new Duties herein-before granted, the ſame ſhall be under the Government, Care, and Management of the Commiſſioners for the Time being appointed to manage the Duties charged on ſtamped Vellum, Parchment, and Paper: who, or the major Part of them, are hereby required and impowered to employ the neceſſary Officers under them for that Purpoſe; and to uſe and provide ſuch Stamps to denote the ſaid ſeveral Duties as ſhall be requiſite in that Behalf, and to do all other Things neceſſary to be done for putting this Act in Execution with relation to the ſaid ſeveral Rates and Duties herein-before granted, in the like, and in as full and ample Manner as they, or the major Part of them, are authoriſed to put in Execution any former Law concerning ſtamped Vellum, Parchment or Paper.

The additional and new Duties herein-before granted ſhall be under the Management of the Commiſſioners of the Stamp-duties.

XIX. Provided always, and be it further enacted by the Authority aforeſaid, That, to prevent the Multiplication of Stamps upon ſuch Pieces of Vellum or Parchment, or Sheets or Pieces of Paper, on which ſeveral Duties are by ſeveral Acts of Parliament impoſed, it ſhall and may be lawful for the ſaid Commiſſioners, inſtead of the diſtinct Stamps directed to be provided to denote the ſeveral Duties on the Vellum, Parchment, or Paper charged therewith, to cauſe one new Stamp to be provided, to denote the ſaid ſeveral Duties, and the Duty granted by this Act, on every Piece of Vellum or Parchment, or Sheet or Piece of Paper, charged with the ſaid ſeveral Duties.

Commiſſioners may cauſe one new Stamp to be provided, to denote the ſeveral Duties on each Skin of Parchment, &c.

XX. And be it further enacted by the Authority aforeſaid, That all Vellum, Parchment, and Paper, liable to the Duties hereby charged, ſhall, before the ſame ſhall be ingroſſed, printed, or written upon, be brought to the Head Office for ſtamping or marking Vellum, Parchment, or Paper; and the ſaid Commiſſioners, by themſelves, or by their Officers employed under them, ſhall forthwith, upon Demand to them made by any Perſon or Perſons, from Time to Time, ſtamp or mark, as this Act directs, any Quantities or Parcels of Vellum, Parchment, or Paper, as ſhall be brought to them for that Purpoſe, the Perſons ſo bringing the ſame paying to the Receiver-general of the Stamp-duties for the Time being, or his Deputy or Clerk, the ſeveral Duties payable for the ſame by virtue of this Act.

Vellum, Parchment or Paper, liable to the aforeſaid Duties, ſhall, before ingroſſing, &c. be ſtamped at the Head Office for ſtamping.

XXI. And be it further enacted by the Authority aforeſaid, That the ſame Allowance ſhall be made on preſent Payment of the ſeveral Duties granted by this Act, in ſuch Manner as by any former Law relating to ſtamped Vellum, Parchment, or Paper, is directed and allowed.

Uſual Allowance to be made for preſent Payment of the Duties.

XXII. And be it further enacted by the Authority aforeſaid, That the ſeveral Duties herein-before granted ſhall be paid, from Time to Time, into the Hands of the Receiver-general for the Time being of the Duties on ſtamped Vellum, Parchment, and Paper, who ſhall keep a ſeparate and diſtinct Account of the ſeveral Rates and Duties, and pay the ſame (the neceſſary Charges of raiſing, paying, and accounting for the ſame being deducted) into the Receipt of the Exchequer, for the Purpoſe herein-after expreſſed, at ſuch Time, and in ſuch Manner, as any former Duties on ſtamped Vellum, Parchment, or Paper, are directed to be paid.

Duties to be paid to the Receiver-general of the Stamp-duties, &c.

XXIII. And be it further enacted by the Authority aforeſaid, That ſuch Stamps as the ſaid Commiſſioners are hereby directed and authoriſed to provide and uſe, ſhall and may be altered and renewed, in ſuch Manner as any other Stamps on Vellum, Parchment, or Paper, are by any former Law relating to ſtamped Vellum, Parchment, or Paper, directed to be altered and renewed; and that all Perſons who ſhall have in their Cuſtody or Poſſeſſion any Vellum, Parchment, or Paper, marked with the Stamp or Mark which ſhall be ſo altered, or renewed, or on which, being already ſtamped with a Stamp denoting any former Duty, a new Stamp is hereby directed to be impreſſed, ſhall have the like Remedy and Allowance, as by any former Law relating to ſtamped Vellum, Parchment, or Paper, is in like Caſes directed.

Stamps directed to be uſed by this Act, may be altered and renewed, &c.

XXIV. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall, from and after the ſaid fifth Day of *July*, one thouſand ſeven hundred and ſeventy-ſeven, ſign, ſeal, execute, or ſubſcribe, any Policy of Inſurance, or other Deed, Inſtrument, or Writing, whereby Houſes and Goods ſhall be anyways inſured from Loſs by Fire, to the Amount or Value as aforeſaid, before the Vellum, Parchment, or Paper, whereupon the ſame ſhall be ingroſſed, written, or printed, ſhall appear to have been ſtamped and marked as by this and the other Acts of Parliament in that Behalf is directed; that then every ſuch Perſon ſo offending ſhall, for every ſuch Offence, forfeit and pay the Sum of ten Pounds; one Moiety thereof to his Majeſty, his Heirs and Succeſſors, and the other Moiety thereof, with full Coſts of Suit, to ſuch Perſon or Perſons as ſhall inform and ſue for the ſame in any of his Majeſty's Courts of Record: And that if any ſuch Policy of Inſurance ſhall be ſo ſigned, ſealed, executed, or ſubſcribed, upon Vellum, Parchment, or Paper, not appearing to have been duly ſtamped or marked according to Law, that then, and in every ſuch Caſe, there ſhall be paid to his Majeſty, his Heirs and Succeſſors (over and above the Duties hereby payable), for every ſuch Policy of Inſurance, the Sum of five Pounds; and that no ſuch Policy of Inſurance ſhall be available in Law or Equity, or be given in Evidence, or admitted in any Court, unleſs as well the ſaid Duty hereby charged, as the ſaid Sum of five Pounds, ſhall be firſt paid to the Uſe of his Majeſty, his Heirs or Succeſſors, and a Receipt produced for the ſame, under the Hand of the Receiver-general for the Time being of the Stamp-duties, or his Deputy, and until the Vellum, Parchment, or Paper, on which ſuch Policy of Inſurance is ſo ſigned, ſealed, executed, or ſubſcribed, ſhall be marked or ſtamped according to the true Meaning thereof; and the ſaid Receiver-general and his Deputy are hereby

If any Perſon, after July 5, 1777, ſhall ſign or ſeal, &c. any Policy of Inſurance from Fire, to the aforeſaid Amount, without being duly ſtamped he ſhall forfeit 10 l. and ſhall pay to his Majeſty (unleſs the Duties hereby payable) 5 l. before any ſuch Policy ſhall be available in Law, &c.

by enjoined and required, upon Payment or Tender of the ſaid Duty, payable by virtue hereof, and of the ſaid Sum of five Pounds, to give a Receipt for ſuch Money; and the other proper Officers are thereupon required to mark or ſtamp ſuch Policy of Inſurance with the proper Mark or Stamp requiſite in that Behalf.

Perſons counterfeiting any Seal or Stamp, to reſemble any Seal, &c. directed to be uſed to denote the Stamp-duties, with an Intent to defraud his Majeſty, ſhall ſuffer Death as Felons.

XXV. And be it further enacted by the Authority aforeſaid, That if any Perſon ſhall counterfeit or forge, or procure to be counterfeited or forged, any Seal, Stamp, or Mark, to reſemble any Seal, Stamp, or Mark, directed or allowed to be uſed by this or any other Act of Parliament, for the Purpoſe of denoting the Duties by this or any other Act of Parliament granted, or ſhall counterfeit or reſemble the Impreſſion of the ſame, with an Intent to defraud his Majeſty, his Heirs and Succeſſors, of any of the ſaid Duties; or ſhall privately or fraudulently uſe any Seal, Stamp, or Mark, directed or allowed to be uſed by this or any other Act of Parliament, relating to the Stamp-duties, with Intent to defraud his Majeſty, his Heirs and Succeſſors, of any of the ſaid Duties; every Perſon ſo offending, and being thereof lawfully convicted, ſhall be adjudged a Felon, and ſhall ſuffer Death, as in Caſes of Felony, without Benefit of Clergy.

All Proviſions, Penalties and Forfeitures, &c. in former Acts relating to the Stamp-duties, ſhall be in Force, and be applied in executing this Act.

XXVI. And be it further enacted by the Authority aforeſaid, That all Powers, Proviſions, Articles, Clauſes, Diſtribution of Penalties and Forfeitures, and all other Matters and Things preſcribed or appointed by any former Act or Acts of Parliament, relating to the Stamp-duties on Vellum, Parchment, and Paper, ſhall be of full Force and Effect with relation to the ſeveral Duties hereby impoſed, and ſhall be applied and put in Execution for the raiſing, levying, collecting, and ſecuring the ſaid additional and new Duties hereby impoſed, according to the true Intent and Meaning of this Act, as fully, to all Intents and Purpoſes, as if the ſame had ſeverally and reſpectively been hereby enacted, with relation to the ſaid additional and new Duties hereby impoſed.

Monies ariſing by the ſaid Duties to be paid into the Exchequer diſtinctly from all other Branches of the public Revenue.

XXVII. And be it further enacted by the Authority aforeſaid, That all the Monies ariſing by the ſaid ſeveral and reſpective Rates and Duties (the neceſſary Charges of raiſing and accounting for the ſame excepted), ſhall, from Time to Time, be paid into the Receipt of his Majeſty's Exchequer at *Weſtminſter*, diſtinctly and apart from all other Branches of the public Revenue, and ſhall, for the Purpoſe aforeſaid, be carried to, and made a Part of, the Fund commonly called *The Sinking Fund*.

Defendants under this Act may plead the General Iſſue, and recover Treble Coſts.

XXVIII. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall, at any Time or Times, be ſued, moleſted, or proſecuted, for any Thing by him or them done or executed in purſuance of this Act, or of any Clauſe, Matter, or Thing, herein contained; ſuch Perſon or Perſons ſhall and may plead the General Iſſue, and give the ſpecial Matter in Evidence, for his or their Defence: And if, upon the Trial, a Verdict ſhall paſs for the Defendant or Defendants, or the Plaintiff or Plaintiffs ſhall become nonſuited, then ſuch Defendant or Defendants ſhall have Treble Coſts awarded to him or them, againſt ſuch Plaintiff or Plaintiffs.

## CAP. LI.

An Act for enabling his Majeſty to raiſe the Sum of one Million for the Uſes and Purpoſes therein mentioned.

## CAP. LII.

An Act for better ſecuring the Duties on Sope, and the Duties on Rum of the Sugar Plantations put into Warehouſes; and for allowing a Drawback of the Duties on Rum ſhipped as Stores, to be conſumed on Board Merchant Ships on their Voyages, for a limited Time.

Preamble.

'WHEREAS, notwithſtanding the many Laws already made for ſecuring the Revenues on Sope, and for protecting the fair Trader, many groſs Frauds are daily practiſed by evil-minded and indigent Perſons, who are encouraged in ſuch Practices, not only from the great Length of Time allowed by thoſe Laws for the Payment of the Duties on Sope, but alſo for want of ſome further Regulations in the Manner of the carrying on the Sope-making Buſineſs:' for Remedy whereof, be it enacted, by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That, from and after the twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-ſeven, no Perſon or Perſons whatſoever, reſiding within the Limits of the Head Office of Exciſe in *London*, ſhall be permitted to make any Sope, unleſs ſuch Perſon or Perſons ſhall occupy a Tenement or Tenements of the yearly Value of ten Pounds, or upwards, and for which he, ſhe, or they ſhall accordingly be aſſeſſed in their own Name, and ſhall alſo pay to the Pariſh Rates; and that no Perſon or Perſons whatever, reſiding in any other Part of the Kingdom where there are Rates to Church and Poor, ſhall be permitted to make any Sope, unleſs ſuch Perſon or Perſons ſhall be aſſeſſed and pay to Church and Poor, in the ſeveral Pariſhes and Places in which they ſhall reſpectively reſide; and that no Entry of any Sope-houſe, Work-houſe, or Place for making of Sope, already made, or hereafter to be made, as required by the Statutes in that Caſe made and provided, ſhall be of any Avail to any Perſon or Perſons not ſo qualified, or for any longer Time than the Perſon or Perſons ſo making Entry ſhall be qualified as aforeſaid; and every Perſon making Sope and not qualified as aforeſaid, ſhall, notwithſtanding any Entry by him or them made, be deemed and taken to be Perſons making Sope without Entry, and ſhall be ſubject to the like Penalties and Forfeitures as Perſons making Sope without Entry are by the Statutes in ſuch Caſe made and provided now ſubject unto.

After June 24, 1777, no Perſon, reſiding within the Limits of the Head Office of Exciſe in London, ſhall make any Sope, unleſs he occupy a Tenement of 10 l. per Ann. and pay Pariſh Rates; nor in any other Part of the Kingdom, unleſs he pay to Church and Poor, &c.

'II. And

Recital of an Act of 10 Anne.

'II. And whereas by a Clauſe in an Act, paſſed in the tenth Year of the Reign of her late Majeſty Queen *Anne* (intituled, *An Act for laying ſeveral Duties upon all Sope and Paper made in* Great Britain, *or imported into the ſame; and upon Chequered and Striped Linens imported; and upon certain Silks, Callicoes, Linens, and Stuffs printed, painted, or ſtained; and upon ſeveral Kinds of Stampt Vellum, Parchment, and Paper; and upon certain printed Papers, Pamphlets, and Advertiſements; for raiſing the Sum of Eighteen hundred thouſand Pounds, by Way of a Lottery, towards her Majeſty's Supply; and for licenſing an additional Number of Hackney Chairs; and for charging certain Stocks of Cards and Dice; and for better ſecuring her Majeſty's Duties to ariſe in the Office for the Stamp-duties by Licences for Marriages and otherwiſe; and for Relief of Perſons who have not claimed their Lottery Tickets in due Time, or have loſt Exchequer Bills, or Lottery Tickets; and for borrowing Money upon Stock (Part of the Capital of the* South Sea *Company), for the Uſe of the Public)*; it was enacted, That every Perſon whatſoever, who ſhould make any Sope in *London* or *Weſtminſter*, or in any Parts within the Weekly Bills of Mortality, ſhould, monthly and every Month; and all and every Perſon or Perſons whatſoever, who ſhould make any Sope in any other Part of *Great Britain*, ſhould, once in every ſix Weeks, make a true Entry, in Writing, at the next Office for the ſaid Duties, of all the Sope by him, her, or them ſeverally made, within ſuch Month or ſix Weeks reſpectively; which Entries were to be made in Manner as therein expreſſed: And by one other Clauſe in the ſaid recited Act, it was further enacted, That all and every Perſon, who ſhould make any Sope in *London* or *Weſtminſter*, or within the Limits of the ſaid Weekly Bills of Mortality, ſhould, within four Weeks; and all and every Perſon whatſoever, who ſhould make any Sope in any other Part of *Great Britain*, ſhould, within ſix Weeks after he, ſhe, or they ſhould have made, or ought to have made, ſuch Entry as aforeſaid, pay and clear off all the ſaid Duties upon Sope, which ſhould be due from him, her, or them reſpectively; and that all and every ſuch Makers of Sope, who ſhould refuſe or neglect to make ſuch Payment as aforeſaid, ſhould forfeit and loſe, for every ſuch Offence, double the Sum of the ſaid Duty: And whereas the Allowance of ſo long a Time for the making of the Entries, and for the Payment of the Duties as aforeſaid, hath been found prejudicial to the Revenue, and alſo to the fair Trader, as evil minded and indigent Perſons have been encouraged thereby to make Sope, and have made Entry of the Sope by them made, but have neglected to pay the Duty when due, and before the Time that the Duty could be recovered have abſconded from their reſpective Dwelling-places, or by other Methods have evaded the Payment of the ſame;' be it therefore further enacted, That, from and after the twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-ſeven, the above-recited Clauſes, and every Article, Matter, and Thing therein contained, ſhall be, and are hereby repealed, and made null and void.

After June 24, 1777, the above-recited Clauſes ſhall be repealed.

All Perſons who ſhall make any Sope, after the Day aforeſaid, ſhall enter the ſame weekly at the next Office, &c. on Penalty of 50 l.

Entries to be made on Oath, &c.

III. And be it further enacted by the Authority aforeſaid, That, from and after the ſaid twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-ſeven, all and every Perſon whatſoever, who ſhall make any Sope, ſhall, weekly and every Week, make a true Entry in Writing at the next Office for the Duties on Sope, of all the Sope by him, her, or them ſeverally made within each Week; which ſaid Entries ſhall contain the Weight of all the Sope mentioned therein reſpectively, and what Quantity thereof was made at each Boiling in that Week, on Pain to forfeit for every Neglect the Sum of fifty Pounds: Which Entries ſhall be made upon Oath by the Maker of ſuch Sope, or by their chief Workman or Servant employed in making the ſame, according to the beſt of their Knowledge and Belief; unleſs ſuch Maker, Workman, or Servant, be a known Quaker, and the ſolemn Affirmation of ſuch Maker, Workman, or Servant, to the ſame Effect, in caſe he or ſhe be a known Quaker, ſhall and may be taken inſtead of ſuch Oath; and the ſaid Entries, Oaths, and Affirmations, to verify the ſame, ſhall, for ſuch Sope as ſhall be made within the Limits of the chief Office of Exciſe, be made with, and adminiſtered by, ſuch Officer or Officers as ſhall be appointed by the Commiſſioners for the Duties on Sope in *England*, or the major Part of them, for the Time being; and for all Sope made in all other Parts of *Great Britain*, with and by the Collectors and Supervifors of the Diſtrict or Diviſion within which the reſpective Makers of Sope ſhall inhabit, without any Fee or Charge whatſoever to be taken or demanded for the ſame.

Makers of Sope to pay the Duties within a Week after Entry. Penalty.

IV. And be it further enacted by the Authority aforeſaid, That all and every Perſon and Perſons whatſoever, who ſhall make any Sope in *Great Britain*, ſhall, within one Week after he, ſhe, or they ſhall make, or ought to have made, ſuch Entry as aforeſaid, pay and clear off all the Duties for Sope which ſhall be due from him, her, or them reſpectively; and that all and every ſuch Maker of Sope, who ſhall refuſe or neglect to make ſuch Payment as aforeſaid, ſhall forfeit and loſe, for every ſuch Offence, double the Sum of the ſaid Duty whereof the Payment ſhall be ſo refuſed or neglected; and that no ſuch Makers of Sope, after ſuch Default in Payment made, ſhall ſell, deliver, or carry out any Sope, until he hath paid and cleared off his Duty as aforeſaid, on Pain to forfeit double the Value of ſuch Sope ſo delivered or carried out.

Proviſo.

V. Provided always, That no Maker of Sope ſhall be obliged to go or ſend further than the Market Town where his or her Sope is made, or the next Market Town to the Place where his or her Sope is made, for the making of ſuch Entries, or the Payment of the ſaid Duties.

The Furnace-door of every Copper, &c. uſed for making of Sope, ſhall be faſtened by the Officer as ſoon as the Fire is damp, &c.

'VI. And, for the better preventing the Frauds frequently committed by divers Makers of hard Sope, 'who light Fires under their Coppers, Pans, or other Utenſils by them reſpectively uſed for the boiling or 'making of Sope, in the Abſence of, and without the Knowledge or Privity of the Officers for the Duties 'on Sope;' be it enacted, That, from and after the twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-ſeven, the Furnace-door of every Copper, Pan, or other Utenſil uſed by any ſuch Maker of Sope for the boiling or making of Sope, ſhall, and they are hereby required to be ſecurely locked and faſtened by the Officers of Exciſe who ſurvey ſuch Trader, as ſoon as the Fire is dampt or drawn from under every ſuch Copper, Pan, or other Utenſil; and proper Locks and Keys, and all other neceſſary Faſtenings for ſecuring the ſaid Coppers, Pans, and other Utenſils, ſhall be provided by the reſpective Surveyors and Supervifors of Exciſe of the ſeveral Diſtricts or Diviſions in which ſuch Makers of Sope ſhall

reſpectively reſide, at the Expence of the reſpective Makers in each Diviſion or Diſtrict: And whenever ſuch Maker of Sope ſhall be deſirous to light a Fire under ſuch Copper, Pan, or Utenſil, or to have the Furnace-doors thereof opened, and ſhall have given Notice in Manner as is herein-after directed; then, and in every ſuch Caſe, the Officers of Exciſe ſhall attend to open the ſame.

Sope-makers refuſing to pay for Locks, Keys, and other Faſtenings, or hindering Officers from fixing the ſame, to forfeit 50 l.

VII. And be it further enacted by the Authority aforeſaid, That if any ſuch Maker of Sope ſhall refuſe or neglect to pay for ſuch Locks, Keys, and other Faſtenings, ſo provided as aforeſaid; or if any ſuch Maker of Sope ſhall refuſe or hinder the Officers of Exciſe from fixing ſuch Faſtenings on the ſaid Furnace-doors, in ſuch Manner as the ſaid Officers ſhall judge moſt effectual for ſecuring the ſame, or in locking and ſecuring the ſame; then, and in every ſuch Caſe, the Offender or Offenders therein ſhall, for each Offence, forfeit and loſe the Sum of fifty Pounds.

Sope-makers who want to have their Furnace-door unlocked, ſhall give twelve Hours Notice to the Officer, if within the Limits of the Chief Office in London; and if without the ſaid Limits, twenty-four Hours Notice.

VIII. And be it further enacted by the Authority aforeſaid, That whenever any ſuch Maker of Sope ſhall be deſirous to have the Furnace-door of his, her, or their Copper, Pan, or other Utenſil by him, her, or them uſed for the boiling or making of Sope, unlocked, and ſhall have given to the Officer of Exciſe of the Diviſion or Diſtrict twelve Hours Notice, if ſuch Maker of Sope ſhall reſide within the Limits of the chief Office of Exciſe in *London*; or if ſuch Maker of Sope ſhall reſide in any other Part of *Great Britain*, twenty-four Hours Notice of ſuch his, her, or their Intention, the Officer of Exciſe ſhall attend accordingly to unlock and open the ſaid Furnace-doors of ſuch Copper, Pan, or Utenſil; and if by any Means, Art, Device, or Contrivance whatſoever, any Perſon ſhall open any ſuch Furnace-door after the ſame ſhall have been locked and ſecured as aforeſaid, before the ſame ſhall have been unlocked and opened by the Officer of Exciſe, or ſhall wilfully damage or hurt any ſuch Lock or other Faſtening, every ſuch Perſon ſhall, for every ſuch Offence reſpectively, forfeit and loſe the Sum of one hundred Pounds.

Surveyor, Superviſor, &c. may, between Five in the Morning and Eleven in the Evening, enter any Sope-maker's Workhouſe, and unlock and examine the Coppers, &c. Any Sope-maker refuſing ſuch Officer Entrance, or obſtructing his Examination, ſhall forfeit 100 l.

IX. And be it further enacted by the Authority aforeſaid, That, when any Copper, Pan, or other Utenſil, uſed for the boiling or making of Sope, or the Furnace-doors of ſuch Copper, Pan, or Utenſil ſhall be ſecured, as by this preſent Act, and by one other Act, paſſed in the fifth Year of his preſent Majeſty, are reſpectively directed, the Surveyor and Superviſor, or other Superior Officer of Exciſe, ſhall, at all Times, between the Hours of five in the Morning and eleven in the Evening, be permitted, upon Demand or Requeſt made, to enter all and every Workhouſe of every ſuch Maker of Sope; and after ſuch Entry to unlock and open every Copper, Pan, and other Utenſil, by ſuch Maker of Sope uſed for boiling or making of Sope, and alſo the Furnace-doors of every ſuch Copper, Pan, or other Utenſil, and to examine the ſame; and after due Examination had, ſuch Officer ſhall again lock and faſten every ſuch Copper, Pan, or other Utenſil, and Furnace-door, and ſo leave them locked and ſecured, as by this and the ſaid former Act is directed: And if, after ſuch Requeſt made, the Doors of ſuch Workhouſe are not immediately opened, and ſuch Officer or Officers are not immediately admitted, and permitted to enter and go into ſuch Workhouſe, made uſe of by ſuch Maker of Sope; or if ſuch Officer or Officers, being ſo entered into ſuch Workhouſe, are not permitted quietly to continue in ſuch Workhouſe, and to unlock and open every ſuch Copper, Pan, or other Utenſil, and Furnace-doors, to ſearch and examine the ſame, and until they ſhall have again locked and ſecured the ſaid Copper, Pan, or other Utenſil, and Furnace-door; or if, by any other Ways or Means whatſoever, ſuch Officer or Officers ſhall be obſtructed, hindered, or moleſted, in ſuch Search and Examination; then, and in every ſuch Caſe, the Offender therein ſhall forfeit and loſe the Sum of one hundred Pounds.

Any Sope-maker having a private Pipe to convey the Sope from his Copper, &c. ſhall forfeit 200 l.

'X. And foraſmuch as it is found by Experience that his Majeſty is very much defrauded of the Duty on 'Sope by many Makers of Sope, who, by private Pipes, and other private Conveyances made uſe of by 'ſuch Makers of Sope, do convey away the Sope from the Sight and View of the Officer appointed to 'take an Account of the ſame;' be it further enacted by the Authority aforeſaid, That, from and after the ſaid twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-ſeven, no Maker of Sope ſhall have or keep any Pipe under Ground, or any other private Pipe or other private Conveyance, in or about his Sopehouſe, by which any Sope, or Materials making into Sope, may be conveyed from his Copper, Pan, or other Utenſil uſed for the boiling or making of Sope, into any Place whatſoever, on Pain to forfeit, for every ſuch Pipe and private Conveyance, the Sum of two hundred Pounds.

Officers may, in the Day-time, in Preſence of a Conſtable, break up the Ground in any Sope-houſe, &c. to ſearch for private Conveyances, and deſtroy the ſame.

'XI. And, for the better diſcovering all ſuch Pipes and other private Conveyances,' be it further enacted, That, from and after the ſaid twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-ſeven, it ſhall and may be lawful to and for the Officers of the Duties on Sope, or any of them, in the Day-time, and in the Preſence of a Conſtable, or other lawful Officer of the Peace (who are hereby required to be aiding and aſſiſting therein) on Requeſt firſt made, and Cauſe declared, to break up the Ground in any Sopehouſe, or the Ground near adjoining, or any Wall, Partition, or other Place, to ſearch for any ſuch Pipe or other private Conveyance; and, upon finding ſuch Pipe or other Conveyance, to break up the Ground, Houſe, Wall, or other Partition or Place, through or into which any ſuch Pipe or other Conveyance ſhall lead, and to break up or cut any ſuch Pipe or other Conveyance.

If no ſuch Conveyance ſhall be found, Officers to make Satisfaction for Damages.

XII. Provided always, That in caſe upon ſuch Search no ſuch Pipe or other private Conveyance ſhall be found, ſuch Officers for Duties on Sope ſhall make good the Ground, Wall, Houſe, or other Place ſo broken up as aforeſaid, or make reaſonable Satisfaction to the Owner or Owners thereof, to be adjudged by two of the next Juſtices of the Peace, or the Party injured ſhall be at Liberty to bring his Action for the Damages by him ſuſtained: And if any Perſon or Perſons whatſoever ſhall oppoſe, obſtruct, or hinder, any ſuch Officer in ſearching, in Execution of the Powers hereby given and granted, every ſuch Perſon ſhall forfeit and loſe, for every ſuch Offence, the Sum of one hundred Pounds.

Penalty on obſtructing Officers in their Search.

Sope-makers may uſe Pipes, &c. above Ground.

XIII. Provided nevertheleſs, and it is hereby declared, That it ſhall and may be lawful to and for any Maker of Sope to keep and make uſe of any Pipe, or other Conveyance, above Ground, which are public and in open View from one End thereof to the other, for the putting his Sope out of the Copper, Pan, or Utenſil, uſed for boiling or making the ſame, into the known and entered Frames; any Thing in this Act to the contrary in any wiſe notwithſtanding.



'XIV. And,

'XIV. And, for the better diſcovering all private Holes in the Coppers, Pans, or other Utenſils, uſed 'in the boiling or making of Sope,' be it further enacted, That, from and after the ſaid twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-ſeven, all and every Perſon who ſhall make Sope, ſhall, once in every Lunar Month throughout the Year, perfectly cleanſe each and every Copper, Pan, or other Utenſil, by him uſed for the boiling or making of Sope, and ſhall give three Days Notice at leaſt to the Officer who ſurveys ſuch Maker of Sope, of the particular Time when he intends to cleanſe the ſame: And when ſuch Copper, Pan, or other Utenſil, ſhall be ſo perfectly cleanſed, it ſhall be lawful for the Officers of the Duties on Sope, and they are hereby required, to ſearch all and every Part of ſuch Copper, Pan, or other Utenſil, by going into ſuch Copper, Pan, or other Utenſil, or by ſuch other Means as to ſuch Officers ſhall ſeem moſt convenient; and if, on ſearching ſuch Copper, Pan, or other Utenſil, the Officer ſhall find or diſcover any Hole, not before known or diſcovered, in ſuch Copper, Pan, or other Utenſil, ſuch Hole ſhall be, and is hereby deemed to be, wilfully made for the Purpoſe of conveying away Sope from the Sight and View of the Officer, before an Account had been taken of the ſame; and the Owner of ſuch Copper, Pan, or other Utenſil, in which ſuch Hole ſhall be diſcovered and found, ſhall be liable to the Penalties for concealing of Sope, unleſs he, ſhe, or they ſhall prove the ſame to have been made by burſting, or other Accident, ſince the Officer's laſt Survey, and that he, ſhe, or they had given Notice thereof to the Officer of the ſaid Duties on Sope, who firſt came thither on Survey after ſuch Burſting or other Accident happened: And if any ſuch Maker of Sope ſhall, after the ſaid twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-ſeven, neglect perfectly to cleanſe his Copper, Pan, or other Utenſil, ſo uſed for the making or boiling of Sope, in Manner, and at the Time herein-before directed, or to give ſuch Notice as aforeſaid, or ſhall, by himſelf or others, let, hinder, or obſtruct the Officer or Officers of Exciſe from ſearching and examining ſuch Copper, Pan, or other Utenſil, by ſuch Means as to ſuch Officer ſhall ſeem moſt convenient, then, and in every ſuch Caſe, ſuch Maker of Sope ſhall forfeit and loſe the Sum of fifty Pounds.

Sope-makers, every Lunar Month, ſhall cleanſe all their Coppers, &c. uſed in making of Sope, after giving three Days Notice to the Officer. Officer to examine the ſame; and if he find any Hole not before known, the Owner ſhall be liable to the Penalties for concealing of Sope; except, &c. If any Sope-maker ſhall neglect to cleanſe his Copper, &c. or to give Notice as aforeſaid, or ſhall obſtruct any Officer in ſearching the ſame, he ſhall forfeit 50l.

'XV. And whereas, by an Act made in the fifteenth Year of the Reign of his late Majeſty King *George* 'the Second (intituled, *An Act to impower the Importers or Proprietors of Rum or Spirits of the* Britiſh *Sugar* '*Plantations to land the ſame before Payment of the Duties of Exciſe charged thereon, and to lodge the ſame in* '*Warehouſes at their own Expence*; *and for the Relief of* Ralph Barrow, *in reſpect to the Duty on ſome Rock* '*Salt, loſt by the Overflowing of the Rivers* Weaver *and* Dane), it was enacted, That all ſuch Rum or 'Spirits, of the Growth, Produce, or Manufacture of the *Britiſh* Sugar Plantations, as ſhould be im-'ported into this Kingdom directly from the ſaid Sugar Plantations, upon the Entry thereof, might forth-'with, and before Payment of the Duties of Exciſe, be landed, and carried and put into Warehouſes for 'that Purpoſe provided, upon the Proprietor or Importer giving Bond as therein required and directed: 'And it was further enacted, That the Proprietor or Importer of ſuch Rum or Spirits, ſo to be lodged in 'ſuch Warehouſes, ſhould affix one Lock to every ſuch Warehouſe, and the Key of ſuch Lock to remain 'in the Cuſtody of ſuch Proprietor or Importer; and for the Officer of Exciſe, attending ſuch Ware-'houſe, to provide one other Lock for ſuch Warehouſe, and to keep the Key thereof; and that the Pro-'prietor or Importer ſhould and might, in Preſence of the ſaid Officer, view, examine, and take out the 'Rum and Spirits, in Manner as therein is directed: And whereas no particular Penalty is impoſed on 'ſuch Proprietor or Importer of ſuch Rum and Spirits, put into ſuch Warehouſes, who ſhall fraudulently 'open the Door of ſuch Warehouſe or Warehouſes in the Abſence of the ſaid Officer of Exciſe or Ware-'houſe-keeper, whereby ſome evil-minded Perſons have actually been encouraged, by falſe Keys, to 'open the ſaid Warehouſes in the Night-time, and, in the Abſence of the Officer of Exciſe, to go into 'ſuch Warehouſes; for the more effectual preventing ſuch fraudulent Practices,' be it enacted, That if any Proprietor or Importer of Rum or Spirits, lodged and put into any Warehouſe or Warehouſes under the Direction and Authority of the ſaid recited Act, ſhall, by any Means, Act, Deviſe, or Contrivance whatever, open any ſuch Warehouſe or Warehouſes, except in the Preſence of the proper Warehouſe-keeper, or other Officer of Exciſe, whoſe Buſineſs it is to attend with the Key to open the ſame, then, and in every ſuch Caſe, every ſuch Importer or Proprietor ſhall forfeit and loſe, for every ſuch Offence, five hundred Pounds.

Recital of an Act of 15 Geo. II.

If any Proprietor or Importer of Rum, &c. lodged in any Warehouſe under the Direction of the above-recited Act, ſhall open the ſame, except in the Preſence of the proper Officer, he ſhall forfeit 500l.

'XVI. For encouraging the Exportation of Rum and Spirits of the Growth, Produce, and Manufac-'ture of the *Britiſh* Sugar Plantations in *America*, from this Kingdom, as Stores to be ſpent and con-'ſumed on board in any Voyage to Parts beyond the Seas,' be it enacted by the Authority aforeſaid, That, during the Term of two Years, from and after the paſſing of this preſent Act, the ſame Drawbacks and Allowances, which are given by any former Act or Acts of Parliament, now in Force, on the Exportation of ſuch Rum to Parts beyond the Seas as Merchandiſe, ſhall be allowed and paid to the Merchant or Merchants, on his, her, or their ſhipping any ſuch Rum as Stores, to be ſpent and conſumed on board in any Voyage to Parts beyond the Seas: And when any Merchant or Merchants ſhall be deſirous of ſhipping any ſuch Rum or Stores as aforeſaid, and ſhall give five Days Notice thereof to the reſpective Commiſſioners of Exciſe for the Time being, or to ſuch other Perſon or Perſons as they ſhall from Time to Time appoint for that Purpoſe, mentioning in ſuch Notice the exact Deſtination of the intended Voyage, the Tonnage of the Ship or Veſſel, and the Number of the Mariners intended to be employed in navigating the ſame, it ſhall and may be lawful to and for the ſaid Commiſſioners of Exciſe, or the Perſon or Perſons ſo to be appointed by them as aforeſaid, to aſcertain the Quantity of ſuch Rum which ſhall be ſhipped on board ſuch Ship or Veſſel as Stores, and for which ſuch Drawback and Allowances ſhall be paid and made, and alſo the Size and Marks of the Caſk or Caſks in which ſuch Spirits ſhall be ſo ſhipped; and on Oath being made, before any one or more of the ſaid Commiſſioners of Exciſe, or Juſtices of the Peace for the County or Place from whence any ſuch Rum is intended to be exported, or before ſuch other Perſon or Perſons as ſhall be authoriſed as aforeſaid by the ſaid Commiſſioners of Exciſe for that Purpoſe, that the ſame are to be ſhipped as Stores to be ſpent and conſumed in the Voyage, the Merchant

For two Years after the paſſing of this Act, the ſame Drawbacks ſhall be allowed on ſhipping Rum, &c. to be ſpent on board in any Voyage beyond the Seas, as are given by any Acts now in Force on the Exportation of Rum as Merchandiſe.

No Allowance to be made for any ſuch Rum ſhipped in any Caſk leſs than 100 Gallons; or on board any Veſſel under 100 Tons.

or Merchants ſhipping the ſame ſhall be paid the ſame Drawbacks, and have the ſame Allowances for Rum ſo ſhipped, as if ſuch Rum had been exported as Merchandiſe: Provided always, That neither the ſaid Drawback or Allowance, or any other Drawback or Allowance, ſhall be made or be paid for any Quantity of ſuch Rum which ſhall be exported or ſhipped for Stores as aforeſaid in any Caſk which ſhall contain leſs than one hundred Gallons, nor ſhall any ſuch Drawback or Allowance whatſoever be made or paid for any Quantity of Rum which ſhall be ſo exported or ſhipped for Stores as aforeſaid on board of any Veſſel or Veſſels of leſs Burden than one hundred Tons; but that all ſuch Rum ſhall be exported and ſhipped, in all Reſpects not otherwiſe directed by this preſent Act, under the ſame Rules, Regulations, and Penalties, as are preſcribed by any former Act or Acts of Parliament now in Force relating to the Exportation of Spirits drawn or made in *Great Britain* as Stores, to be ſpent and conſumed on board in any Voyage to Parts beyond the Seas.

Penalties and Forfeitures how to be recovered and applied.

XVII. And be it further enacted by the Authority aforeſaid, That all Fines, Penalties, and Forfeitures, impoſed by this Act, ſhall be ſued for, recovered, levied, or mitigated, by ſuch Ways, Means, and Methods, as any Fine, Penalty, or Forfeiture, is or may be ſued for, recovered, or mitigated, by any Law or Laws of Exciſe; or by Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, or in the Court of Exchequer in *Scotland* reſpectively; and that one Moiety of every ſuch Fine, Penalty, or Forfeiture, ſhall be to his Majeſty, his Heirs and Succeſſors, and the other Moiety to him or them who ſhall diſcover, inform, or ſue for the ſame.

Perſons proſecuted in the Execution of this Act, may plead the General Iſſue,

and recover Treble Coſts.

XVIII. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall at any Time be ſued, moleſted, or proſecuted, for any Thing by him or them done in purſuance or by Colour of this Act, or of any Matter or Thing in this Act contained; ſuch Perſon and Perſons ſhall and may plead the General Iſſue, and give this Act and the ſpecial Matter in Evidence, in his or their Defence or Defences: And if afterwards a Verdict ſhall paſs for the Defendant or Defendants, or the Plaintiff or Plaintiffs ſhall become nonſuited, or diſcontinue his, her, or their Action or Proſecution, or Judgment ſhall be given againſt him, her, or them, upon Demurrer or otherwiſe, then ſuch Defendant or Defendants ſhall have Treble Coſts awarded to him or them againſt ſuch Plaintiff or Plaintiffs.

## CAP. LIII.

An Act to promote the Reſidence of the Parochial Clergy, by making Proviſion for the more ſpeedy and effectual building, rebuilding, repairing, or purchaſing Houſes, and other neceſſary Buildings and Tenements, for the Uſe of their Benefices.

Preamble.

'WHEREAS many of the Parochial Clergy, for want of proper Habitations, are induced to reſide at a Diſtance from their Benefices, by which Means the Pariſhioners loſe the Advantage of their Inſtruction and Hoſpitality, which were great Objects in the original Diſtribution of Tythes and Glebes for the Endowment of Churches:' For Remedy whereof, may it pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That, from and after the twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-ſeven, whenever the Parſon, Vicar, or other Incumbent, of any Eccleſiaſtical Living, Parochial Benefice, Chapelry, or perpetual Curacy, being under the Juriſdiction of the biſhop or other Eccleſiaſtical Ordinary, whereon there is no Houſe of Habitation, or ſuch Houſe is become ſo ruinous and decayed, or is ſo mean, that one Year's net Income and Produce of ſuch Living will not be ſufficient to build, rebuild, or put the ſame, with the neceſſary Offices belonging thereto, in ſufficient Repair, ſhall think fit to apply for the Aid and Aſſiſtance intended to be given by this Act, it ſhall and may be lawful for every ſuch Parſon, Vicar, or Incumbent (after having procured, from ſome ſkilful and experienced Workman or Surveyor, a Certificate, containing a State of the Condition of the Buildings on their reſpective Glebes, and of the Value of the Timber and other Materials thereupon, fit to be employed in ſuch Buildings or Repairs, or to be ſold, and alſo a Plan and Eſtimate of the Work propoſed to be done (ſuch State and Eſtimate to be verified upon Oath, taken before ſome Juſtice of the Peace, or Maſter in Chancery, Ordinary or Extraordinary), and laid the ſame, together with a juſt and particular Account in Writing, ſigned by him, and verified upon Oath, taken as aforeſaid, of the annual Profits of ſuch Living, before the Ordinary and Patron of the Living, and obtained their Conſent to ſuch propoſed new Buildings or Repairs, by Writing under their reſpective Hands, in the Form for that Purpoſe contained in the Schedule hereunto annexed), to borrow and take up at Intereſt, in the Manner hereafter mentioned, ſuch Sum or Sums of Money as the ſaid Eſtimate ſhall amount unto, after deducting the Value of Timber or other Materials which may be thought proper to be ſold, not exceeding two Years net Income and Produce of ſuch Living, after deducting all Rents, Stipends, Taxes, and other Outgoings, excepting only the Salaries to the Aſſiſtant Curate, where ſuch a Curate is neceſſary; and as a Security for the Money ſo to be borrowed, to mortgage the Glebe, Tythes, Rents, and other Profits and Emoluments, ariſing or to ariſe from ſuch Living, to ſuch Perſon or Perſons who ſhall advance the ſame, by one or more Deed or Deeds, for the Term of twenty-five Years, or until the Money ſo to be borrowed, with Intereſt for the ſame, and ſuch Coſts and Charges as may attend the Recovery thereof, ſhall be fully paid and ſatisfied, according to the Terms, Conditions, true Intent and Meaning of this Act; which Mortgage Deed or Deeds ſhall be made in the Forms or to the Effect for that Purpoſe contained in the ſaid Schedule, and ſhall bind every ſucceeding Parſon, Vicar, or Incumbent, of ſuch Living, until the Principal and Intereſt, Coſts and Charges, ſhall be paid off and diſcharged, as fully and effectually as if ſuch Succeſſor had executed the ſame.

Incumbent of any Eccleſiaſtical Living, whereon there is no Houſe, &c.

(with the Conſent of the Ordinary and Patron) may borrow Money to build one,

and mortgage the Glebe, Tythes, &c. for twenty-five Years.

II. And

II. And be it further enacted, That every ſuch Mortgagee ſhall execute a Counterpart of every ſuch Mortgage, to be kept by the Incumbent for the Time being; and a Copy of every ſuch Deed of Mortgage ſhall be regiſtered in the Office of the Regiſtrar of the Biſhop of the Dioceſe where the Pariſh lies, or other Ordinary having Epiſcopal Juriſdiction therein for the Time being, after having been firſt examined by him with the Original; which Officer ſhall regiſter the ſame, and be intitled to demand and receive the Sum of five Shillings, and no more, for ſuch Regiſter; and every ſuch Deed ſhall be referred to upon all neceſſary Occaſions, the Perſon inſpecting the ſame paying one Shilling for every ſuch Search; and the ſaid Deed, or a Copy thereof, certified under the Hand of the Regiſtrar, ſhall be allowed as legal Evidence, in caſe any ſuch Mortgage Deed ſhall happen to be loſt or deſtroyed.

Every Mortgagee to execute a Counterpart of the Mortgage, to be kept by the Incumbent, &c.

III. Provided always, and be it further enacted, That whenever the Principal and Intereſt, directed to be paid to the Mortgagee under the ſeveral Proviſions of this Act, ſhall be in Arrear and unpaid, for the Space of forty Days after the ſame ſhall become due, it ſhall and may be lawful for ſuch Mortgagee, his Executors, Adminiſtrators, or Aſſigns, to recover the ſame, and the Coſts and Charges attending the Recovery thereof, by Diſtreſs and Sale, in ſuch Manner as Rents may be recovered by Landlords or Leſſors from their Tenants by the Laws in being.

On Failure of Payment of Principal and Intereſt for forty Days after due, Mortgagee may diſtrain.

IV. And be it further enacted, That the Money ſo to be borrowed ſhall be paid into the Hands of ſuch Perſon or Perſons as ſhall be nominated and appointed to receive and apply the ſame for the Purpoſes aforeſaid, by the Ordinary, Patron, and Incumbent, by Writing under their reſpective Hands, in the Form for that Purpoſe contained in the ſaid Schedule, after ſuch Nominee ſhall have given a Bond to the Ordinary, with ſufficient Surety, in double the Sum ſo to be borrowed or raiſed, with Condition for his duly applying and accounting for the ſame according to the Directions of this Act; and the Receipt of the Perſon or Perſons ſo to be nominated ſhall be a ſufficient Diſcharge to the Perſon or Perſons who ſhall advance and pay the Money: And the Perſon or Perſons, ſo to be nominated, ſhall enter into Contracts with proper Perſons for ſuch Buildings or Repairs as ſhall be approved by the Ordinary, Patron, and Incumbent, and ſhall be ſpecified in an Inſtrument written upon Parchment, and ſigned by them, in the Form for that Purpoſe contained in the ſaid Schedule; and ſhall inſpect and have the Care of the Execution of ſuch Contracts, and ſhall pay the Money for ſuch Buildings and Repairs, according to the Terms of ſuch Agreements, and ſhall take proper Receipts and Vouchers for the ſame; and as ſoon as ſuch Buildings or Repairs ſhall be completed, and the Money paid, ſhall make out an Account of his Receipts and Payments, together with the Vouchers for the ſame, and enter them in a Book, fairly written, which ſhall be ſigned by him, and laid before the Ordinary, Patron, and Incumbent, and examined by them; and when allowed, by Writing under their reſpective Hands, in the Form for that Purpoſe contained in the ſaid Schedule, ſuch Allowance ſhall be a full Diſcharge to the Perſon ſo nominated, in reſpect to the ſaid Accounts; and if any Balance ſhall remain in the Hands of ſuch Nominee or Nominees, the ſame ſhall be laid out in ſome further laſting Improvements in building upon ſuch Glebe, or ſhall be paid and applied in Diſcharge of ſo much of the ſaid Principal Debt as ſuch Balance will extend to pay, at the Diſcretion of the ſaid Ordinary, Patron, and Incumbent, or two of them, of which the ſaid Ordinary to be one, by Order ſigned by them, in the Form for that Purpoſe contained in the ſaid Schedule; and an Account ſhall alſo be kept, made out, and allowed, of ſuch further Diſburſements, in Manner aforeſaide: All which Accounts, when made out, completed, and allowed, ſhall be depoſited, with the Vouchers, in the Hands of the ſaid Regiſtrar, and kept by him for the Uſe and Benefit of the Incumbents of ſuch Living for the Time being, who ſhall have a Right to inſpect the ſame whenever Occaſion ſhall require, paying to ſuch Regiſtrar, or Deputy Regiſtrar, the Sum of one Shilling for every ſuch Inſpection.

Money borrowed to be paid to ſuch Perſons as the Ordinary, &c. ſhall appoint;

who ſhall contract for the Buildings, &c. and ſee the ſame executed, and pay for them, &c.

How the Balance remaining ſhall be diſpoſed of.

V. Provided always, and be it further enacted, That every ſuch Ordinary, before he or they ſhall ſignify his or their Conſent, in Manner aforeſaid, ſhall cauſe an Inquiry to be made, and certified to him or them by the Archdeacon, Chancellor of the Dioceſe, or other proper Perſons living in or near the Pariſh where ſuch Buildings are propoſed to be made or repaired, in the Forms for that Purpoſe ſpecified in the ſaid Schedule, of the State and Condition of ſuch Buildings at the Time the Incumbent entered upon ſuch Living or Benefice, how long ſuch Incumbent had enjoyed ſuch Living or Benefice, what Money he had received, or may be intitled to receive, for Dilapidations, and how and in what Manner he had laid out what he had ſo received; and if it ſhall appear to them that ſuch Incumbent had, by wilful Negligence, ſuffered ſuch Buildings to go out of Repair, then to certify the ſame to the ſaid Ordinary, and alſo the Amount of the Damage which ſuch Buildings had ſuſtained by the wilful Neglect of ſuch Incumbent; and ſuch Incumbent, if the Ordinary require it, ſhall pay the ſame into the Hands of the Nominee or Nominees to be appointed under the Authority of this Act, towards defraying the Expences of Building or Repairs, before the Ordinary ſhall give his Conſent as aforeſaid.

Ordinary to cauſe Inquiry to be made of the Condition of the Buildings when the Incumbent entered on the Living, &c.

VI. And be it further enacted, That the Incumbent of every ſuch Living or Benefice, in Caſes where ſuch Mortgage or Mortgages ſhall be made as aforeſaid, and his Succeſſors for the Time being, ſhall, and he and they is and are hereby required to pay the Intereſt ariſing upon every ſuch Mortgage, yearly, as the ſame ſhall become due, or within one Month after, and alſo five Pounds *per Centum per Annum*, of the Principal remaining due, by yearly Payments; and that every ſuch Incumbent who ſhall not reſide twenty Weeks in each Year upon ſuch Living, computing ſuch Year from the Date of the ſaid Mortgage Deed, ſhall, inſtead of the ſaid Sum of five Pounds *per Centum per Annum*, pay the Sum of ten Pounds *per Centum per Annum*, of the Principal remaining due, by yearly Payments, ſuch Payments to be reſpectively made at the ſame Time ſuch Intereſt ſhall be paid, until the whole Principal Money and Intereſt ſhall be fully paid and diſcharged; and that every ſuch Incumbent who ſhall pay only five Pounds *per Centum per Annum* of ſuch Principal Money, ſhall, at the Time he pays the ſame, produce and deliver to the Mortgagee a Certificate under the Hands of two Rectors, Vicars, or officiating Miniſters, of ſome Pariſhes near adjoining, ſignifying that he had reſided twenty Weeks upon the ſaid Living or Benefice, within the Year for which ſuch Payment became due, according to the Regulations aforeſaid; which Certificate

Directions for Payment of the Principal and Intereſt of the Mortgages.

Every Incumbent who ſhall not reſide twenty Weeks in each Year upon his Living, ſhall pay 10 l. per Cent. of the Principal, &c.; and every Incumbent paying only 5 l. per Cent. per Ann. of the Principal,

to produce a Certificate of his Reſidence, under the Hands of two Rectors, &c.; and, as ſoon as the Buildings are completed, to inſure them againſt Fire.

Certificate ſhall be in the Form, or to the Effect, contained in the ſaid Schedule; and that every ſuch Incumbent ſhall, annually, at his own Expence, from the Time ſuch Buildings, authoriſed to be made by this Act, ſhall be completed, inſure, at one of the public Offices eſtabliſhed in *London* or *Weſtminſter* for Inſurance of Houſes and Buildings, the Houſe and other Buildings upon ſuch Glebe, againſt Accidents by Fire, at ſuch Sum of Money as ſhall be agreed upon by the Ordinary, Patron, and Incumbent; and in Default of the Payment of either the Principal or Intereſt, in Manner aforeſaid, or Neglect of the Incumbent to make ſuch Inſurance, the Ordinary ſhall have Power to ſequeſter the Profits of the Living till ſuch Payment or Inſurance ſhall be made.

Clauſe for proportioning the annual Payment, in caſe of Death, or other Avoidance.

'VII. And, in order that the Payment of ſuch Year may be juſtly and equitably aſcertained and adjuſted, between the Succeſſor, and the Parſon, Vicar, or Incumbent, avoiding ſuch Living or Benefice by Death or otherwiſe, or his Repreſentatives, in caſe of Death or other Avoidance, in ſuch Proportions as the Profits of ſuch Living ſhall have been received by them reſpectively, for the Year in which ſuch Death or Avoidance ſhall happen;' be it further enacted, That in caſe any Difference ſhall ariſe in adjuſting or ſettling the Proportions aforeſaid, the ſame ſhall be determined by two indifferent Perſons, the one to be named by the ſaid Succeſſor, and the other by the Perſon making ſuch Avoidance, or his Repreſentatives, in caſe of his Death; and in caſe ſuch Nominees ſhall not be appointed within the Space of two Calendar Months next after ſuch Death or Avoidance, or if they cannot agree in adjuſting ſuch Proportions within the Space of one Calendar Month after they ſhall have been appointed, the ſame ſhall be determined by ſome neighbouring Clergyman, to be nominated by the Ordinary, whoſe Determination ſhall be final and concluſive between the Parties; which Nominations and Determinations ſhall be made according to the Forms for that Purpoſe contained in the ſaid Schedule, as near as conveniently may be.

The Ordinary of any Living worth 100 l. per Ann. which has no proper Houſe of Habitation, may (if the Incumbent neglect to make Application, &c.) procure an Eſtimate, &c. and proceed in the Execution of this Act, in ſuch Manner as the Parſon is directed to proceed.

VIII. And be it further enacted, That where there ſhall be no Houſe of Habitation upon any Eccleſiaſtical Living or Benefice, ſo deſcribed as aforeſaid, exceeding in clear yearly Value one hundred Pounds *per Annum*, or being one, the ſame ſhall be ſo mean, or in ſuch a State of Decay as aforeſaid, and the Incumbent ſhall not reſide in the Pariſh twenty Weeks within any Year, computing the ſame from the firſt Day of *January*, it ſhall be lawful for the Ordinary of ſuch Living or Benefice, with the Conſent of the Patron (in caſe the Incumbent ſhall not think fit to lay out one Year's Income, where the ſame may be ſufficient, to put the Houſe and Buildings in proper and ſufficient Repair, or to make ſuch Application as aforeſaid, for building, repairing, or rebuilding ſuch Parſonage Houſe), to procure ſuch Plan, Eſtimate, and Certificate, as herein directed, and at any Time, within the Courſe of the ſucceeding Year, to proceed in the Execution of the ſeveral Purpoſes of this Act, in ſuch Manner as the Parſon, Vicar, or Incumbent, is hereby authoriſed and directed to proceed, and to make and execute ſuch Mortgage as aforeſaid; which ſhall be binding upon the Incumbent and his Succeſſors, and he and they ſhall be, and are hereby made liable to the Payment of the Intereſt, Principal, and Coſts; and every ſuch Incumbent, and his Repreſentatives, ſhall be, and are hereby alſo made reſpectively liable to the Proportion of the Payments for the Year which ſhall be growing at the Time of the Death of ſuch Incumbent, or Avoidance of ſuch Living, according to the Directions aforeſaid; which ſaid Intereſt, Principal, and Coſts, and Proportion of Payments growing at the Time of the Death of ſuch Incumbent or Avoidance, ſhall and may be recovered againſt ſuch Incumbent, his Succeſſors or Repreſentatives, reſpectively, by Action of Debt, in any Court of Record.

All Money received for Dilapidations, &c. ſhall be applied in Part of the Payments under the aforeſaid Eſtimate;

IX. And be it further enacted, That all Sum and Sums of Money recovered or received, by Suit or Compoſitions, from the Repreſentatives of any former Incumbent of ſuch Living or Benefice, and not laid out in the Repairs of ſuch Buildings, ſhall go and be applied in Part of the Payments under ſuch Eſtimate as aforeſaid; and that all Money thereafter to be recovered or received, in caſe the ſame cannot be had before ſuch Buildings are completed, and the Money paid for the ſame, ſhall be applied, as ſoon as received, in Payment of the Principal then due, as far as the ſame will extend; or in caſe the ſaid Mortgage Money ſhall have been diſcharged, all ſuch Money ariſing from Dilapidations ſhall be paid into the Hands of the Nominee to be appointed as aforeſaid, or of ſome other Perſon or Perſons to be nominated by the Ordinary, Patron, and Incumbent, in caſe ſuch Nominee ſhall be dead, or ſhall decline to act therein, to be laid out and expended in making ſome additional Buildings or Improvements upon the Glebe of ſuch Living or Benefice, to be approved by the Ordinary, Patron, and Incumbent; and in the mean time, or in caſe ſuch Buildings ſhall not be neceſſary, then in Truſt, to lay out the ſame in Government or other good Securities, and pay the Intereſt thereof to the Incumbent for the Time being.

or in making ſome additional Improvements, &c.

Where new Buildings are neceſſary for the Reſidence of the Incumbent, the Ordinary, &c. may purchaſe any convenient Houſe, within one Mile of the Church; and a certain Portion of Land.

X. Provided always, and be it further enacted, That where new Buildings are neceſſary to be provided or erected for the Habitation and Reſidence of the Rector, Vicar, or other Incumbent, purſuant to the Authority hereby given, it ſhall and may be lawful for the Ordinary, Patron, and Incumbent, of every ſuch Living or Benefice, to contract, or to authoriſe, if they ſhall think fit, the Perſon ſo to be nominated by them as aforeſaid, to contract, for the abſolute Purchaſe of any Houſe or Buildings, in a Situation convenient for the Habitation and Reſidence of the Rector or Vicar of ſuch Living or Benefice, and not at a greater Diſtance than one Mile from the Church belonging to ſuch Living, Benefice, or Chapelry; and alſo to contract for any Land adjoining or lying convenient to ſuch Houſe or Building, or to the Houſe or Building belonging to any Parochial Living or Benefice, having no Glebe lying near or convenient to the ſame, not exceeding two Acres, if the annual Value of ſuch Living, to be aſcertained as aforeſaid, ſhall be leſs than one hundred Pounds *per Annum*, nor two Acres for every one hundred Pounds *per Annum*, if of greater Value, and to cauſe the Purchaſe-money for ſuch Houſe or Buildings to be paid out of the Money to ariſe under the Powers and Authorities of this Act; in all which Caſes the ſaid Buildings and Lands ſhall be conveyed to the Patron of ſuch Living or Benefice, and his Heirs, in Truſt, for the ſole Uſe and Benefit of the Rector, Vicar, or other Incumbent, of ſuch Living or Benefice for the Time being, and their Succeſſors, and ſhall be annexed to ſuch Church or Chapel, and be enjoyed and go in Succeſſion with the ſame for ever; but no Contract ſo made by the Nominee ſhall be valid, until confirmed by the

the Ordinary, Patron, and Incumbent, by Writing under their Hands; and every ſuch Purchaſe-deed ſhall be in the Form or to the Effect contained in the Schedule hereunto annexed, and ſhall be regiſtered in ſuch Manner, and in ſuch Office, as the other Deeds are hereby directed to be regiſtered.

Purchaſe-money for ſuch Land to be raiſed by Sale, &c. of Part of the Glebe or Tythes.

XI. Provided alſo, and be it further enacted, That when any ſuch Land lying near to the Parſonage Houſe and Buildings, belonging to ſuch Living or Benefice, or to be ſo purchaſed or exchanged as aforeſaid, ſhall be thought fit to be taken and uſed as a Convenience for the ſame, the Purchaſe-money or Equivalent for ſuch Land ſhall be raiſed and had by Sale or Exchange of ſome Part of the Glebe or Tythes of ſuch Living or Benefice, which ſhall appear to the ſaid Ordinary, Patron, and Incumbent, moſt convenient for that Purpoſe; and every ſuch Sale or Exchange ſhall be by Deed, in the Form or to the Effect contained in the Schedule hereunto annexed, and regiſtered as herein-before directed.

Governors of Queen Anne's Bounty impowered to lend certain Sums to promote the Execution of this Act.

XII. And be it further enacted, That it ſhall and may be lawful for the Governors authoriſed or appointed to regulate and ſuperintend the Bounty given by her late Majeſty Queen *Anne*, for the Augmentation of the Maintenance of the poor Clergy, to advance and lend any Sum or Sums of Money, not exceeding the Sum of one hundred Pounds, in reſpect of each Living or Benefice, out of the Money which has ariſen, or ſhall from Time to Time ariſe, from that Bounty, for promoting and aſſiſting the ſeveral Purpoſes of this Act, with reſpect to any ſuch Livings or Benefices as ſhall not exceed the clear annual improved Value of fifty Pounds; and ſuch Mortgage and Security ſhall be made for the Repayment of the Principal Sums ſo to be advanced, as are herein-before mentioned, but no Intereſt ſhall be paid for the ſame; and in Caſes where the annual Value of ſuch Living or Benefice ſhall exceed the Sum of fifty Pounds, that it ſhall and may be lawful for the ſaid Governors to advance and lend, for the Purpoſes of this Act, any Sum not exceeding two Years Income of ſuch Living or Benefice upon ſuch Mortgage and Security as aforeſaid, and ſubject to the ſeveral Regulations of this Act, and to receive Intereſt for the ſame, not exceeding four Pounds for one hundred Pounds by the Year.

Colleges in Oxford and Cambridge, and other Corporate Bodies Patrons of Livings, may lend any Sums without Intereſt, to aid the Execution of this Act.

XIII. And be it further enacted, That it ſhall and may be lawful for any College or Hall, within the Univerſities of *Oxford* and *Cambridge*, or for any other Corporate Bodies poſſeſſed of the Patronage of Eccleſiaſtical Livings or Benefices, to advance and lend any Sum or Sums of Money, of which they have the Power of diſpoſing, in order to aid and aſſiſt the ſeveral Purpoſes of this Act, for the building, rebuilding, repairing, or purchaſing, of any Houſes or Buildings for the Habitation and Convenience of the Clergy, upon Livings or Benefices under the Patronage of ſuch College or Hall, upon the Mortgage and Security directed by this Act for the Repayment of the Principal, without taking any Intereſt for the ſame.

Who is to act for any Patron who ſhall be a Minor, Lunatic, &c.

XIV. And be it further enacted, That whenever the Patron of any Living or Benefice, to which the Proviſions of this Act are propoſed to be extended, ſhall happen to be a Minor, Idiot, Lunatick, or Feme-covert, it ſhall and may be lawful for the Guardian, Committee, or Huſband of every ſuch Patron, to tranſact the ſeveral Matters aforeſaid for ſuch Patron, who ſhall be bound thereby, in ſuch Manner as if he or ſhe had been of full Age, of ſound Mind, or Feme-ſole, and had done ſuch Act, or given his or her Conſent thereto.

Writings not liable to Stamp-duty.

XV. Provided alſo, and be it further enacted, That all Acts herein-before required to be done or conſented to by the Ordinary and Patron, ſhall be done by the Ordinary alone, when ſuch Ordinary ſhall happen to be the Patron of the Living; and that no Deed, Bond, Transfer, or other Writing, Inſtrument, or Proceeding, made, had, or done, under the Powers or Authority of this Act, ſhall be charged or chargeable with any Stamp-duty, or Fee of Office, except as herein mentioned; any Law or Statute to the contrary notwithſtanding.

Proviſo, when the Ordinary ſhall be a Body Corporate, &c.

XVI. Provided always, and it is hereby further enacted, That in all Caſes where any Act is required to be done by the Ordinary, in the Execution of any of the Purpoſes of this Act, and ſuch Ordinary ſhall be a Body Corporate Aggregate, every ſuch Act ſhall be done and ſignified under the Seal of ſuch Body Corporate.

In certain Caſes the Conſent of the Rector, &c. neceſſary.

XVII. Provided always, and be it further enacted, That where the Incumbent of any Chapelry or perpetual Cure ſhall be nominated by the Rector or Vicar of the Pariſh wherein the ſame is ſituated, in every ſuch Caſe the Conſent of ſuch Rector or Vicar, together with the Conſent of the Patron of ſuch Rectory, ſhall be neceſſary in all ſuch Matters wherein the Conſent of the Patron is required by the former Proviſions of this Act.

Diſputes touching the Reſidence to be determined by the Ordinary.

XVIII. Provided likewiſe, and be it further enacted, That whenever any Controverſy or Diſpute ſhall ariſe, touching the Reſidence of the Incumbent, with reſpect to any of the Matters contained in this Act, the ſame ſhall be adjuſted and determined by the Ordinary of the Dioceſe.

Patron, &c. to make Allowance to Perſons for applying the Money, &c.

XIX. Provided alſo, and be it further enacted, That it ſhall and may be lawful for the Patron, Ordinary, and Incumbent, of any ſuch Living or Benefice as aforeſaid, or any two of them, of which the Ordinary to be one, by Writing under their Hands, to make ſuch Allowance to the Perſon or Perſons to be nominated by them, for the Purpoſe of paying and applying the Money ſo to be raiſed as aforeſaid, as they ſhall think fit, not exceeding the Sum of five Pounds for every one hundred Pounds ſo to be laid out and expended as aforeſaid.

In what Manner the Conſent of the Crown ſhall be made known, in all Caſes where the Patronage ſhall be in the Crown.

XX. Provided alſo, and be it further enacted, That in all Caſes where the Patronage of any Living or Benefice herein-before deſcribed ſhall be in the Crown, and ſuch Living or Benefice ſhall be above the yearly Value of twenty Pounds in the King's Books, the Conſent of the Crown to the ſeveral Proceedings hereby authoriſed reſpecting ſuch Living or Benefice, ſhall be ſignified by the Lord High Treaſurer, or Firſt Lord Commiſſioner of the Treaſury for the Time being; but if ſuch Living or Benefice ſhall not exceed the Value of twenty Pounds in the King's Books, ſuch Conſent ſhall be ſignified by the Lord High Chancellor, Lord Keeper, or Commiſſioners of the Great Seal for the Time being; or if ſuch Living or Benefice ſhall be within the Patronage of the Crown in Right of the Duchy of *Lancaſter*, then ſuch Conſent ſhall be ſignified by the Chancellor of the Duchy for the Time being, by Writing under their reſpective

ſpective Hands, in the Form or to the Effect for that Purpoſe contained in the Schedule hereunto annexed; and that in all ſuch Caſes where ſuch Deed is hereby required to be executed by the Patron as well as the Ordinary and Incumbent, ſuch Deed ſhall be valid and effectual to all Intents and Purpoſes whatſoever, if executed by the Ordinary and Incumbent only, after ſuch Conſent ſhall have been obtained as aforeſaid from the ſaid Lord High Treaſurer, Firſt Commiſſioner of the Treaſury, Lord Chancellor, Lord Keeper, Lords Commiſſioners of the Great Seal, or Chancellor of the Duchy of *Lancaſter* reſpectively, as the Caſe ſhall be, provided ſuch Conſent ſhall be regiſtered at the Regiſter Office aforeſaid.

Lords of Manors, which contain any waſte Lands convenient for the Purpoſes of this Act, may grant a Part thereof in Perpetuity, &c.

XXI. And be it further enacted, That it ſhall and may be lawful for any Archbiſhop or Biſhop of any Dioceſe, and alſo for any Eccleſiaſtical Corporation Sole or Aggregate, being Lord or Lords of any Manor within which there ſhall be any Waſte or Common Lands, Parcel of the Demeſnes of ſuch Manor, lying convenient for the Houſe and Buildings, and other the Purpoſes of this Act, to grant a Part or Parts of ſuch Waſte or Common Lands in Perpetuity for the ſeveral Purpoſes of this Act, leaving ſufficient Common for the ſeveral Perſons having Right of Common upon ſuch Waſtes or Commons, and obtaining the Conſent of the Leſſee of ſuch Lands, if the ſame ſhall be in Leaſe.

## SCHEDULE to which the Bill refers.

### FORM *of the* CONSENT *of the Ordinary and Patron (to be written on Parchment).*

'*A. B.* Rector, Vicar, *&c. (as the Caſe ſhall be)* of the Pariſh, Chapelry, *or* perpetual Curacy *(as the Caſe ſhall be)*, of in the County of under the Juriſdiction of the Ordinary, having produced to us the ſaid Ordinary, and Patron of the ſaid Church and Living, a Certificate under the Hand of a ſkilful and experienced Workman, or Surveyor, of the State and Condition of the Buildings upon the Glebe belonging to the ſaid Church, Chapelry, *or* perpetual Curacy *(as the Caſe ſhall be)*, and of the Value of the Timber, and other Materials, thereupon, fit to be ſold, or employed about ſuch Buildings; and alſo a Plan, made by the ſaid of the Work propoſed to be done by new Buildings and Repairs upon the ſaid Glebe, and an Eſtimate of the Expence attending the ſame, after applying the ſaid Materials, or the Money to ariſe from the Sale thereof, in ſuch Buildings and Repairs; and alſo a particular Account in Writing, ſigned by the ſaid *A. B.* of the annual Profits of ſuch Living, and of the Rents, Stipends, Taxes, and other Outgoings, annually iſſuing thereout, verified upon Oath, purſuant to the Directions of an Act, paſſed in the ſeventeenth Year of the Reign of his Majeſty King *George* the Third, *to promote the Reſidence of the Parochial Clergy, by making Proviſion for the more ſpeedy and effectual building, rebuilding, repairing, or purchaſing Houſes, and other neceſſary Buildings and Tenements, for the Uſe of their Benefices*; and having conſidered ſuch Certificate, Plan, and Account: Now, we do approve thereof; and do conſent, that ſuch Buildings and Repairs ſhall be made as therein ſpecified; and that the ſaid *A. B.* do borrow and take up at Intereſt the Sum of being the Eſtimate of the Expences, after deducting the Value of the Timber, and other Materials, thought proper to be ſold, and which appears to us, from the ſaid Account, a Sum not exceeding two Years neat Income and Produce of the ſaid Living; which Money is to be paid to (a Perſon nominated by us and the ſaid *A. B.*) and applied according to the Direction of the ſaid Act.

### FORM *of the* MORTGAGE.

'THIS Indenture, made the Day of in the Year of the Reign of his Majeſty and in the Year of our Lord between the Reverend Rector *or* Vicar, *&c.* of the Pariſh Church, Curacy, *or* Chapelry, of in the County of and the Dioceſe of the Biſhop of of the one Part; and of of the other Part. Whereas the ſaid purſuant to the Directions of an Act, paſſed in the ſeventeenth Year of the Reign of his Majeſty King *George* the Third, intituled, *An Act to promote the Reſidence of the Parochial Clergy, by making Proviſion for the more ſpeedy and effectual building, rebuilding, repairing, or purchaſing Houſes, and other neceſſary Buildings and Tenements, for the Uſe of their Benefices*, hath obtained the Conſent of the Ordinary of the ſaid Dioceſe, and the Patron of the ſaid Church and Living, to borrow and take up at Intereſt the Sum of to be laid out and expended in building, rebuilding, *or* repairing *(as the Caſe ſhall be)* the Parſonage Houſe, and other neceſſary Offices, upon the Glebe belonging to the ſaid Church, Chapel, *or* Curacy, as appears by an Inſtrument, ſigned by the ſaid Ordinary and Patron, hereunto annexed: And whereas the ſaid hath agreed to lend and advance the Sum of upon a Mortgage of the Glebe, Tythes, Rents, and other Profits and Emoluments, of the ſaid Living, purſuant to the Direction and the true Intent and Meaning of the ſaid Act: Now this Indenture witneſſeth, That the ſaid in Conſideration of the Sum of five Shillings to him in Hand paid, and of the Sum of paid at or before the Sealing and Delivery hereof, into the Hands of (a Perſon *or* Perſons *(as the Caſe ſhall be)* nominated by the ſaid Ordinary, Patron, and Incumbent, to receive the ſame, purſuant to the Direction of the ſaid Act (which Nomination is alſo hereunto annexed) and which Receipt of the ſaid Sum of the ſaid have *or* hath acknowledged, by an Indorſement on the Back of this Deed) hath granted, bargained, ſold, and demiſed, and by theſe Preſents doth grant, bargain, ſell, and demiſe, unto the ſaid his Executors, Adminiſtrators, and

‘ Aſſigns, all the Glebe Lands, Tythes, Rents, Moduſes, Compoſitions for Tythe, Salaries, Stipends, ‘ Fees, Gratuities, and other Emoluments and Profits whatſoever, ariſing, coming, growing, renewing, ‘ or payable to the Rector, Vicar, *or* Incumbent *(as the Caſe ſhall be)* of the ſaid Living in reſpect thereof, ‘ with all and every their Rights, Privileges, and Appurtenances thereunto belonging, to have, hold, re- ‘ ceive, take, and enjoy the ſaid Premiſes, with their and every of their Appurtenances, unto the ſaid ‘ his Executors, Adminiſtrators, and Aſſigns, from henceforth, for ‘ and during the Term of Years, fully to be complete and ended, in as full, ample, and ‘ beneficial Manner, and with ſuch Remedies and Powers for obtaining and recovering the ſame, and every ‘ Part thereof, to all Intents and Purpoſes, as the ſaid ‘ his Succeſſors, Rectors, Vicars, *&c. (as the Caſe ſhall be)* of the ſaid Church, could or might, or ought ‘ to have held, enjoyed, received, taken, or recovered the ſame, if theſe Preſents had not been made:

‘ *In Caſes where the Mortgage by this Act directed is to be made by the Ordinary and Patron alone, without the Incumbent, this Covenant and Proviſo are to be omitted, and the Form is to be varied in ſuch other Reſpects as ſhall be neceſſary.*

‘ [And the ſaid *A. B.* for himſelf, his Heirs, Executors, and Adminiſtrators, doth hereby covenant, promiſe, and agree, to and with the ſaid ‘ his Executors, Adminiſtrators, and Aſſigns, That he the ſaid *A. B.* during the Time he ſhall continue Rector, Vicar, *&c.* of the ſaid Pariſh and Pariſh Church, ‘ ſhall and will well and truly pay, or cauſe to be paid, unto the ſaid ‘ his Executors, Adminiſtrators, or Aſſigns, Intereſt for the ‘ ſaid Sum of or ſo much thereof as ſhall remain due at the End of every ‘ Year, to be computed from the Day of the Date of theſe Preſents, after the Rate of ‘ *per Centum per Annum*, by yearly Payments, the firſt of the ſaid Payments to begin and be made on the ‘ Day of next; and alſo, at the ſeveral Times before mentioned ‘ for Payment of the Intereſt, as aforeſaid, ſhall and will well and truly pay, or cauſe to be paid, the Sum ‘ of five Pounds *per Centum per Annum* of the Principal which remained due at the Beginning of the Year ‘ in which every ſuch Payment is to be paid, in caſe the ſaid *A. B* ſhall be reſident upon the ſaid Living ‘ for the Time mentioned in, and according to the true Intent and Meaning of the ſaid Act; and in caſe ‘ the ſaid *A. B.* ſhall not reſide upon the ſaid Living during the Time mentioned in, and according to the ‘ true Intent and Meaning of the ſaid Act, he ſhall pay, or cauſe to be paid, the Sum of ten Pounds *per* ‘ *Centum per Annum* of the ſaid Principal Money, by ſuch yearly Payments as aforeſaid, inſtead of the ſaid ‘ Sum of five Pounds *per Centum per Annum*, and ſhall and will continue ſuch reſpective Payments of the ‘ ſaid Intereſt, and on Account of the ſaid Principal Money, ſo long as he ſhall continue Rector, Vicar, ‘ *&c. (as the Caſe ſhall be)* of the ſaid Pariſh and Pariſh Church, unleſs all the ſaid Principal Money, and ‘ Intereſt for the ſame, ſhall be ſooner paid and diſcharged. Provided always, and theſe Preſents are upon ‘ this Condition, That if the ſaid *A. B.* and his Succeſſors, ſhall well and truly pay, or cauſe to be paid, ‘ the ſaid Principal Money, and Intereſt for the ſame, in Manner and at the Times aforeſaid, according to ‘ the true Intent and Meaning of the ſaid Act, and of theſe Preſents, and alſo all Coſts and Charges which ‘ ſhall have been occaſioned by the Nonpayment thereof, theſe Preſents, and every Thing herein con- ‘ tained, ſhall ceaſe and be void. Provided alſo, That it ſhall and may be lawful for the ſaid *A. B.* and his ‘ Succeſſors, peaceably and quietly to hold, occupy, poſſeſs, and enjoy, all and ſingular the ſaid Glebe ‘ Lands, Tythes, Rents, Moduſes, Compoſition for Tythes, Stipends, Fees, Gratuities, and other ‘ Emoluments and Profits whatſoever, ariſing, or to ariſe, from or in reſpect of the ſaid Living, until De- ‘ fault ſhall be made by him or them reſpectively in the Payment of the Intereſt and Principal, or ſome Part ‘ thereof, at the Times and in the Manner aforeſaid. In Witneſs, *&c.*

## NOMINATION *of a Clergyman by the Biſhop, to ſettle any Diſpute about the Proportion of the Payments within the Year in which any Avoidance ſhall happen.*

‘ I The Right Reverend Biſhop of purſuant to the Authority of ‘ an Act, paſſed in the ſeventeenth Year of the Reign of his Majeſty King *George* the Third, intituled, ‘ *An Act to promote the Reſidence of the Parochial Clergy, by making Proviſion for the more ſpeedy and effectual building, rebuilding, repairing, or purchaſing Houſes, and other neceſſary Buildings and Tenements, for the Uſe of their Benefices*, do hereby nominate the Reverend being a Clergyman within ‘ my ſaid Dioceſe, to adjuſt and determine the Matter in Diſpute between the Reverend ‘ Clerk, the preſent Incumbent of the Rectory, Vicarage, *&c.* of within my Dio- ‘ ceſe, and the Repreſentatives of the the laſt In- ‘ cumbent *(in caſe of his Death)* or the ſaid *(in caſe of his Reſignation or Pro-* ‘ *motion)* concerning the due Proportion to be paid by each of the ſaid Parties of the Principal and Intereſt ‘ which accrued due within the Year in which ſuch Death or other Avoidance happened, according to the ‘ Direction, true Intent, and Meaning of the ſaid Act. Given under my Hand, this ‘ Day of

## AWARD *and* DETERMINATION *of the Clergyman nominated by the Biſhop.*

‘ I The Reverend *A. B.* of in the County of and ‘ Dioceſe of the Biſhop of Clerk, having been nominated by the ſaid Biſhop, purſuant ‘ to the Power given by an Act, paſſed in the ſeventeenth Year of the Reign of his Majeſty King *George* ‘ the Third, intituled, *An Act to promote the Reſidence of the Parochial Clergy, by making Proviſion for the more ſpeedy and effectual building, rebuilding, repairing, or purchaſing Houſes, and other neceſſary Buildings and Tenements, for the Uſe of their Benefices*, to adjuſt and determine the Matter in Diſpute between the

'Reverend Clerk, the preſent Incumbent of the Rectory, Vicarage, &c. of
'within the ſaid Dioceſe, and the Repreſenta-
'tives of the laſt Incumbent *(in caſe of his Death)* or the ſaid *(in caſe of his*
*'Reſignation or Promotion)* concerning the due Proportion to be paid by each of the ſaid Parties, of the
'Principal and Intereſt which accrued due within the Year in which ſuch Death or Avoidance happened,
'according to the Direction and true Intent and Meaning of the ſaid Act; and having heard and duly con-
'ſidered the ſaid Matters ſo referred to me as aforeſaid, do award, adjudge, and determine, That the ſaid
' ſhall pay, in reſpect of the Intereſt and Principal which became due within
'the Year aforeſaid, the Sum of and that the ſaid
'ſhall pay, in reſpect of the ſame, the Sum of being the Remainder thereof,
'according to the Proviſion and Direction of the ſaid Act. Given under my Hand, this
'Day of

## APPOINTMENT *of the* NOMINEE *(to be wrote on Parchment).*

'WE whoſe Names are ſubſcribed, being the Ordinary, Patron, and Incumbent, of the Rectory, Vi-
'carage, &c. of within the County of and Dioceſe of the
'Biſhop of do hereby nominate and appoint of
' to receive the Money authorized to be raiſed by an Act, paſſed in the
'ſeventeenth Year of the Reign of his Majeſty King *George* the Third, intituled, *An Act to promote the*
*'Reſidence of the Parochial Clergy, by making Proviſion for the more ſpeedy and effectual building, rebuilding,*
*'repairing, or purchaſing Houſes, and other neceſſary Buildings and Tenements, for the Uſe of their Benefices,*
'for the Purpoſe of building, rebuilding, repairing, *or* purchaſing, the Parſonage Houſe, &c. *(as the Caſe*
*'ſhall be)* to the ſaid Rectory, Vicarage, &c. belonging, and to pay and apply the ſame, and to enter into
'Contracts with proper Perſons for ſuch Buildings or Repairs, and to inſpect and take Care of the Execu-
'tion of ſuch Contracts, and to take ſuch Receipts and Vouchers, keep ſuch Accounts, and do and per-
'form all ſuch other Matters and Things, which Nominees are authorized and required to do and perform
'in and by the ſaid Act, the ſaid having given Security for the due Application
'thereof, according to the Direction of the ſaid Act. Given under our Hands, this
'Day of

## FORM *of* ORDER *of the Ordinary, Patron, and Incumbent, for laying out or applying the Surplus Money.*

'WE whoſe Names are ſubſcribed, being the Ordinary, Patron, and Incumbent, of the Rectory,
'Vicarage, &c. of in the County of and Dioceſe of
'the Biſhop of do hereby order, That the Sum of now re-
'maining in the Hands of the Perſon nominated and appointed to receive and apply
'the Money raiſed for building, repairing, &c. the Parſonage Houſe, &c. belonging to the ſaid Rectory,
'Vicarage, &c. under the Act of Parliament, paſſed in the ſeventeenth Year of the Reign of his Majeſty
'King *George* the Third, intituled, *An Act to promote the Reſidence of the Parochial Clergy, by making Pro-*
*'viſion for the more ſpeedy and effectual building, rebuilding, repairing, or purchaſing Houſes, and other neceſ-*
*'ſary Buildings and Tenements, for the Uſe of their Benefices,* ſhall be [paid to being
'the Perſon entitled to receive the Money now remaining due on the Mortgage made of the Glebe Lands,
'Tythes, and other Profits and Emoluments of the ſaid Living, and applied in Part of Payment thereof,
'purſuant to the Direction of the ſaid Act] *or* [applied in building or repairing, &c. *(deſcribing the ſame)*
'upon the Glebe belonging to the ſaid Living.] Given under our Hands, this
'Day of

## FORM *of* CERTIFICATE *from the two Clergymen.*

'WE, the Reverend *A. B.* of in the County of Clerk,
'and *C. D.* of Clerk, being two Clergymen within the Dioceſe of the Biſhop
'of do hereby certify to the ſaid Biſhop, purſuant to the Directions and
'Inſtructions ſent by him to us, That we have made Enquiry into the State and Condition of the Build-
'ings upon the Glebe belonging to the Rectory, Vicarage, &c. of within the ſaid
'Dioceſe, at the Time the Reverend Clerk, the preſent Incumbent thereof,
'entered upon the ſaid Living, which was in or about the Year of our Lord
' and do find [That the ſame have been kept in due and common Repair, without any wil-
'ful Neglect, *(if the Caſe is ſo)*] *or* [That the ſame have, by wilful Negligence, been ſuffered to go to
'Decay, and that they have ſuſtained Damage, from a Want of common and ordinary Repair, to the
'Amount of Pounds] and we have alſo enquired into the Money received by the ſaid
' for Dilapidations, from the Repreſentatives of the former Incumbent, and do
'find, That he hath received the Sum of for ſuch Dilapidations; and [that he
'hath expended the Whole, *or* thereof *(as the Caſe may be)* in the neceſſary Repairs of the
'Buildings] *or* [that the ſame hath not been laid out or expended in repairing the Buildings] upon the
'Glebe belonging to the ſaid Living. Given under our Hands, this Day of

FORM

FORM *of the* DEED *of Sale, or Exchange, of Lands or Tythes belonging to the Living or Benefice.*

'THIS Indenture, made the Day of in the Year of the Reign of his Majeſty King *George* the and in the Year of our Lord between *A. B.* Ordinary of the Rectory (Vicarage, Chapelry, *or* Perpetual Cure, *as the Caſe ſhall be)* of in the County of *C. D.* of Patron of the ſaid Rectory, *&c.* and the Reverend *E. F.* Clerk, Incumbent of the ſaid Rectory, *&c.* of the one Part, and *G. H.* of of the other Part. Whereas, in the Execution of an Act, paſſed in the ſeventeenth Year of the Reign of his Majeſty King *George* the Third, intituled, *An Act*, &c. *(here ſet forth the Title of the Act)* it hath been found convenient to purchaſe *(or* exchange, *as the Caſe ſhall be)* certain Lands, *&c. (deſcribe particularly the Lands purchaſed)* lying near and convenient to the Parſonage Houſe belonging to the ſaid Rectory, *&c. (or, if the Houſe be lately purchaſed)* [lying near a certain Meſſuage, Houſe, or Tenement, and Buildings, lately purchaſed for the Habitation of the Miniſter of the ſaid Rectory, *&c.* under the Powers of the ſaid Act] and it hath been found moſt convenient, and agreed by the ſaid Ordinary, Patron, and Incumbent, that the Glebe Lands *(or* Tythes, *as the Caſe ſhall be)* herein-after deſcribed, belonging to the ſaid Rectory, *&c.* ſhall be ſold, to raiſe the Sum of being the Purchaſe-money for the ſaid Lands herein-before deſcribed *(or* exchanged, *if the ſame is to be done by Exchange*, in order to make an Equivalent for ſuch Lands) and a Contract hath been made with the ſaid *G. H.* for the abſolute Sale, at the Price or Sum of *(or* Exchange, *as the Caſe ſhall be)* of Part of the Glebe Land *(or* of the Tythes, *as the Caſe ſhall be)* belonging to the ſaid Rectory, *&c.* herein-after mentioned; that is to ſay, *(here deſcribe the Particulars of the Land or Tythes propoſed to be ſold or exchanged)* which Contract is hereby ratified and confirmed by the ſaid Ordinary, Patron, and Incumbent: Now this Indenture witneſſeth, That the ſaid *A. B. C. D.* and *E. F.* in order to carry the ſaid Contract into Execution, and to fulfil the Purpoſes of the ſaid recited Act, in purſuance of the Powers thereby to them given, and in Conſideration of the Sum of the Receipt whereof is acknowledged on the Back of this Deed; which Sum hath been paid and applied in the Purchaſe of the Lands herein-before deſcribed; have, and each of them hath granted, bargained, and ſold (and exchanged, *if the ſame be by Exchange)*, and by theſe Preſents do, and each of them doth grant, bargain, ſell (and exchange, *if by Exchange)*, unto the ſaid *G. H.* and his Heirs and Aſſigns, all, *&c. (here deſcribe the Lands or Tythes, as the Caſe ſhall be)* with their and every of their Rights, Privileges, and Appurtenances, to hold to and to the Uſe of the ſaid *G. H.* his Heirs and Aſſigns for ever. *(If done by Exchange, add the following Words)* [in Exchange for certain Lands which belonged to the ſaid *G. H.* and are, by Indentures of equal Date herewith, exchanged and conveyed to the ſaid *C. D.* in Truſt, for the ſole Uſe and Benefit of the ſaid *E. F.* and his Succeſſors, Rectors, Vicars, *&c. (as the Caſe ſhall be)* of the ſaid Living or Benefice, for the Time being, for ever.] And the ſaid *A. B. C. D.* and *E. F.* do hereby ſeverally covenant for themſelves, their ſeveral Executors and Adminiſtrators, to and with the ſaid *G. H.* his Heirs and Aſſigns, That they, nor any of them, have or hath done any Act whereby the ſaid Lands *(or* Tythes, *as the Caſe ſhall be)* can or may be incumbered; and that the ſaid *G. H.* his Heirs and Aſſigns, ſhall and may, from Time to Time, for ever hereafter, peaceably and quietly hold and enjoy the ſaid Glebe Lands *or* Tythes *(as the Caſe ſhall be)* according to the true Intent and Meaning of the ſaid Act, without any Lett, Hindrance, or Interruption, of or from them, or any of them.

'In Witneſs, *&c.*

FORM *of the* DEED *of Purchaſe or Exchange of Buildings or Lands to be annexed to the Living or Benefice.*

'THIS Indenture, made the Day of in the Year of the Reign of his Majeſty King and in the Year of our Lord between *A. B.* of of the one Part; *C. D.* Ordinary of the Rectory, Vicarage, Chapelry, *or* Perpetual Cure *(as the Caſe ſhall be)* of in the County of *E. F.* of Patron of the ſaid Rectory, *&c.* and the Reverend *G. H.* Clerk, Incumbent of the ſaid Rectory, *&c.* of the other Part. Whereas there is no Parſonage Houſe belonging to the ſaid Rectory, *&c. (or)* [the Parſonage Houſe belonging to the ſaid Rectory, *&c.* is become ſo ruinous and decayed *(or* ſo mean) that it is not fit for the Habitation of the Miniſter of the ſaid Rectory, *&c.*] and one Year's net Income or Produce of the ſaid Living or Benefice will not be ſufficient to rebuild or repair the ſaid Houſe, with the neceſſary Offices belonging thereto: And whereas a certain Meſſuage, Houſe, or Tenement, with the Buildings thereunto belonging, ſituate in the Property of the ſaid *A. B.* and lying within the Diſtance of Yards from the Church *(or* Chapel, *as the Caſe ſhall be)* of the ſaid Rectory, *&c.* appears to the ſaid Ordinary, Patron, and Incumbent, proper and convenient for the Habitation and Uſe of the Miniſter of the ſaid Rectory, *&c.* [and more commodious than the preſent Houſe and Buildings upon the Glebe of the ſaid Rectory, *&c.*] *(in Caſes where there are any)*; and a Contract hath been made, by the Direction and with the Approbation and Conſent of the ſaid Ordinary, Patron, and Incumbent, with the ſaid *A. B.* which is hereby ratified and confirmed by the ſaid Ordinary, Patron, and Incumbent, for the abſolute Purchaſe of the ſaid Meſſuage, Houſe, or Tenement, and Buildings, for the Price or Sum of purſuant to the Directions of an Act, paſſed in the ſeventeenth Year of the Reign of his Majeſty King *George* the Third, intituled, *An Act*, &c. *(ſet forth the Title of the Act:)*

'This to be inſerted when the Lands are purchaſed from the ſame Perſon who ſells the Houſe and Buildings.

[And whereas a Contract has likewiſe been made with the ſaid *A. B.* by the like Direction, Approbation, and Conſent, which is hereby likewiſe ratified and confirmed by the ſaid Ordinary, Patron, and Incumbent, for the abſolute Purchaſe of the Inheritance of a certain Yard, Garden, Orchard, and Piece or Parcel of Land *(deſcribing them particularly, as the Caſe ſhall be)* lying near or convenient to the ſaid Meſſuage, Houſe, Tenement, and Buildings, containing, by Admeaſurement, for the Price or Sum of which have been agreed by the ſaid Ordinary, Patron, and Incumbent, to be raiſed by the Sale *(or* Exchange) of certain Lands *or* Tythes *(as the Caſe ſhall be)* belonging to the ſaid Rectory, *&c.* herein-after deſcribed, purſuant to the Powers given by the ſaid Act; *viz. (here give a full Deſcription of the Lands ſo agreed to be ſold)*; *(if the Equivalent is to be by Exchange, then after the Word* Incumbent, *laſt mentioned, inſert* [and the ſaid *A. B.* to be exchanged for [certain Lands *or* Tythes, *&c. (as above.)*] Now this Indenture witneſſeth, That the ſaid *A. B.* for and in Conſideration of the ſaid ſeveral Sums of and to him in Hand paid for the Purchaſes aforeſaid, *(if both the Buildings and Lands are purchaſed for Money)*; *(but if the Equivalent for the Land is to be by Exchange, then)* [in Conſideration of the ſaid Sum of for the Purchaſe of the ſaid Meſſuage, Houſe, or Tenement, and Buildings, and in Conſideration of the Land *(or* Tythes *as the Caſe ſhall be)* ſo agreed to be exchanged as aforeſaid, and intended to be conveyed to him the ſaid *A. B.* by the ſaid Ordinary, Patron, and Incumbent, by Indenture of equal Date herewith] the Receipt of which ſaid Sum *(or* Sums of Money, *as the Caſe ſhall be)* [and Acknowledgment of the ſaid Exchange] *(if the Equivalent for the Land is to be by Exchange)* the ſaid *A. B.* hath admitted, by an Indorſement on the Back of this Deed, hath granted, bargained, and ſold, and by theſe Preſents doth grant, bargain, and ſell *(if by Exchange)*, [hath granted, bargained, ſold, and exchanged, with, and] unto the ſaid *E. F.* and his Heirs, all, *&c. (here inſert a full Deſcription of the Buildings or Lands ſo intended to be conveyed, with their and every of their Rights, Privileges, and Appurtenances)* to hold to the ſaid *E. F.* and his Heirs, in Truſt, for the ſole Uſe and Benefit of the ſaid *G. H.* and his Succeſſors, Rectors, Vicars, *&c. (as the Caſe ſhall be)* of the ſaid Living or Benefice for the Time being, for ever: And the ſaid *A. B.* for himſelf, his Heirs, Executors, and Adminiſtrators, doth covenant and agree to and with the ſaid *E. F.* and his Heirs, That he hath good Right to convey the ſaid Meſſuage, Houſe, or Tenement, and Buildings, Lands, *&c. (as the Caſe ſhall be)* and that he will warrant the ſame, for the Uſes and Purpoſes aforeſaid, for ever, free from all Claims, Charges, and Incumbrances whatſoever, by, from, or under him, or any of his Anceſtors. In Witneſs, *&c.*

## FORM *of* CERTIFICATE *of* RESIDENCE.

'WE, *A. B.* Rector, Vicar, *or* officiating Miniſter *(as the Caſe ſhall be)* of the Pariſh of in the Dioceſe of Clerk, and *C. D.* Rector, Vicar, *or* officiating Miniſter *(as the Caſe ſhall be)* of the Pariſh of within the ſaid Dioceſe, Clerk, which ſaid Pariſhes of and are near adjoining to the Pariſh of within the ſaid Dioceſe, do hereby certify, That *E. F.* Rector, Vicar, *or* Incumbent *(as the Caſe ſhall be)* of the ſaid Pariſh and Pariſh Church of aforeſaid, hath reſided upon his Living or Benefice, within that Pariſh, for the Space of twenty Weeks, between the Day of and the Day of laſt. Given under our Hands, this Day of

## FORM *of* CONSENT *where the Living or Benefice ſhall be in the Patronage of the Crown, or within the Duchy of* Lancaſter.

'WHEREAS the Living or Benefice of within the Dioceſe of is in the Patronage of | the Crown, and rated above *or* under *(as the Caſe ſhall be)* twenty Pounds *per Annum* in the King's Books, | *or* of the Chancellor of the Duchy of *Lancaſter (as the Caſe ſhall be)*; and Application hath been made for building, (rebuilding, repairing, *or* purchaſing, *or* exchanging, *as the Caſe ſhall be)* the Parſonage Houſe *or other* Buildings *or* Land *(as the Caſe ſhall be)* for the Uſe of the ſaid Living or Benefice, in purſuance of the Powers given for that Purpoſe, by an Act paſſed in the ſeventeenth Year of the Reign of his Majeſty King *George* the Third, intituled, *An Act to promote the Reſidence of the Parochial Clergy, by making Proviſion for the more ſpeedy and effectual building, rebuilding, repairing, or purchaſing Houſes, and other neceſſary Buildings and Tenements, for the Uſe of their Benefices*; now I the Right Honourable First Lord Commiſſioner of the Treaſury, | Lord High Chancellor of *Great Britain*, | *or* Chancellor of the Duchy of *Lancaſter (as the Caſe ſhall be)*, being ſatisfied that ſuch building, rebuilding, repairing, purchaſing, *or* exchanging, *&c. (as the Caſe ſhall be)* will be an Improvement and Advantage to the ſaid Living or Benefice, do hereby conſent, That ſuch Buildings, Repairs, Purchaſes, *or* Exchanges *(as the Caſe ſhall be)*, ſhall be made, according to the Directions and the true Intent and Meaning of the ſaid Act. Given under my Hand, this Day of

## CAP. LIV.

An Act for defraying the Expence of building a new Gaol and Shire-hall for the County of *Weſtmorland.*

"The Purchaſe of Ground for building a new Gaol and Shire-hall, *&c.* confirmed. The Shire-hall to be "finiſhed on or before *June* 1, 1778. Expences of the Buildings, *&c.* to be defrayed out of the County "Rate."

CAP.

## CAP. LV.

### An Act for the better regulating the Hat Manufactory.

Preamble. Acts 8 Eliz. and 1 Jac. I. recited;

'WHEREAS by two Acts, one made in the eighth Year of the Reign of Queen *Elizabeth* (intituled, *An Act for uttering of Caps, and for true Making of Hats and Caps)*; and the other made in the firſt Year of the Reign of King *James* the Firſt (intituled, *An Act for the better Execution of former Laws touching the making of Hats and Felts, and for the more Reſtraint of unſkilful and deceivable Workmanſhip therein uſed, to the Wrong of all Sorts of People of this Realm)*; it is declared, That no Perſon or Perſons ſhall make or work any Felt or Hat, unleſs he or they ſhall have firſt ſerved as Apprentices to the Trade or Art of Felt making for the Space of ſeven Years; nor ſet to work any other Perſon or Perſons than Journeymen that have lawfully ſerved to that Art, and Apprentices lawfully bound to that Art; nor ſet to work in that Art any Perſon or Perſons born out of the Dominions of *England*, *Scotland*, and *Ireland*; and that no Makers or Workers of Hats ſhall have above the Number of two Apprentices at one Time (except their own Children) nor theſe for leſs Term than ſeven Years, upon Pain of the ſeveral Penalties and Forfeitures preſcribed by the ſaid reſpective Acts: And whereas, by reaſon of the ſaid Acts, there is a Scarcity of Journeymen in the ſaid Buſineſs throughout this Kingdom:' May it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid recited Act, paſſed in the eighth Year of the Reign of Queen *Elizabeth* (intituled, *An Act for uttering of Caps, and for true making of Hats and Caps)*; and alſo the ſaid Act paſſed in the firſt Year of the Reign of King *James* the Firſt (intituled, *An Act for the better Execution of former Laws touching the making of Hats and Felts, and for the more Reſtraint of unſkilful and deceivable Workmanſhip therein uſed, to the Wrong of all Sorts of People of this Realm)*, be, and hereby are totally repealed. and repealed.

Maſter Hatmakers to employ a Journeyman for every Apprentice they ſhall take, provided a ſufficient Number of Journeymen offer themſelves.

II. Provided always, and be it further enacted, That every Maſter Hatmaker ſhall and is hereby required to take and employ one Journeyman Hatter for every Apprentice he ſhall employ in the Trade of Hatmaking, provided there ſhall be a ſufficient Number of Journeymen Hatters, who have ſerved as Apprentices to the ſaid Trade, offer themſelves for that Employment; or in Default thereof, he ſhall for ever thereafter be diſabled from taking more than two Apprentices to the ſaid Trade, in ſuch Manner as he would have been if this Act had not been made.

Recital of an Act 22 Geo. II.

'III. And whereas, by an Act, made in the twenty-ſecond Year of the Reign of his late Majeſty King *George* the Second (intituled, *An Act for the more effectual preventing of Frauds and Abuſes committed by Perſons employed in the Manufacture of Hats, and in the Woollen, Linen, Fuſtian, Cotton, Iron, Leather, Fur, Hemp, Flax, Mohair, and Silk Manufactures; and for preventing unlawful Combinations of Journeymen Dyers and Journeymen Hot-preſſers, and of all Perſons employed in the ſaid ſeveral Manufactures; and for the better Payment of their Wages)*; Proviſion is made for the Puniſhment of ſuch Journeymen and others employed in the ſeveral Manufactures of Hats or Felts, and other the Manufactures therein mentioned, as ſhould at any Time act in, make, enter into, or be knowingly concerned in, any Contract, Covenant, or Agreement, Bye-law, Ordinance, Rule, or Order, for regulating the Trade, ſettling the Prices of Goods, or for advancing their Wages, or leſſening their uſual Hours of Work, or who ſhould depart from their Service before the End of their Hiring, or quit or return their Work before the ſame ſhould be finiſhed according to Agreement, or who ſhould wilfully damnify, ſpoil, or deſtroy any of the Goods, Wares, or Work committed to their Care, or wherewith they ſhould be intruſted; but ſuch Proviſion hath been found ineffectual, by reaſon that the Perſons convicted of any of ſuch Offences have a Power to appeal to the Juſtices at a Quarter Seſſions, againſt any Conviction, without being obliged to enter into Recognizances for their Appearance at ſuch Seſſions to proſecute ſuch Appeal, and abide the Order of ſuch Seſſions; whereby they evade the Puniſhment inflicted by the ſaid Act, and hold the ſame in Contempt;' be it therefore further enacted by the Authority aforeſaid, That if any Journeyman Hatter, Hat-maker, Piece-maſter, Servant, Workman, or other Perſon whatſoever, employed in the making or finiſhing of Hats or Felts, in any Branch thereof, ſhall be convicted, in Manner directed and preſcribed by the ſaid laſt-mentioned Act, of having kept up, acted in, made, entered into, ſigned, ſealed, or having been knowingly concerned in, any Contract, Covenant, or Agreement, Bye-law, Ordinance, Rule, or Order, of any Club, Society, or Combination, by the ſaid Act declared to be illegal; or of preſuming or attempting to put any illegal Agreement, Bye-law, Ordinance, Rule, or Order, in Execution; or of departing from his Service before the End of the Time for which he was hired or retained; or of quitting or returning his Work before the ſame ſhall be finiſhed according to Agreement; or of wilfully ſpoiling or deſtroying any Goods, Wares, or Work; every ſuch Perſon ſo convicted, before he, ſhe, or they ſhall be entitled to appeal to the Juſtices at the Quarter Seſſions againſt any ſuch Conviction, or before the Proceedings under ſuch Conviction ſhall be ſuſpended, ſhall enter into Recognizance, with two ſufficient Sureties, the Principal in the Sum of ten Pounds, and the two Sureties in the Sum of five Pounds each, before one or more Juſtice or Juſtices of the Peace for the County, City, or Place where the Offence ſhall be committed, for the Appearance of the Perſon ſo convicted at ſuch Quarter Seſſions, to proſecute ſuch Appeal, and abide the Judgment and Determination of the Juſtices at ſuch General Quarter Seſſions (which Recognizances the ſaid Juſtice or Juſtices of the Peace are hereby impowered and required to take); and the Juſtices, in the ſaid General Quarter Seſſions, are hereby authoriſed and required to hear and finally determine the Matter of the ſaid Appeal, and to award ſuch Coſts, as to them ſhall appear juſt and reaſonable, to either Party: And if upon the Hearing ſuch Appeal, the Judgment of the Juſtices, before whom the Appellant ſhall have been convicted, ſhall be affirmed, ſuch Appellant ſhall immediately be committed

Any Journeyman Hatter, &c. convicted of having entered into any Club, Combination, &c. by the laſt-recited Act declared to be illegal; or of not finiſhing his Work according to Agreement, &c. ſhall, before he is allowed to appeal to the Quarter-Seſſions, enter into Recognizance to proſecute the Appeal, and abide the Judgment of the Juſtices; who ſhall finally determine the ſame.

mitted to the Common Gaol or Houſe of Correction, in purſuance of the original Order of Conviction, there to remain for the Time which ſhall have been ordered and directed in ſuch original Order, and until the Appellant ſhall pay the Coſts which ſhall be awarded againſt him by the Juſtices in ſuch General Quarter Seſſions of the Peace on the Confirmation of ſuch Order.

If any Perſon ſhall attend, or ſolicit any Journeyman Hatter to attend, any ſuch unlawful Club as aforeſaid,

'IV. And, for the more effectual Suppreſſion of all Combinations amongſt Journeymen Hatters, and 'other Perſons employed in the ſaid Trade,' be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons whomſoever (whether employed in the ſaid Trade or not) ſhall attend any Meeting, Club, Society, or Combination, by the ſaid laſt-mentioned Act declared to be illegal; or ſhall ſummons, give Notice to, or call upon, any Journeyman Hatter, or other Perſon employed in the ſaid Trade, to attend any ſuch unlawful Meeting, Club, Society, or Combination, or to pay any Sum or Sums of Money whatſoever, as a Fine, Contribution, or Subſcription, for the Uſe of any ſuch unlawful Meeting, Club, Society, or Combination; or who ſhall collect, demand, or receive any Sum or Sums of Money from any Journeyman Hatter, or other Perſon employed in the ſaid Trade, for any of the above Purpoſes; or ſhall perſuade, entice, inveigle, or intimidate, or endeavour to perſuade, entice, inveigle, or intimidate, any Journeyman Hatter, or other Perſon employed in the ſaid Trade, to enter into, or be concerned in any ſuch illegal Meeting, Club, Society, or Combination, or to turn out againſt, or quit the Service or Employ of, the Maſter Hatter or Maſter Hatters, in whoſe Service they may be employed; or if any Perſon or Perſons ſhall pay any Sum or Sums of Money, or make or enter into any Subſcription or Contribution whatſoever, for or towards the Support or Encouragement of any ſuch illegal Meeting, Club, Society, or Combination; every ſuch Perſon or Perſons ſo offending, and being thereof convicted, before any two or more of his Majeſty's Juſtices of the Peace for the County, City, Town, or Place wherein ſuch Offence ſhall be committed, on the Oath of one or more credible Witneſs or Witneſſes, ſhall, for every ſuch Offence, be committed to the Common Gaol or Houſe of Correction for ſuch County, City, Town, or Place, at the Diſcretion of ſuch Juſtices, there to be and remain without Bail or Mainprize for any Time not exceeding three Months.

or ſhall ſubſcribe or pay any Sum of Money to ſupport the ſame;

he ſhall be committed for three Months.

Act 5 Eliz. in Part repealed.

V. And be it enacted, That ſo much of the Act paſſed in the fifth Year of the Reign of Queen *Elizabeth*, intituled, *An Act containing divers Orders for Artificers, Labourers, Servants of Huſbandry, and Apprentices*, as extends, or may be conſtrued to extend, to reſtrain any Perſon or Perſons from ſetting up, uſing, occupying, and exerciſing, the Craft, Myſtery, and Occupation of a Maſter Hat-maker, Hat-maker, or Felt-maker, unleſs ſuch Perſon or Perſons have been brought up as Apprentices therein, be, and the ſame is hereby repealed.

No Hat-maker to act as a Juſtice of Peace in the Execution of this Act, &c.

VI. And be it enacted by the Authority aforeſaid, That no Perſon or Perſons uſing or exerciſing the Trade of a Maſter Hat-maker, Hat-maker, or Felt-maker, ſhall, during the Time of his continuing to uſe or exerciſe ſuch Trade, be capable of acting as a Juſtice of the Peace in the Execution of this or any other Act relative to the Puniſhment of any Journeyman Hat-maker or Apprentice who ſhall offend againſt this or any other Act made for the Regulation of the ſaid Trade.

This Act not to repeal the Act 22 Geo. II. &c.

VII. Provided always, and be it further enacted, That this Act, or any Thing herein contained, ſhall not extend, or be conſtrued to extend, to repeal the ſaid Act made in the twenty-ſecond Year of the Reign of his ſaid late Majeſty King *George* the Second, or any of the Proviſions therein contained, or any of the Acts therein mentioned; but that the ſaid Proviſions ſhall remain in full Force, and the Penalties and Forfeitures in the ſaid Acts mentioned or recited, to which Offenders are reſpectively ſubjected, may be levied, recovered, and inflicted, in the ſame Manner as ſuch Penalties and Forfeitures might have been levied, recovered, and inflicted, before the making of this Act; any Thing herein contained to the contrary notwithſtanding.

Any Perſon convicted before a Juſtice, may appeal to the QuarterSeſſions; giving immediate Notice, and finding ſufficient Security for proſecuting the Appeal with Effect, &c.

VIII. Provided alſo, and be it further enacted, That it ſhall and may be lawful for any Perſon convicted before one or more Juſtice or Juſtices of the Peace, of any of the Offences in this Act mentioned, to appeal to the Juſtices of the Peace aſſembled at the next General Seſſions, or General Quarter Seſſions, to be held for the County, City, Borough, Town, Liberty, or Place, wherein ſuch Conviction ſhall be made, giving immediate Notice of the Intention of bringing ſuch Appeal, and finding Security, to the Satisfaction of the Juſtice or Juſtices before whom ſuch Conviction ſhall have been made, for being preſent at ſuch General Seſſions, or General Quarter Seſſions, and for proſecuting the ſaid Appeal with Effect, and abiding the Judgment of the Court; and ſuch Juſtices, in ſuch General Seſſions, or General Quarter Seſſions, ſhall finally hear and determine the Matter, and ſhall have Power to award reaſonable Coſts to either Party, as to them ſhall ſeem juſt; and if ſuch Conviction ſhall be affirmed at ſuch Seſſions, ſuch Appellant ſhall be committed to the Common Gaol or Houſe of Correction for any Time not exceeding three Months.

Limitation of Actions.

IX. Provided always, and be it further enacted by the Authority aforeſaid, That no Action ſhall be brought againſt any Juſtice of the Peace, Conſtable, Headborough, or other Officer, or againſt any other Perſon or Perſons whomſoever, for any Matter or Thing whatſoever done or committed under, or by virtue, or in the Execution of this Act, unleſs ſuch Action ſhall be brought within three Calendar Months next after the doing or committing ſuch Matter or Thing.

Defendants under this Act may plead the General Iſſue,

and recover Double Coſts.

X. Provided alſo, That if any Action or Suit ſhall hereafter be commenced or proſecuted againſt any Perſon or Perſons, for any Thing done by virtue or in the Execution of this Act, ſuch Perſon or Perſons may plead the General Iſſue, and give this Act and the ſpecial Matter in Evidence; and if the Plaintiff ſhall become nonſuited, or ſuffer Diſcontinuance, or forbear further Proſecution, or if Judgment ſhall be given for the Defendant or Defendants, ſuch Defendant or Defendants ſhall recover Double Coſts, for which he, ſhe, or they, ſhall have the like Remedy as in Caſes where Coſts by Law are given to Defendants.

Public Act.

XI. And be it further enacted, That this Act ſhall be taken and allowed to be a public Act in all Courts within this Kingdom; and all Judges and Juſtices of the Peace are hereby required to take Notice thereof as ſuch, without ſpecially pleading the ſame.

## CAP. LVI.

An Act for amending and rendering more effectual the ſeveral Laws now in being, for the more effectual preventing of Frauds and Abuſes by Perſons employed in the Manufacture of Hats, and in the Woollen, Linen, Fuſtian, Cotton, Iron, Leather, Fur, Hemp, Flax, Mohair, and Silk Manufactures; and alſo for making Proviſions to prevent Frauds by Journeymen Dyers.

Preamble. Recital of an Act 22 Geo. II.

'WHEREAS by an Act, made in the twenty-ſecond Year of the Reign of his late Majeſty King *George* the Second (intituled, *An Act for the more effectual preventing of Frauds and Abuſes committed by Perſons employed in the Manufacture of Hats, and in the Woollen, Linen, Fuſtian, Cotton, Iron, Leather, Fur, Hemp, Flax, Mohair, and Silk Manufactures; and for preventing unlawful Combinations of Journeymen Dyers and Journeymen Hot-preſſers, and of all Perſons employed in the ſaid ſeveral Manufactures, and for the better Payment of their Wages*); it was enacted, That if any Perſon or Perſons whatſoever, who ſhould be hired or employed to make any Felt or Hat, or to prepare or work up any Woollen, Linen, Fuſtian, Cotton, Iron, Leather, Fur, Hemp, Flax, Mohair, or Silk Manufactures, or any Manufactures made up of Wool, Fur, Hemp, Flax, Cotton, Mohair or Silk, or of any of the ſaid Materials mixed one with another, ſhould, from and after the twenty-fourth Day of *June*, one thouſand ſeven hundred and forty-nine, purloin, embezzle, ſecrete, ſell, pawn, exchange, or otherwiſe unlawfully diſpoſe of, any of the Materials with which he, ſhe, or they ſhould be reſpectively intruſted, whether the ſame, or any Part thereof, be or be not firſt wrought, made up, manufactured, or converted into merchantable Wares, and ſhould be thereof lawfully convicted, in Manner therein mentioned, before any one or more Juſtice or Juſtices of the Peace of the County, Riding, Diviſion, City, Liberty, Town, or Place, where ſuch Offence ſhould be committed, or where the Perſon or Perſons ſo charged ſhould reſide or inhabit, it ſhould and might be lawful to and for the ſaid Juſtice or Juſtices, by Warrant under his or their Hand and Seal or Hands and Seals, to commit the Perſon or Perſons ſo convicted to the Houſe of Correction, or other public Priſon, of ſuch County, Riding, Diviſion, City, Liberty, Town, or Place, there to be kept to hard Labour for the Space of fourteen Days, and alſo to order the Perſon or Perſons ſo convicted to be once publicly whipped at the Market-place, or ſome other public Place, of the City, Town, or Place, where ſuch Offender or Offenders ſhould be reſpectively committed; and in caſe of a further Conviction, in Manner before preſcribed by the ſaid Act, for or upon a ſecond or other ſubſequent Offence of the ſame Kind, it ſhould and might be lawful to and for the Juſtice or Juſtices before whom ſuch Conviction ſhould be had, to commit the Perſon or Perſons ſo again offending, to the Houſe of Correction, or other public Priſon, as aforeſaid, there to be kept to hard Labour for any Time not exceeding three Months, nor leſs than one Month, and alſo to order the Perſon or Perſons ſo again offending, to be publicly whipped at the Market-place, or ſome other public Place of the City, Town, or Place where ſuch Offender or Offenders ſhould be reſpectively committed, twice, or oftener, as to ſuch Juſtice or Juſtices ſhould appear reaſonable: And whereas it is thought neceſſary to vary the Puniſhment for the Offences herein-before recited;' be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That, from and after the firſt Day of *July*, one thouſand ſeven hundred and ſeventy-ſeven, ſo much of the ſaid recited Act as preſcribes what the Puniſhment ſhall be in any of the Caſes before-mentioned, or before whom ſuch Conviction ſhall be had, whether for a firſt Offence, or a ſecond or any ſubſequent Offence, ſhall be repealed; and inſtead of inflicting the Puniſhment ſo directed, the Juſtices of the Peace before whom the Conviction ſhall be, ſhall commit the Perſon convicted to the Houſe of Correction, or other public Priſon, there to be kept to hard Labour, in the Caſe of a firſt Offence, for any Time not leſs than fourteen Days, nor more than three Months; and in the Caſe of a ſecond or any ſubſequent Offence, for any Time not leſs than three Months, nor more than ſix Months; and may likewiſe for the firſt, or for any ſubſequent Offence, order the Perſon convicted to be once publicly whipped, if ſuch additional Puniſhment ſhall by the ſaid Juſtice or Juſtices be deemed proper.

So much of the ſaid Act, as preſcribes the Puniſhment to be inflicted for embezzling, pawning, &c. of Materials, is hereby repealed; and other Puniſhments ſubſtituted inſtead thereof.

II. Provided always, and be it further enacted by the Authority aforeſaid, That no Perſon or Perſons, who ſhall be charged with any Offence or Offences againſt the ſaid recited Act of the twenty-ſecond Year of the Reign of his late Majeſty King *George* the Second, ſhall be liable to be convicted, unleſs before two or more Juſtices of the Peace for the County, Riding, Diviſion, City, Liberty, Town, or Place, where the Offence ſhall be committed; any Thing contained in the ſaid recited Act to the contrary hereof notwithſtanding.

No Perſon to be convicted, unleſs before two Juſtices, &c.

Recital of a Clauſe in the aforeſaid Act.

'III. And whereas, by the ſaid Act of the twenty-ſecond Year of the Reign of his late Majeſty King *George* the Second, it was alſo enacted, That if any Perſon or Perſons ſhould buy, receive, accept, or take, by way of Gift, Pawn, Pledge, Sale, or Exchange, or in any other Manner whatſoever, of or from any Perſon or Perſons hired or employed to make any Felt or Hat, or to prepare or work up the Woollen, Linen, Fuſtian, Cotton, Iron, Leather, Fur, Hemp, Flax, Mohair, or Silk Manufactures, or any Manufactures made up of Wool, Fur, Hemp, Flax, Cotton, Mohair, or Silk, or of any of the ſaid Materials mixed one with another, any Thrumbs or Ends of Yarn, or any other Materials of Wool, Fur, Hemp, Flax, Cotton, or Iron, or any Leather, Mohair, or Silk, whether the ſame, or any Part thereof, be or be not firſt wrought, made up, or manufactured, knowing the Perſon or Perſons, of whom he, ſhe, or they, ſo buy, receive, accept, or take, the ſaid Materials, to be ſo hired or employed as aforeſaid, and not having firſt obtained the Conſent of the Perſon or Perſons ſo hiring or employing him,

'her,

'her, or them, who ſhould offer to ſell, pawn, pledge, exchange, or otherwiſe diſpoſe of, the ſaid Materials; or ſhould buy, receive, accept, or take, in any Manner whatſoever, of or from any other Perſon or Perſons whomſoever, any of the ſaid Materials, whether the ſame be or be not firſt wrought, made up, or manufactured, knowing the ſame to be ſo purloined or embezzled; then, and in every ſuch Caſe, the Perſon or Perſons ſo buying, receiving, accepting, or taking, any ſuch Materials, being thereof lawfully convicted, in Manner before preſcribed by the ſaid Act, for the Conviction of Perſons purloining or embezzling the ſaid Materials, ſhould, for the firſt Offence, forfeit the Sum of twenty Pounds; and in caſe the ſaid Forfeiture ſhould not be immediately paid, the Juſtice or Juſtices before whom ſuch Conviction ſhould be had, ſhould commit the Party or Parties ſo convicted to the Houſe of Correction, or other public Priſon as aforeſaid, there to be kept to hard Labour for the Space of fourteen Days, unleſs the ſaid Forfeiture ſhould be ſooner paid; and if within two Days before the Expiration of the ſaid fourteen Days the ſaid Forfeiture ſhould not be paid, the ſaid Juſtice or Juſtices is and are thereby impowered and required to order the Perſon or Perſons ſo convicted to be publicly whipped at the Market-place, or ſome other public Place, of the City, Town, or Place, where ſuch Offender or Offenders ſhould be reſpectively committed, once, or oftener, as to ſuch Juſtice or Juſtices ſhould appear reaſonable; and in caſe of a further Conviction for or upon a ſecond or any other ſubſequent Offence of the ſame Kind, the Perſon or Perſons ſo again offending, being thereof convicted in Manner before preſcribed by the ſaid Act, ſhould, for every ſecond or other ſubſequent Offence, forfeit the Sum of forty Pounds; and in caſe the ſaid Forfeiture ſhould not be immediately paid, the Juſtice or Juſtices before whom ſuch Conviction ſhould be had, ſhould commit the Party or Parties ſo convicted to the Houſe of Correction, or other public Priſon as aforeſaid, there to be kept to hard Labour for any Time not exceeding three Months, nor leſs than one Month, unleſs the ſaid Forfeiture ſhould be ſooner paid; and if within ſeven Days before the Expiration of the Time for which ſuch Offender or Offenders ſhould be ſo committed, the ſaid Forfeiture ſhould not be paid, the ſaid Juſtice or Juſtices is and are thereby impowered and required to order ſuch Offender or Offenders to be publicly whipped at the Market-place, or ſome other public Place, of the City, Town, or Place, where he, ſhe, or they ſhould be reſpectively committed, twice, or oftener, as to ſuch Juſtice or Juſtices ſhould appear reaſonable: And the ſaid reſpective Forfeitures of twenty Pounds and forty Pounds, when recovered, after Satisfaction ſhould have been made thereout to the Party or Parties injured, together with ſuch Coſts of Proſecution as ſhould be judged reaſonable by the Juſtice or Juſtices before whom ſuch Conviction ſhould have been had, ſhould be equally diſtributed amongſt the Poor of the Pariſh or Place where the Perſon or Perſons ſo convicted ſhould reſide or inhabit: And whereas it is thought neceſſary to increaſe the pecuniary Penalties directed by the ſaid recited Act for the ſaid Offences laſt mentioned, and to vary the Application of the ſaid Penalties for the ſame, and further to change the Conſequences of Nonpayment;' be it therefore further enacted, That, from and after the ſaid firſt Day of *July*, one thouſand ſeven hundred and ſeventy-ſeven, ſo much of the ſaid recited Act of the twenty-ſecond of his late Majeſty King *George* the Second, as enacts what the Penalty or Puniſhment ſhall be for ſuch buying, receiving, accepting, or taking, by way of Gift, Pawn, Pledge, Sale, or Exchange, or in any other Manner, as is deſcribed by the ſaid Act, in the Terms aforeſaid, and how ſuch Penalty ſhall be applied, and what Puniſhment ſhall be inflicted in caſe of Nonpayment, ſhall be repealed; and inſtead thereof, the Penalty for the firſt Offence ſhall be any Sum not more than forty Pounds, nor leſs than twenty Pounds, as the Juſtices before whom the Conviction ſhall be ſhall judge to be moſt proper; and every ſuch pecuniary Penalty ſhall be applied, under the Direction of the Juſtices before whom the Conviction ſhall be, in Manner following; (that is to ſay) In the firſt Place, the Expences of the Proſecution ſhall be thereout defrayed; and then ſuch Satisfaction ſhall be made thereout to the Party or Parties injured, as the ſaid Juſtices ſhall think proper; and afterwards ſo much of the ſaid Penalty ſhall be paid to the Informer or Informers as ſuch Juſtices ſhall think fit, not exceeding, in any Caſe, ten Pounds; and the Remainder, if any, ſhall be paid and diſtributed to and amongſt the Poor of the Pariſh, Town, or Place, where the Conviction ſhall be, or for the Uſe of ſuch public Charity or Charities as ſuch Juſtices ſhall appoint: And if ſuch pecuniary Penalty as aforeſaid ſhall not be paid on Conviction, the ſaid Juſtices ſhall commit the Perſon convicted to the Houſe of Correction, or other public Priſon, there to be kept to hard Labour for any Time not more than ſix Months, nor leſs than three Months, as the ſaid Juſtices ſhall think fit to direct, unleſs ſuch pecuniary Penalty ſhall be ſooner paid; or the ſaid Juſtices may ſend the Perſon convicted to the Houſe of Correction, or other public Priſon, there to remain for three Days, excluſive of the Day of Commitment, with an Order that within the ſaid Time the Perſon ſo convicted ſhall be once publicly whipped at ſuch Market-place, or other public Place as aforeſaid.

So much of the ſaid Act, as orders the Puniſhment for buying, receiving, &c. of any Goods in the laſt-recited Clauſe mentioned, repealed; and other Puniſhments ſubſtituted inſtead thereof.

How Juſtices to proceed when Offenders are brought before them for a Second Offence.

IV. And be it further enacted by the Authority aforeſaid, That, from and after the ſaid firſt Day of *July*, one thouſand ſeven hundred and ſeventy-ſeven, if any Perſon or Perſons ſhall be brought before any Juſtices of the Peace, and ſhall be charged upon Oath, or (being of the People called *Quakers*) upon ſolemn Affirmation, of having been guilty of buying, receiving, accepting, or taking, by Way of Gift, Pawn, Pledge, Sale, or Exchange, or in any other Manner, as is deſcribed by the ſaid recited Act, in the Terms aforeſaid, and it ſhall appear to ſuch Juſtices that the Perſon or Perſons ſo charged hath or have been already convicted of the like Offence for which he, ſhe, or they is or are then charged, that then ſuch Juſtices ſhall not proceed to convict ſuch Perſon or Perſons, but ſhall commit him, her, or them, to the Houſe of Correction, or ſome other public Priſon, there to remain until the next General or General Quarter Seſſions of the Peace to be held in and for the County, Riding, Diviſion, City, Liberty, Town, or Place where the Offence ſhall have been committed, or until ſuch Offender or Offenders ſhall have entered into a Recognizance to anſwer for ſuch Offence at the ſaid next General or General Quarter Seſſions; and the Juſtices in ſuch General or General Quarter Seſſions are hereby authoriſed and required to take Cognizance thereof, and to hear and determine the ſame; and if ſuch Perſon ſhall be convicted upon the Oath, or

Any ſuch Offender convicted before the

(being of the People called *Quakers*) upon the Affirmation of one or more credible Witneſs or Witneſſes, the Perſon ſo convicted ſhall forfeit and pay, for ſuch Offence, any Sum not more than one hundred Pounds, nor leſs than fifty Pounds, as the ſaid Juſtices ſhall judge to be moſt proper; and every ſuch Penalty ſhall be applied and diſpoſed of, under the Direction of the ſaid Juſtices in their General or General Quarter Seſſions, in ſuch Manner and Proportions as the Penalty herein-before impoſed for the firſt Offence of the like Nature is by this Act directed to be applied and diſpoſed of; and if ſuch Penalty ſhall not be paid on Conviction, the ſaid Juſtices ſhall commit the Perſon ſo convicted to the Houſe of Correction, or other public Priſon, there to be kept to hard Labour for any Time not more than ſix Months, nor leſs than three Months, as the ſaid Juſtices ſhall in their Diſcretion think fit, unleſs ſuch Penalty ſhall be ſooner paid; or the ſaid Juſtices may ſend the Perſon convicted to the Houſe of Correction, or other public Priſon, there to remain for three Days, excluſive of the Day of Commitment, with an Order that within the ſaid Time ſuch Perſon ſhall be once publicly whipped at ſuch Market-place, or other public Place as aforeſaid.

Quarter Seſſions, ſhall forfeit from 50l. to 100l.;

or be committed, &c.

'V. And whereas many Frauds are practiſed, in reſpect to ſuch Materials as aforeſaid, by Perſons who 'ſell them knowing them to have been purloined or embezzled;' be it therefore further enacted, That, after the ſaid firſt Day of *July*, one thouſand ſeven hundred and ſeventy-ſeven, if any Perſon ſhall ſell, pawn, pledge, exchange, or otherwiſe unlawfully diſpoſe of, or offer to ſell, pawn, pledge, exchange, or otherwiſe unlawfully diſpoſe of, any ſuch Materials as aforeſaid, whether wrought or unwrought, mixed or unmixed, knowing them to have been purloined or embezzled, every ſuch Perſon, lawfully convicted, ſhall be liable to the ſame Puniſhment as he or ſhe would be liable to by virtue of this Act, on being convicted of receiving purloined or embezzled Materials, knowing them to have been purloined or embezzled.

Perſons ſelling, pawning, &c. any ſuch Materials as aforeſaid, knowing them to have been embezzled, ſhall be liable to the ſame Puniſhment as for receiving embezzled Materials.

'VI. And whereas ſuch Materials as aforeſaid, which have been purloined or embezzled, are frequently 'received by Perſons knowing the ſame to have been ſo purloined or embezzled; and ſuch Materials 'being afterwards worked up, or otherwiſe diſpoſed of, renders it difficult to convict ſuch Offenders;' be it therefore enacted by the Authority aforeſaid, That, from and after the ſaid firſt Day of *July*, one thouſand ſeven hundred and ſeventy-ſeven, when any Perſon or Perſons ſhall be brought or charged upon Oath, before any two or more Juſtices of the Peace, by virtue of this Act, with being ſuſpected of, or with having purloined or embezzled, or with having received any ſuch Materials as aforeſaid, whether the ſame be wrought or unwrought, mixed or unmixed, knowing the ſame to have been either purloined or embezzled, or received from ſome Perſon or Perſons not intitled to diſpoſe thereof, and it ſhall be made appear upon the Oath, or (being of the People called *Quakers*) upon the Affirmation, of one or more credible Witneſs or Witneſſes, to the Satisfaction of ſuch Juſtices, that ſuch Perſon or Perſons hath or have purloined or embezzled, or hath or have received any ſuch Materials as aforeſaid, knowing the ſame to have been purloined or embezzled, or received from ſome Perſon or Perſons not intitled to diſpoſe thereof, it ſhall and may be lawful for ſuch Juſtices, or for the Juſtices at their General or General Quarter Seſſions of the Peace, and they are hereby reſpectively authoriſed and impowered (if they ſhall think fit) to convict ſuch Perſon or Perſons of having purloined or embezzled, or of having received ſuch Materials as aforeſaid, knowing the ſame to have been purloined or embezzled, or received from ſome Perſon or Perſons not intitled to diſpoſe thereof, although no Proof ſhall be given to whom ſuch Materials belong; and the Perſon or Perſons ſo convicted ſhall, for every ſuch Offence, be ſubject to ſuch and the like Penalties and Puniſhments, at the Diſcretion of ſuch Juſtices reſpectively, as Perſons convicted of buying or receiving any ſuch Materials as aforeſaid, knowing the ſame to have been purloined or embezzled, are by this Act ſubject and liable to.

How Juſtices to proceed in relation to Perſons charged on Oath with being ſuſpected of having embezzled ſuch Materials, or of having received the ſame knowing them to have been embezzled, &c.

'VII. And whereas, by the ſaid recited Act of the twenty-ſecond of King *George* the Second, it was 'alſo enacted, That if any Perſon or Perſons intruſted with any of the Materials therein and herein-before 'mentioned, in order to prepare, work up, or manufacture the ſame, ſhould not uſe all ſuch Materials in 'the preparing, working up, or manufacturing, of the ſame, and ſhould neglect or delay, for the Space of 'twenty-one Days after ſuch Materials ſhould be prepared, worked up, or manufactured, to return (if re-'quired by the Owner or Owners of ſuch Materials ſo to do) ſo much of the ſaid Materials as ſhould not 'be uſed as aforeſaid, to the Perſon or Perſons intruſting him, her, or them therewith, ſuch Neglect or 'Delay ſhould be deemed a purloining or embezzling of ſuch Materials; and the Perſon or Perſons ſo ne-'glecting or delaying, being thereof convicted in Manner therein-before preſcribed for the Conviction of 'Offenders againſt the ſaid Act, ſhould ſuffer the like Puniſhment as Perſons convicted of purloining or 'embezzling any of the Materials therein-before mentioned, are by the ſaid Act rendered ſubject and liable 'to: And whereas the Space of twenty-one Days, allowed by the ſaid recited Act, is thought too long a 'Time to be allowed for returning the ſaid Materials, under the Circumſtances, and in Manner aforeſaid; 'and it may be proper to make the Puniſhment for not returning ſuch Materials the ſame as for purloining 'or embezzling under this Act;' be it therefore further enacted, That, from and after the ſaid firſt Day of *July*, one thouſand ſeven hundred and ſeventy-ſeven, ſo much of the ſaid recited Act as allows twenty-one Days after the preparing, working up, or manufacturing the ſaid Materials, for returning ſo much of the ſaid Materials as ſhall not be uſed in ſuch preparing, working up, or manufacturing, and declares that the Puniſhment for not ſo returning the ſaid Materials within the ſaid Time, ſhall be the ſame as under the ſaid Act is directed for purloining or embezzling, ſhall be repealed; and only eight Days ſhall be allowed for returning the ſaid Materials in Manner aforeſaid; and the Puniſhment for not returning them within the ſaid eight Days ſhall be the ſame as is by this Act directed to be inflicted for purloining or embezzling.

Another Clauſe of the Act 22 Geo. II. recited, and altered.

'VIII. And whereas, by the ſaid Act of the twenty-ſecond Year of the Reign of his late Majeſty King 'George the Second, it is enacted, That, from and after the ſaid twenty-fourth Day of *June*, one thou-'ſand ſeven hundred and forty-nine, if any Perſon who ſhould be hired, retained, or employed, to prepare 'or work up any of the Manufactures therein-before mentioned, for any one Maſter, ſhould neglect or 'refuſe the Performance thereof, by procuring or permitting himſelf or herſelf to be ſubſequently retained

Another Clauſe of the ſaid Act recited,

'or employed by any other Maſter or Perſon whatſoever, before he or ſhe ſhould have completed the Work 'which he or ſhe was firſt and originally ſo hired, retained, or employed to perform, and which was firſt 'delivered to him or her; then, and in every ſuch Caſe, the Perſon ſo offending, being thereof lawfully 'convicted by the Oath, or (being of the People called *Quakers*) Affirmation, of one or more credible 'Witneſs or Witneſſes, before one or more Juſtice or Juſtices of the Peace of the County, Riding, Diviſion, City, Liberty, Town, or Place, where the Offence or Offences ſhould be committed, ſhould be 'ſent to the Houſe of Correction, there to be kept to hard Labour for any Time not exceeding one Month: 'And whereas the ſaid Proviſion contained in the ſaid recited Clauſe is not found ſufficient for the Purpoſe 'intended, and it is apprehended that ſome other Proviſion, more proper, may be made;' be it therefore further enacted, That, from and after the ſaid firſt Day of *July*, one thouſand ſeven hundred and ſeventy-ſeven, the whole of the ſaid laſt-recited Clauſe ſhall be repealed; and that, from and after the ſaid firſt Day of *July*, one thouſand ſeven hundred and ſeventy-ſeven, if any Perſon, being hired, retained, or employed, to prepare or work up any Materials, whether mixed or unmixed, for any Maſter or Maſters, ſhall wilfully neglect or refuſe the Performance thereof for eight Days ſucceſſively; or having taken in any Materials, whether mixed or unmixed, for Manufacture, from one Maſter, or two or more Maſters being Co-partners, ſhall afterwards take in any Materials, whether mixed or unmixed, for Manufacture, from any other Maſter or Maſters; or ſhall procure, or permit himſelf or herſelf to be employed or retained in any other Occupation or Employment whatſoever, ſooner than eight Days before the Completion of the Work firſt taken; then, in every ſuch Caſe, ſuch Perſon being thereof lawfully convicted by the Oath, or (being of the People called *Quakers*) Affirmation, of one or more credible Witneſs or Witneſſes, before two or more Juſtices of the Peace of the County, Riding, Diviſion, City, Liberty, Town, or Place, where the Offence or Offences ſhall be committed, ſhall be ſent to the Houſe of Correction, or other public Priſon, there to be kept to hard Labour for any Time not exceeding three Months, nor leſs than one Month.

and repealed.

Any Perſon being employed to work up Materials, who ſhall neglect to perform the ſame for eight Days, &c. ſhall be ſent to the Houſe of Correction.

'IX. And whereas it frequently happens that Perſons receive the ſaid Materials in fictitious Names, in 'order to be manufactured; and that Perſons receive ſuch Materials in their own Names, in order to be 'manufactured by themſelves, and afterwards deliver the ſame to others to be manufactured, without the 'Knowledge or Conſent of the Owners thereof; and that Carriers, or other Perſons employed to deliver 'Materials to Workmen to be prepared or manufactured, do deſignedly deliver ſuch Materials to other 'Perſons than thoſe intended by the Owner of ſuch Materials;' be it therefore further enacted by the Authority aforeſaid, That, from and after the ſaid firſt Day of *July*, one thouſand ſeven hundred and ſeventy-ſeven, if any Perſon ſhall receive any of the aforeſaid Materials in a fictitious Name, in order to be manufactured; or if any Perſon ſhall receive in his or her own Name any of the ſaid Materials, in order to be manufactured by himſelf or herſelf, and afterwards deliver the ſame, or any Part thereof, to any other Perſon to be manufactured (without the Conſent of the Owner thereof); or if any Carrier, or other Perſon employed to deliver any ſuch Materials to any Workman, to be prepared or wrought up, ſhall deſignedly deliver the ſame to any other Perſon than the Perſon to whom ſuch Materials were ordered or intended to be delivered by the Owner thereof; all and every Perſon and Perſons offending in any of the Caſes aforeſaid, ſhall, for every ſuch Offence, be liable to Proſecution, in the ſame Manner, and to the ſame Puniſhment, as is by this Act directed in reſpect to Perſons taking in any of the ſaid Materials in order to work up, and afterwards wilfully neglecting or refuſing the Performance of their Work for the Space of Time aforeſaid.

If any Perſon ſhall receive any Materials to be manufactured, in a fictitious Name; or ſhall deliver the ſame to any other Perſon, without the Conſent of the Owner, &c. he ſhall be liable to the ſame Puniſhment as Perſons neglecting to perform their Work, &c.

Preamble.

'X. And whereas it frequently happens that Materials uſed in the Manufactures before mentioned, are 'found, or known to be concealed in the Poſſeſſion of Perſons who have received the ſame, knowing them 'to be purloined or embezzled, or of Perſons known not to be entitled to diſpoſe of the ſame; and whereas 'the Diſcovery and Conviction of the Purloiners and Embezzlers, Buyers and Receivers, of ſuch Materials, is full of Difficulty, from the cloſe and clandeſtine Manner in which the Offence is committed; 'and there is ſtill greater Difficulty in proving whoſe Property ſuch Materials are; and it would tend to the 'Diſcouragement and Suppreſſion of ſuch Offences, if the Diſcovery and Conviction of ſuch Offenders 'were rendered more eaſy: And whereas, by the ſaid recited Act of the twenty-ſecond Year of his late 'Majeſty King *George* the Second, Juſtices of the Peace, after Conviction of any Offender for purloining 'or embezzling the ſaid Materials, or for buying or receiving the ſame, are authoriſed to grant Warrants 'for ſearching the Houſes and other Places of the Perſons ſo convicted, but no ſuch Authority is given 'before Conviction, nor in any other Houſe or Place, except ſuch as belongs to a Perſon convicted;' be it therefore further enacted, That it ſhall and may be lawful for any two Juſtices of the Peace of any County, Riding, Diviſion, City, Liberty, Town, or Place, upon Complaint made to them, upon Oath, by any one credible Perſon, or (being of the People called *Quakers*) upon ſolemn Affirmation, that there is Cauſe to ſuſpect that any ſuch purloined or embezzled Materials, whether mixed or unmixed, wrought or unwrought, are concealed in any Dwelling-houſe, Out-houſe, Yard, Garden, or other Place or Places, by virtue of a Warrant under their Hands and Seals, to cauſe every ſuch Dwelling-houſe, Out-houſe, Yard, Garden, or Place, to be ſearched in the Day-time: And if any ſuch Materials, ſuſpected to be purloined or embezzled, ſhall be found therein, to cauſe the ſame, and the Perſon or Perſons in whoſe Houſe, Out-houſe, Yard, Garden, or other Place, the ſame ſhall be found, to be brought before any two Juſtices of the Peace for the ſame County, Riding, Diviſion, City, Liberty, Town, or Place; and if the ſaid Perſon or Perſons ſhall not give an Account, to the Satisfaction of ſuch Juſtices, how he, ſhe, or they came by the ſame, then the ſaid Perſon or Perſons ſo offending, ſhall be deemed and adjudged guilty of a Miſdemeanor, and ſhall be puniſhed in Manner herein-after mentioned, although no Proof ſhall be given to whom ſuch Materials belong.

Juſtices, on receiving Complaint on Oath, that embezzled Materials are ſuſpected to be concealed in any Houſe, &c. may grant a Warrant for ſearching the ſame.

How Perſons ſhall be puniſhed, in whoſe Poſſeſſion ſuch Materials ſhall be found.

XI. And be it further enacted, That every Peace-officer, Conſtable, Headborough, or Tythingman, in every County, City, Town Corporate, or other Place, where there ſhall be Officers, and every Beadle within his Ward, Pariſh, or Diſtrict, and every Watchman, during ſuch Time only as he is on his Duty,

Peace Officers in Towns Corporate, &c. may apprehend all

ſhall and may apprehend, or cauſe to be apprehended, all and every Perſon or Perſons who may reaſonably be ſuſpected of having or carrying, or any ways conveying, at any Time after Sun-ſetting and before Sun-riſing, any of ſuch Materials ſuſpected to be purloined or embezzled, and the ſame, together with ſuch Perſon or Perſons, as ſoon as conveniently may be, convey or carry before any two Juſtices of the Peace for the County, Riding, Diviſion, City, Liberty, Town, or Place, within which the ſuſpected Perſon or Perſons ſhall be apprehended; and if the Perſon or Perſons ſo apprehended in conveying any ſuch Materials, ſhall not produce the Party or Parties duly intitled to diſpoſe thereof, from whom he, ſhe, or they bought or received the ſame, or ſome other credible Witneſs, to teſtify upon Oath, or (being of the People called *Quakers*) upon ſolemn Affirmation, to the Sale or Delivery of the ſaid Materials (which Oath or Affirmation reſpectively ſuch Juſtices are hereby impowered to adminiſter), or ſhall not give an Account, to the Satisfaction of ſuch Juſtices, how he, ſhe, or they came by the ſame; then the ſaid Perſon or Perſons ſo apprehended ſhall be deemed and adjudged guilty of a Miſdemeanor, and be puniſhed in Manner herein-after mentioned, although no Proof ſhall be given to whom ſuch Materials belong.

Perſons ſuſpected of having or carrying after Sun-ſet, any Materials ſuſpected to be purloined, &c.

XII. Provided always, and be it further enacted, That in either of the two Caſes laſt before mentioned, when any Perſon or Perſons, who ſhall be brought before any two Juſtices of the Peace, ſhall requeſt of ſuch Juſtices to appoint a reaſonable Time to produce the Perſon or Perſons duly intitled to ſell or diſpoſe of the ſame, of or from whom he, ſhe, or they bought or received the ſame, or ſome one or more credible Witneſs or Witneſſes to prove the Sale or Delivery thereof; then, and in ſuch Caſe, it ſhall and may be lawful for the ſaid Juſtices, and they are hereby authoriſed and required to appoint ſuch reaſonable Time as aforeſaid, and to iſſue out a Summons to the Conſtable or other Peace Officer of the Pariſh or Place where ſuch Perſon or Perſons, or ſuch Witneſs or Witneſſes, ſhall reſpectively reſide, requiring him, her, or them, to appear before two or more Juſtices, at ſuch Time and Place as ſhall be ſo appointed by ſuch Juſtices, in order to be examined and give Evidence on Oath, or (being of the People called *Quakers*) ſolemn Affirmation, of the ſeveral Matters aforeſaid; but ſuch Perſon or Perſons, at the Time of making ſuch Requeſt, ſhall enter into a Recognizance, with or without Surety or Sureties, as ſuch Juſtices ſhall think proper, for his, her, or their Appearance before them, at the Time ſo to be ſet, or, for want of ſuch Recognizance as aforeſaid, ſhall be committed until the Time that ſhall be ſet or appointed by the ſaid Juſtices for the Appearance of ſuch Party or Parties, Witneſs or Witneſſes; and if at ſuch appointed Time ſuch Perſon or Perſons ſhall be convicted of any of the Offences aforeſaid, then, and in ſuch Caſe, he, ſhe, or they, ſhall ſuffer ſuch Puniſhment as is herein-before directed to be inflicted on Perſons guilty of ſuch Offences.

Juſtices may, at the Requeſt of Perſons brought before them, appoint a reaſonable Time to produce the Perſons intitled to diſpoſe of the Materials, &c.

On the Perſons making ſuch Requeſt, entering into a Recognizance, &c.

XIII. And be it further enacted, That where any Perſon or Perſons ſhall be convicted of a Miſdemeanor in either of the two Caſes laſt before mentioned, it ſhall and may be lawful for the Juſtices before whom the Conviction ſhall be, to cauſe the ſaid Materials ſo found or ſeized as aforeſaid, to be depoſited in the Hands of the Churchwardens or Overſeers of the Poor of the Place where ſuch Materials ſhall be found or ſeized, or in any other convenient Place, for any Time not exceeding thirty Days; and in the mean time to order the ſaid Churchwardens and Overſeers of the Poor, or one of them, to inſert an Advertiſement in ſome one or more of the public Newſpapers uſually publiſhed or circulated in or near ſuch Place, or otherwiſe to cauſe Notice to be given by ſome public Crier, and by fixing on the Church or Chapel Door Notice deſcribing ſuch Materials, and where the ſame are ſo depoſited, to the End that Perſons having loſt ſuch Materials, or any reputable Perſon or Perſons in their Behalf, may come and claim the ſame: And in caſe any Perſon or Perſons can prove his, her, or their Property in the ſaid Materials upon Oath, or (being of the People called *Quakers*) upon his, her, or their ſolemn Affirmation, to the Satisfaction of any two Juſtices of the Peace for ſuch County, Riding, Diviſion, City, Liberty, Town, or Place, then ſuch Juſtices ſhall order Reſtitution of ſuch Materials to the Owner or Owners thereof, after paying the reaſonable Charges of removing, depoſiting, and giving public Notice of the ſame; but if, before the End of the ſaid thirty Days, no Perſon or Perſons ſhall come and prove his, her, or their Property in ſuch Materials, nor any reputable Perſon or Perſons on his, her, or their Behalf, then the ſaid Juſtices ſhall order and direct the ſame to be ſold for the beſt Price that can reaſonably be had, and after deducting ſuch Charges as aforeſaid, together with the Charges of Sale, one Moiety of the Money ariſing from ſuch Sale ſhall be given to the Perſon or Perſons, or either of them, who ſhall apprehend or proſecute the Offender or Offenders guilty of either of the Miſdemeanors aforeſaid, as the ſaid Juſtices ſhall appoint; and the other Moiety thereof, either to and amongſt the Poor of the Pariſh, Town, or Place, where the Conviction ſhall be, or to ſuch public Charity or Charities as the Juſtices convicting ſhall appoint.

On any Perſon being convicted of a Miſdemeanor, as aforeſaid, the Materials ſo found ſhall be depoſited in the Hands of the Churchwardens, &c.

If any Perſon can prove his Property in the ſaid Materials, they ſhall be delivered to him, on paying the Charges of removing, &c. But if no Perſon prove his Property in them, they ſhall be ſold, &c.

XIV. And be it further enacted, That every Perſon deemed and adjudged guilty of a Miſdemeanor, in having in his or her Poſſeſſion any Materials ſuſpected to be purloined or embezzled, and not producing the Party or Parties being duly intitled to diſpoſe of the ſame, of whom he or ſhe bought or received the ſame, nor giving a ſatisfactory Account how he or ſhe came by the ſame; or of a Miſdemeanor in having, carrying, or conveying, of the ſaid Materials ſuſpected to be purloined or embezzled, and not producing the Party or Parties being duly intitled to diſpoſe of the ſame, of whom he or ſhe bought or received the ſame, nor any credible Witneſs to teſtify upon Oath, or (being of the People called *Quakers*) upon ſolemn Affirmation, the Sale or Delivery thereof, nor giving a ſatisfactory Account how he or ſhe came by the ſame (as the Caſe ſhall be), ſhall, for every ſuch Miſdemeanor, forfeit, for the firſt Offence, the Sum of twenty Pounds; and for the ſecond Offence, the Sum of thirty Pounds; and for every ſubſequent Offence, the Sum of forty Pounds: All which ſaid reſpective Forfeitures ſhall and may be levied by Diſtreſs and Sale of the Goods and Chattels of every ſuch Offender (rendering to him or her the Overplus, after Charges of the ſaid Diſtreſs and Sale deducted), by Warrant under the Hands and Seals of the Juſtices before whom ſuch Offender ſhall be deemed and adjudged guilty; of which Forfeiture, one Moiety ſhall be paid to the Informer, and the other Moiety thereof to and amongſt the Poor of the Pariſh, Town, or

Penalty on Perſons having in their Poſſeſſion Materials ſuſpected to be purloined, &c.

Forfeitures may be levied by Diſtreſs.

On Failure of Diſtreſs, Offender to be committed.

Place, where ſuch Conviction ſhall be, or to ſuch public Charity or Charities as the Juſtices convicting ſhall appoint; and if no ſufficient Diſtreſs ſhall be found whereon to levy the ſaid reſpective Forfeitures, then the ſaid Juſtices ſhall and may commit every ſuch Offender, ſo reſpectively deemed and adjudged guilty as aforeſaid, to the Common Gaol, or other Priſon, or Houſe of Correction, within his or their Juriſdiction, without Bail or Mainprize, for the Space of one Month, for the firſt Offence; and for the ſecond Offence, for the Space of two Months; and for every ſubſequent Offence, for the Space of ſix Months.

Owners of Materials delivered to Journeymen, &c. to be worked up, may, at all ſeaſonable Hours, enter their Shops or Outhouſes, to inſpect their Materials. Penalty on Refuſal of Entrance, &c.

'XV. And whereas it ſometimes happens, by Occaſion of the very long Detention of ſuch Materials 'as aforeſaid, delivered out to Journeymen or other Perſons employed to work up the ſame, it cannot be 'known to the Maſter or Owners of ſuch Materials, whether the ſame may have been purloined or em- 'bezzled, or whether the ſaid Materials are wholly or in Part wrought or begun to be wrought, or in 'what State or Condition ſuch Materials may be: For Remedy whereof,' be it further enacted, That, from and after the ſaid firſt Day of *July*, one thouſand ſeven hundred and ſeventy-ſeven, it ſhall be lawful for the Owner or Owners of any ſuch Materials, from Time to Time, as Occaſion ſhall require, to demand Entrance, and enter, at all ſeaſonable Hours in the Day-time, into the Shops or Outhouſes of any Perſon or Perſons employed by him or them to work up any of the ſaid Materials, or other Place or Places where the Work ſhall be carried on, and there to inſpect the State and Condition of ſuch Materials; and in caſe of Refuſal, by any ſuch Perſon or Perſons ſo employed, to permit ſuch Entrance or Inſpection, he, ſhe, or they ſo refuſing, ſhall forfeit and pay ſuch Sum of Money, not exceeding forty Shillings, nor leſs than ten Shillings, as the Juſtices, before whom he, ſhe, or they ſhall be convicted, ſhall think proper, to be recovered and applied in the ſame Manner as is by this Act directed for the Miſdemeanor of being in the Poſſeſſion of any ſuch Materials, without being able to account ſatisfactorily for ſuch Poſſeſſion.

All Penalties in the Act 22 Geo. II. and in this Act, relating to the ſaid Materials, ſhall be applicable to the Tools, &c. with which any Perſon is entruſted for manufacturing the ſame.

'XVI. And whereas the ſaid recited Act, of the twenty-ſecond Year of the Reign of his late Majeſty 'King *George* the Second, contains no Proviſion for the Protection and Recovery of the Tools and Im- 'plements with which any Perſon or Perſons employed in preparing, working up, or manufacturing, 'ſuch Materials as aforeſaid, ſhall be entruſted for that Purpoſe; nor any Proviſion in reſpect to the Drugs 'and Ingredients uſed in dying, preparing, or manufacturing, ſuch of the ſaid Materials as are uſually 'dyed, prepared, or manufactured;' be it therefore enacted, That, from and after the ſaid firſt Day of *July*, one thouſand ſeven hundred and ſeventy-ſeven, every Penalty or Puniſhment directed by, or other Proviſion contained in, the ſaid recited Act, in reſpect to the ſaid Materials, ſo far as the ſaid recited Act is not varied by this Act, and all the Proviſions in this Act contained in reſpect to the ſaid Materials, ſhall extend and be applicable to any Tool or Tools, and Implement or Implements, with which any Perſon or Perſons ſhall be entruſted for making, working up, or manufacturing, the ſaid Materials, and alſo to any Drug or Drugs, Ingredient or Ingredients, with which any Perſon or Perſons ſhall be entruſted, for the Purpoſe of dying, preparing, or manufacturing, ſuch of the aforeſaid Materials as are uſually dyed, prepared, or manufactured, in the ſame Manner as if the ſaid Tools and Implements, Drugs and Ingredients, were particularly mentioned, both in the ſaid recited Act and in the preceding Proviſions of this Act.

If any Journeyman Dyer, &c. ſhall, without the Conſent of his Employer, dye any Woollen, Linen, &c.

'XVII. And whereas Journeymen Dyers, Servants, and Apprentices, frequently abuſe the Truſt re- 'poſed in them, by dying Goods for their own Profit, without the Conſent of their Maſters;' be it therefore enacted, That, from and after the ſaid firſt Day of *July*, one thouſand ſeven hundred and ſeventy-ſeven, if any Perſon hired, retained, or employed as a Journeyman Dyer, or as a Servant or Apprentice, in the dying of any Felt or Hat, or any Woollen, Linen, Fuſtian, Cotton, Leather, Fur, Flax, Mohair, or Silk Materials, whether the ſame ſhall be wrought or unwrought, or ſhall be mixed or unmixed with other of the ſaid Materials, ſhall, without the Conſent of the Maſter, Perſon or Perſons by whom ſuch Journeyman, Servant, or Apprentice, ſhall be hired, retained, or employed, wilfully dye any of the ſaid Materials, whether wrought or unwrought, or mixed or unmixed with other of the ſaid Materials, or without ſuch Conſent ſhall wilfully receive any ſuch Materials as aforeſaid, for the Purpoſe of dying the ſame, whether the ſame ſhall be dyed or prepared for dying, he or ſhe ſo guilty of either of the ſaid Offences ſhall, for the firſt Offence, forfeit the Sum of ten Shillings; and for the ſecond Offence, the Sum of twenty Shillings; and for every ſubſequent Offence, the Sum of forty Shillings; or if any Perſon ſhall procure any ſuch Materials as aforeſaid, to be dyed by any Perſon ſo hired, retained, or employed as a Journeyman, Servant, or Apprentice, without the Conſent of his or her Maſter or Employer, or ſhall offer any ſuch Materials to any ſuch Journeyman, Servant, or Apprentice, for the Purpoſe aforeſaid, he or ſhe ſo offending, being thereof lawfully convicted, by the Oath, or (being of the People called *Quakers*) Affirmation, of one or more credible Witneſs or Witneſſes, before two or more Juſtices of the Peace for the County, Riding, Diviſion, City, Liberty, Town, or Place, where the Offence ſhall be committed, ſhall, for the firſt Offence, forfeit the Sum of five Shillings; and for the ſecond Offence, the Sum of twenty Shillings; and for every ſubſequent Offence, the Sum of four Pounds; and each of the ſaid Penalties ſhall be paid to the Informer or Informers; and in caſe of Non-payment on Conviction, the Perſon ſo convicted ſhall be committed, by the Juſtices before whom the Conviction ſhall be, to the common Gaol or Houſe of Correction, to remain for any Time not exceeding one Month, as ſuch Juſtices ſhall order and direct.

He ſhall forfeit, for the firſt Offence, 10s. &c.; or if any Perſon ſhall procure any ſuch Materials to be ſo dyed,

He ſhall forfeit, for the firſt Offence, 5s. &c.

Inhabitants of any Pariſh wherein any of the aforeſaid Offences ſhall be committed, to be deemed competent Witneſſes.

XVIII. Provided always, and be it further enacted, That any Inhabitant of any Pariſh, Townſhip, or Place, in which any Offence ſhall be committed contrary to the Act of the twelfth Year of the Reign of his late Majeſty King *George* the Firſt, or contrary to the Act of the twenty-ſecond Year of his late Majeſty King *George* the Second, or contrary to this Act, ſhall be deemed a competent Witneſs, notwithſtanding his or her being an Inhabitant of ſuch Pariſh, Townſhip, or Place.

XIX. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for any one Juſtice of the Peace of any County, Riding, Diviſion, City, Liberty, Town, or Place, and he

is

is hereby required, upon Complaint to him made upon Oath, or (if the Perſon complaining be of the People called *Quakers*) ſolemn Affirmation, of any Offence committed againſt this Act, within the ſame County, Riding, Diviſion, City, Liberty, Town, or Place, to iſſue his Warrant for apprehending, and bringing before any two or more Juſtices of the Peace of the ſame County, Riding, Diviſion, City, Liberty, Town, or Place, the Perſon or Perſons charged with ſuch Offence; and the Juſtices before whom ſuch Perſon or Perſons ſhall be brought, are hereby authoriſed and required to hear and determine the Matter of ſuch Complaint, and to proceed to Judgment and Conviction thereupon.

Juſtice of Peace, on Complaint to him made upon Oath of any Offence againſt this Act, may iſſue his Warrant for apprehending the Offender.

'XX. And whereas the ſaid Act, of the twenty-ſecond Year of the Reign of his late Majeſty King 'George the Second, only gives an Appeal from an Order of any Juſtice or Juſtices of the Peace to the 'General or General Quarter Seſſions of the Peace, where an Order is made by any Juſtice or Juſtices of 'the Peace, in the Caſe of the Buyer or Receiver of ſuch purloined or embezzled Materials as aforeſaid, 'and in reſpect to the Sale or Diſpoſal of ſuch Materials found on ſearching by Warrant, after any Con'viction for purloining or embezzling, or for receiving or buying ſuch purloined or embezzled Materials: 'And whereas it is thought more proper to give a Right of appealing in the Caſe of other Orders of any 'Juſtice or Juſtices of the Peace, to be made by Force of an Act, made in the twelfth Year of the Reign 'of his late Majeſty King *George* the Firſt (intituled, *An Act to prevent unlawful Combinations of Workmen 'employed in the Woollen Manufactures, and for better Payment of their Wages)*, and of the ſaid Act, and 'alſo in the Caſe of all Orders to be made by any Juſtices of the Peace under this Act;' be it therefore further enacted, That if any Perſon ſhall think himſelf or herſelf aggrieved by the Order or Judgment of any two Juſtices before whom he or ſhe ſhall have been convicted of any of the Offences in the ſaid Acts of the twelfth Year of the Reign of King *George* the Firſt, and the twenty-ſecond Year of the Reign of King *George* the Second, or in this Act, ſuch Perſon may appeal, and the ſaid Juſtices are hereby required to make known to ſuch Perſon, at the Time of ſuch Conviction, his or her Right to appeal, to the next General or General Quarter Seſſions of the Peace to be holden for the County, Riding, Diviſion, City, Liberty, Town, or Place, where ſuch Conviction ſhall have been made (ſuch Perſon, at the Time of ſuch Conviction, giving to ſuch Juſtices Notice in Writing of his or her Intention to appeal, and alſo entering into a Recognizance, at the Time of ſuch Notice, with ſufficient Sureties, conditioned to try ſuch Appeal, and to abide the Judgment of, and pay ſuch Coſts as ſhall be awarded by, the Juſtices at ſuch Seſſions); but if the Perſon giving ſuch Notice of Appeal ſhall not, at the Time of giving ſuch Notice, enter into ſuch Recognizance as aforeſaid, then the Juſtices, to whom ſuch Notice of Appeal ſhall have been given, ſhall and may commit ſuch Perſon or Perſons to the Houſe of Correction, or other public Priſon, of ſuch County, Riding, Diviſion, City, Liberty, Town, or Place, there to remain until the ſaid next General or General Quarter Seſſions of the Peace to be holden in and for ſuch Place, unleſs ſuch Recognizance ſhall be ſooner entered into; and the ſaid Juſtices before whom ſuch Conviction ſhall have been made, or any other two or more Juſtices of the ſame County, Riding, Diviſion, City, Liberty, Town, or Place, are hereby impowered and required to take, and the Juſtices at ſuch Seſſions are hereby authoriſed and required, upon due Proof made of ſuch Notice of Appeal, either by the Acknowledgment of the Juſtices to whom the ſame ſhall have been given, or otherwiſe, to hear and determine the Matter of the ſaid Appeal, and to award ſuch Coſts as to them ſhall appear juſt and reaſonable, to be paid by either Party: And if, upon the Hearing of ſuch Appeal, the Judgment of the Juſtices before whom the Appellant ſhall have been convicted ſhall be affirmed, ſuch Appellant ſhall, within forty-eight Hours next after the ſame ſhall be ſo affirmed, ſuffer ſuch corporal Puniſhment as ſhall have been directed to be inflicted upon him or her for the Offence whereof he or ſhe ſhall have been convicted, or ſhall immediately pay the Sum which he or ſhe ſhall have been adjudged to forfeit, together with ſuch Coſts as the Juſtices in the ſaid Seſſions ſhall award to be paid by him or her, for defraying the Expences ſuſtained by the Defendant or Defendants in ſuch Appeal; or, in Default of making ſuch Payment, ſhall be committed to the common Gaol, or Houſe of Correction, in the ſame Manner, and for the ſame Time, to be computed from the Affirmance of ſuch Conviction, as ſhall be directed by the original Judgment of Conviction, unleſs the Perſon or Perſons ſo convicted ſhall have been impriſoned under the original Conviction, in which Caſe the Time for which ſuch Perſon or Perſons ſhall have been ſo confined ſhall be included in the Order of Confirmation.

Preamble.

Perſons aggrieved by the Order of any two Juſtices, &c. may appeal to the Quarter Seſſions;

giving Notice to ſuch Juſtices of their Intention to appeal, and entering into Recognizance, &c.

How the Delinquent ſhall be puniſhed, in caſe the Seſſions confirm his Conviction.

'XXI. And whereas an Act, paſſed in the twenty-third Year of the Reign of his late Majeſty King 'George the Second (intituled, *An Act for the more effectually puniſhing of Perſons convicted of ſeducing Ar'tificers in the Manufactures of* Great Britain *or* Ireland, *out of the Dominions of the Crown of* Great Britain; 'and *to prevent the Exportation of Utenſils made uſe of in the Woollen and Silk Manufactures, from* Great 'Britain *or* Ireland *into Foreign Parts; and for the more eaſy and ſpeedy Determination of Appeals, allowed 'in certain Caſes by an Act made in the laſt Seſſion of Parliament, relating to Perſons employed in the ſeveral 'Manufactures therein mentioned)*, preſcribes a Form for Conviction of the ſeveral Offences mentioned in 'the ſaid recited Act of the twenty-ſecond of *George* the Second; but ſuch Form is not adapted to the 'ſaid laſt-mentioned Act, as altered by this Act; and it may be uſeful to have one general Form for the 'ſaid recited Act of the twenty-ſecond of *George* the Second, and this Act;' be it therefore further enacted, That in reſpect to all Offences which from and after the ſaid firſt Day of *July*, one thouſand ſeven hundred and ſeventy-ſeven, ſhall be committed againſt the ſaid recited Act of the twenty-ſecond of *George* the Second, ſo much of the ſaid Act of the twenty-third of *George* the Second, as preſcribes a Form of Conviction for Offences againſt the ſaid Act of the twenty-ſecond of *George* the Second, ſhall be repealed; and that, from and after the ſaid firſt Day of *July*, one thouſand ſeven hundred and ſeventy-ſeven, the Juſtices before whom any Offender ſhall be convicted of any Offence, either againſt the ſaid Act of the twenty-ſecond of *George* the Second, or varied by this Act, or againſt this Act, ſhall cauſe the Conviction to be certified to the next General or General Quarter Seſſion of the Peace to be held in and for the County, Riding, Diviſion, City, Liberty, Town, or Place, where ſuch Conviction was made, to be filed with

Part of an Act of 23 Geo. II. repealed.

How Juſtices to proceed for Conviction of Offenders againſt the ſaid Act of 22 Geo. II. or this Act.

with the Records of ſuch Seſſions; and ſuch Conviction ſhall and may be drawn up and written on Parchment, and certified in the following Form of Words, as far as the Name of the Perſon and the Nature of the Caſe will admit of; (that is to ſay)

Form of Conviction,

*Middleſex* (or any other Place, as the Caſe ſhall be) *to wit.* { 'BE it remembered, That on the Day of in the Year of our Lord *A. B.* was convicted before us of his Majeſty's Juſtices of the Peace in and for the ſaid County of *or*, for the Riding of the ſaid County of *or*, for the City, Liberty, Town, or Place, aforeſaid, in the ſaid County *(as the Caſe ſhall be)* of [*Here ſpecify the Offence, and when and where the ſame was committed*].

'Given under our Hands and Seals, the Day and Year firſt above written.'

Proceedings not to be quaſhed for want of Form, nor removed by Certiorari,

XXII. Provided always, and be it further enacted, That no Order made touching or concerning any of the Matters in this Act contained, or any Proceedings to be had touching the Conviction of any Offender or Offenders againſt the ſaid Act of the twenty-ſecond of *George* the Second, or this Act, ſhall be quaſhed for want of Form, or be removed or removeable by *Certiorari*, into his Majeſty's Court of King's Bench; and the Juſtices before whom ſuch Convictions ſhall be had, ſhall cauſe the ſame, drawn up in the Form aforeſaid, to be fairly written upon Parchment, and tranſmitted to the next General or General Quarter Seſſions of the Peace to be held for the County, Riding, Diviſion, City, Liberty, Town, or Place, wherein ſuch Conviction was had, to be filed and kept amongſt the Records of the ſaid General or General Quarter Seſſions; and in caſe the Perſon or Perſons ſo convicted ſhall appeal from the Judgment of the ſaid Juſtices to the ſaid General or General Quarter Seſſions, the Juſtices on ſuch General or General Quarter Seſſions are hereby required, upon receiving the ſaid Conviction drawn up in the Form aforeſaid, to proceed to the Hearing and Determination of the Matter of the ſaid Appeal, according to the Direction of the ſaid Act, any Law or Uſage to the contrary notwithſtanding.

This Act not to repeal any former Law except as is herein particularly expreſſed;

XXIII. Provided alſo, and be it further enacted, That nothing herein contained ſhall extend, or be conſtrued to extend, to repeal any former Law or Laws now in being, for the Puniſhment of any of the Offences herein above ſpecified, except ſo far as is particularly expreſſed by this Act; and no Offender who ſhall have been proceeded againſt, upon or by virtue of this Act, for any of the Offences herein ſpecified, ſhall for the ſame Offence be afterwards proceeded againſt upon or by virtue of any ſuch former Law or Laws.

nor to extend to any Offence committed againſt the Act 22 Geo. II. before July 1, 1777.

XXIV. Provided alſo, and be it further enacted, That nothing contained in this Act ſhall extend to, or affect, any Perſon or Perſons for any Offence committed or to be committed againſt the ſaid recited Act of the twenty-ſecond Year of the Reign of his late Majeſty King *George* the Second, before the ſaid firſt Day of *July*, one thouſand ſeven hundred and ſeventy-ſeven; but all and every ſuch Offender and Offenders ſhall and may be proſecuted and puniſhed in the ſame Manner as if this Act had not been made.

Limitation of Actions.

XXV. And be it further enacted, That if any Suit or Action ſhall be commenced or proſecuted againſt any Perſon or Perſons, for any Thing done or to be done in purſuance of this Act, every ſuch Suit or Action ſhall be ſeverally brought, laid, and tried, in the County or Place where the Fact was committed, and not elſewhere; and the Defendant or Defendants in every ſuch Action or Suit ſhall and may plead the General Iſſue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the ſame was done in purſuance of and by the Authority of this Act: And if it ſhall appear to be ſo done, or if any ſuch Suit or Action ſhall be brought in any other County or Place than where the Fact was committed, then the Jury ſhall find for the Defendant or Defendants; and upon ſuch Verdict, or if the Plaintiff or Plaintiffs ſhall become nonſuit, or diſcontinue his, her, or their Action after the Defendant or Defendants ſhall have appeared, or if, upon Demurrer, Judgment ſhall be given againſt the Plaintiff or Plaintiffs, the Defendant or Defendants ſhall and may recover Treble Coſts, and have the like Remedy for the ſame as any Defendant or Defendants hath or have for Coſts in other Caſes at Law.

General Iſſue.

Treble Coſts.

## CAP. LVII.

### An Act for more effectually ſecuring the Property of Prints to Inventors and Engravers, by enabling them to ſue for and recover Penalties in certain Caſes.

Preamble.

Recital of Acts 8 Geo. II.

and 7 Geo. III.

'WHEREAS an Act of Parliament paſſed in the eighth Year of the Reign of his late Majeſty King *George* the Second, intituled, *An Act for the Encouragement of the Arts of deſigning, engraving, and etching Hiſtorical and other Prints, by veſting the Properties thereof in the Inventors and Engravers, during the Time therein mentioned:* And whereas by an Act of Parliament, paſſed in the ſeventh Year of the Reign of his preſent Majeſty, *for amending and rendering more effectual* the aforeſaid Act, and for other Purpoſes therein mentioned, it was (among other Things) enacted, That, from and after the firſt Day of *January*, one thouſand ſeven hundred and ſixty-ſeven, all and every Perſon or Perſons who ſhould engrave, etch, or work in Mezzotinto or Chiaro Oſcuro, or cauſe to be engraved, etched, or worked, any Print taken from any Picture, Drawing, Model, or Sculpture, either ancient or modern, ſhould have, and were thereby declared to have, the Benefit and Protection of the ſaid former Act, and that Act, for the Term therein-after mentioned, in like Manner as if ſuch Print had been graved or drawn from the Original Deſign of ſuch Graver, Etcher, or Draughtſman: And whereas the ſaid Acts have not effectually anſwered the Purpoſes for which they were intended, and it is neceſſary, for the Encouragement of Artiſts, and for ſecuring to them the Property of and in their Works, and for the Advancement and Improvement of the aforeſaid Arts, that ſuch further Proviſions ſhould be made as

'are

'are herein-after mentioned and contained;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That, from and after the twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-ſeven, if any Engraver, Etcher, Printſeller, or other Perſon, ſhall, within the Time limited by the aforeſaid Acts, or either of them, engrave, etch, or work, or cauſe or procure to be engraved, etched, or worked, in Mezzotinto or Chiaro Oſcuro, or otherwiſe, or in any other Manner copy in the Whole, or in Part, by varying, adding to, or diminiſhing from, the main Deſign, or ſhall print, reprint, or import for Sale, or cauſe or procure to be printed, reprinted, or imported for Sale, or ſhall publiſh, ſell, or otherwiſe diſpoſe of, or cauſe or procure to be publiſhed, ſold, or otherwiſe diſpoſed of, any Copy or Copies of any Hiſtorical Print or Prints, or any Print or Prints of any Portrait, Converſation, Landſcape, or Architecture, Map, Chart, or Plan, or any other Print or Prints whatſoever, which hath or have been, or ſhall be, engraved, etched, drawn, or deſigned, in any Part of *Great Britain*, without the expreſs Conſent of the Proprietor or Proprietors thereof, firſt had and obtained in Writing, ſigned by him, her, or them reſpectively, with his, her, or their own Hand or Hands, in the Preſence of, and atteſted by, two or more credible Witneſſes, then every ſuch Proprietor or Proprietors ſhall and may, by and in a ſpecial Action upon the Caſe, to be brought againſt the Perſon or Perſons ſo offending, recover ſuch Damages as a Jury on the Trial of ſuch Action, or on the Execution of a Writ of Inquiry thereon, ſhall give or aſſeſs, together with Double Coſts of Suit.

After June 24, 1777, if any Engraver, &c. ſhall, within the Time limited by the aforeſaid Acts, engrave or etch, &c. any Print, without the Conſent of the Proprietor, he ſhall be liable to Damages, and Double Coſts.

## CAP. LVIII.

An Act for enlarging the public Gaol of the County of *Warwick*, and for other Purpoſes therein mentioned.

" Preamble; reciting an Agreement between *Arthur Gregory* and *Samuel Aylworth*, Eſquires, two Juſtices " for the County of *Warwick*, and *Hannah Batteſſon*, for the Purchaſe of a Tenement, *&c.* The ſaid " Tenement, *&c.* is veſted in the ſaid *Arthur Gregory* and *Samuel Aylworth*, in Truſt, for the Purpoſe of " enlarging the public Gaol, *&c.* Quarter Seſſions may cauſe Part of the Houſe of Correction to be laid " into the public Gaol, *&c.* Such Part of the ſaid Meſſuage, *&c.* as ſhall be laid to the Gaol or Houſe " of Correction, ſhall be deemed Part of them reſpectively. A proper Place for depoſiting the Rolls and " public Records of the County, to be provided. All Expences attending this Act to be paid out of the " public Stock of the County. Public Act."

## CAP. LIX.

An Act to repeal an Act, made in the twelfth Year of the Reign of King *Charles* the Second, intituled, *The Maſter of the Rolls impowered to make Leaſes for Years, in order to new-build the old Houſes belonging to the Rolls*; and for the better regulating the Method of granting Leaſes of the ſaid Rolls Eſtate for the future; and for making Compenſation to the Earl of *Macclesfield*, and Sir *Thomas Sewell*, for their beneficial Rights and Intereſts in certain Leaſes made of the Rolls Eſtate; and for regulating the Method of making Leaſes of the ſaid Eſtate for the future.

Preamble. Act 12 Car. II. recited.

'WHEREAS by an Act of Parliament, made in the twelfth Year of the Reign of King *Charles* the Second, intituled, *An Act impowering the Maſter of the Rolls, for the Time being, to make Leaſes for Years, in order to new-build the old Houſes belonging to the Rolls*; after thereby impowering the Maſter of the Rolls for the Time being, and his Succeſſors Maſters of the Rolls, to grant Building-leaſes for one-and-forty Years, or for any leſſer Term, of the ſaid Rolls Houſes and Premiſes, or any Part thereof (the Chapel of the Rolls, with a convenient Manſion-houſe, Court-yard, Garden, Stable, Coach-houſe, and other Out-houſes and Buildings, fit for the Uſe and Habitation of the Maſter of the Rolls, only excepted), it is provided, That the Maſter of the Rolls for the Time being, or any ſucceeding Maſter of the Rolls, after the Premiſes ſhould have been once letten according to the Power given as aforeſaid, ſhould not make or grant any new or concurrent Leaſes until within ſeven Years of the Expiration of the Leaſe then in being, nor for any leſſer Rent than was reſerved upon the former Leaſe, nor for any longer Term than for the Term of twenty-one Years from the making ſuch new Leaſe: And whereas, ſince the new-building of the ſaid Houſes and Premiſes, under Leaſes granted by the Maſters of the Rolls for the Time being, by virtue of and under the Power given them by the ſaid Act for that Purpoſe, the ſaid Houſes and Premiſes (except the ſaid Chapel of the Rolls, and other the ſaid excepted Premiſes) have, from Time to Time, been letten and demiſed by the Maſters of the Rolls for the Time being, by Leaſes by them reſpectively granted thereof for the Term of twenty-one Years, at and under larger yearly Rents than were reſerved by the ſaid former Leaſes; all which ſaid yearly Rents have been and are reſerved and made payable to the Maſter of the Rolls granting ſuch Leaſes, and his Succeſſors; and ſuch yearly Rents have for many Years laſt paſt amounted, and do now amount, only to the yearly Sum of one hundred and thirty-five Pounds, but the improved Rents of the ſaid Houſes do now amount to the yearly Sum of one thouſand nine hundred and ſeventy-ſeven Pounds; the beneficial Right and Intereſt in and to which ſaid improved Rents belong to the Maſter of the Rolls granting ſuch original Leaſes, his Executors, Adminiſtrators, and Aſſigns, as his private Property, ſubject to, and after a Deduction only of the ſaid ſmall yearly Rents: And whereas, by means and in conſequence of the Exerciſe of ſuch the Right of granting and renewing the Leaſes of the ſaid Houſes and Premiſes

'at

Sir Thomas Sewell, Maſter of the Rolls, is intitled to certain beneficial Rights in ſeveral Leaſes granted by him, &c.

and the Earl of Macclesfield to the improved Rents of certain Houſes,

The ſaid Earl of Macclesfield and Sir Thomas Sewell are willing to accept an Equivalent for their reſpective beneficial Rights, &c.

'at ſuch ſmall Rents as aforeſaid by the Maſter of the Rolls for the Time being, the ſucceeding Maſter 'or Maſters of the Rolls is or are deprived of the Benefit of the improved Rents of the Premiſes, which, 'after the Death of the Maſter of the Rolls by whom ſuch Leaſes were granted, accrue and belong to his 'Family, and the Income intended for the Support of the Office of the Maſter of the Rolls is rendered in 'a great Meaſure precarious and uncertain: And whereas Sir *Thomas Sewell*, the preſent Maſter of the 'Rolls, is now poſſeſſed or intitled to himſelf, his Executors, Adminiſtrators, and Aſſigns, of or to the 'beneficial Right and Intereſt of and in ſeveral Leaſes by him made and granted of the ſaid Houſes and 'Premiſes, by virtue of and according to the Power veſted in him by the ſaid Act of the twelfth Year of 'King *Charles* the Second, and the improved Rents thereof for the Term of twenty-one Years from the 'making of ſuch Leaſes, on the ſixth Day of *January*, one thouſand ſeven hundred and ſeventy-ſeven; 'and alſo of and in ſuch other Leaſes of the ſaid Houſes and Premiſes, or any Part thereof, as he may at 'any Time or Times hereafter, ſo long as he ſhall continue Maſter of the Rolls, make or grant thereof, 'according to the ſaid Power, ſubject to the Right and Intereſt of the Right Honourable *Thomas* Earl of '*Macclesfield* therein, who, as Reſiduary Legatee of Sir *Thomas Clarke* deceaſed, late Maſter of the Rolls, 'is intitled, under Leaſes granted of the ſaid Houſes and Premiſes reſpectively by the ſaid late Maſter of 'the Rolls, to the improved Rents of ſome of the ſaid Houſes and Premiſes, amounting together to the 'yearly Sum of one thouſand four hundred and fifty-ſix Pounds, Part of the ſaid yearly Sum of one thou-'ſand nine hundred and ſeventy-ſeven Pounds, down to the fifth Day of *January*, which will be in the 'Year of our Lord one thouſand ſeven hundred and eighty-three, ſubject to and after a Deduction and 'Payment of the ſmall Rents reſerved on the Leaſes of thoſe Houſes reſpectively, amounting together to 'the yearly Sum of ninety Pounds, Part of the ſaid yearly Sum of one hundred and thirty-five Pounds; 'and is alſo intitled to the improved Rents of ſome other of the ſaid Houſes and Premiſes, amounting to-'gether to the yearly Sum of four hundred and ſeventy-ſix Pounds, other Part of the ſaid yearly Sum of 'one thouſand nine hundred and ſeventy-ſeven Pounds, down to the twentieth Day of *September*, which 'will be in the Year of our Lord one thouſand ſeven hundred and eighty-five, ſubject to and after a De-'duction and Payment of the ſmall Rents reſerved on the Leaſes of thoſe Houſes reſpectively, amounting 'together to the yearly Sum of forty-two Pounds, other Part of the ſaid yearly Sum of one hundred and 'thirty-five Pounds; but as to one other of the ſaid Houſes, the ſmall Rent whereof is the yearly Sum of 'three Pounds, Reſidue of the ſaid yearly Sum of one hundred and thirty-five Pounds, and the improved 'Rent whereof is the yearly Sum of forty-five Pounds, Reſidue of the ſaid yearly Sum of one thouſand 'nine hundred and ſeventy-ſeven Pounds, ſubject to a Deduction and Payment of the ſaid ſmall yearly 'Rent of three Pounds, the ſaid Earl of *Macclesfield* has already parted with, and ſold his Right and In-'tereſt therein, in order that that Houſe might be (as it has ever ſince been, and now is) made uſe of by 'the Clerk of the Rolls Chapel, during the Time the ſaid Earl of *Macclesfield*'s Right and Intereſt therein 'would have continued; (that is to ſay) down to the ſaid fifth Day of *January*, one thouſand ſeven hun-'dred and eighty-three, for the Purpoſe of copying therein the Records depoſited in the ſaid Rolls Chapel: 'And whereas it is inconvenient, and highly improper, that the Maſter of the Rolls for the Time being 'ſhould not, at the Time he holds and exerciſes the ſaid Office, receive and enjoy ſo conſiderable a Part 'of the Income of the ſaid Office, towards the Support of the Rank and Dignity thereof; and it has 'therefore been propoſed to give to the ſaid Earl of *Macclesfield*, and to the ſaid Sir *Thomas Sewell* reſpec-'tively, an Equivalent for ſuch their ſeveral and reſpective beneficial Rights and Intereſts as aforeſaid, 'under the ſaid ſeveral Leaſes granted by the ſaid Maſter of the Rolls now ſubſiſting, and that the ſaid 'Maſter of the Rolls ſhall relinquiſh and give up all Right and Power of granting any more ſuch Leaſes 'for the future, by virtue of and under the ſaid Act of the twelfth Year of King *Charles* the Second, in 'order that the Leaſes of the ſaid Houſes and Premiſes, and the Right and Power of granting the ſame 'for the future, may be properly regulated, ſo that the improved Rents of the ſaid Houſes and Premiſes 'may for the future, as they ſhall become due, be received and enjoyed by the preſent and ſucceſſive 'Maſters of the Rolls for the Time being, ſubject nevertheleſs to the Proviſions hereby made thereout, 'for the Repairs, Maintenance, and Support of the ſaid Houſes and Premiſes (except as aforeſaid), and 'for other the Purpoſes herein-after mentioned; and the ſaid Earl of *Macclesfield* and the ſaid Sir *Thomas* '*Sewell*, reſpectively, are ready and willing to accept of an Equivalent for ſuch their ſeveral and reſpec-'tive beneficial Rights and Intereſts as aforeſaid; and the ſaid Sir *Thomas Sewell* alſo to relinquiſh and 'give up all Right and Power of granting any Leaſes of the ſaid Houſes and Premiſes for the future, under 'and according to the ſaid Act of the twelfth Year of King *Charles* the Second: And whereas ſuch the 'beneficial Right and Intereſt of the ſaid Earl of *Macclesfield*, in the ſaid Houſes and Premiſes, appears, 'on and according to a fair and juſt Eſtimate and Valuation thereof, to be of the Value of eight thouſand 'four hundred forty-nine Pounds ſeven Shillings and Nine-pence Halfpenny, from the fifth Day of '*July*, one thouſand ſeven hundred and ſeventy-ſeven; and ſuch the beneficial Right and Intereſt of the 'ſaid Sir *Thomas Sewell*, in the ſaid Houſes and Premiſes as aforeſaid, under the ſaid ſeveral Leaſes granted 'by him and now ſubſiſting, and his preſent Right and Power of granting ſuch Leaſes down to and until 'the ſaid fifth Day of *July*, one thouſand ſeven hundred and ſeventy-ſeven, excluſive of any Right and 'Power of granting any future Leaſes, under and according to the ſaid Act of the twelfth Year of King '*Charles* the Second, ſubſequent to, or to take Effect from and after the ſaid fifth Day of *July*, one thou-'ſand ſeven hundred and ſeventy-ſeven, which Right and Power of granting ſuch future Leaſes he relin-'quiſhes and gives up, appears, on a fair and juſt Eſtimate and Valuation thereof, to be of the Value of 'twelve thouſand five hundred and eighty Pounds three Shillings and one Penny; the ſaid two Sums 'of eight thouſand four hundred forty-nine Pounds ſeven Shillings and Nine pence Halfpenny, and 'twelve thouſand five hundred and eighty Pounds three Shillings and one Penny, amounting together 'to the Sum of twenty-one thouſand and twenty-nine Pounds ten Shillings and Ten-pence Halfpenny: 'And whereas, by four ſeveral Acts of Parliament, paſſed in the twelfth Year of the Reign of his late 'Majeſty

'Majeſty King *George* the Second, and in the fourth, fifth, and ninth Years of the Reign of his preſent 'Majeſty, ſeveral Sums of Money, Part of the Money belonging to the Suitors of the High Court of 'Chancery, lying dead and unemployed in the Bank of *England*, have been placed out on Government 'or Parliamentary Securities, and ſpecific Parts of the Intereſt ariſing therefrom have been appropriated 'for augmenting the Income of Officers belonging to the ſaid Court: And whereas, by an Act paſſed in 'the fourteenth Year of the Reign of his preſent Majeſty, intituled, *An Act for rebuilding the Office of the 'Six Clerks of the King's Court of Chancery; and for erecting Offices for the Regiſter and Accountant-general 'of the ſaid Court, for the better preſerving the Records, Decrees, Orders, and Books of Account, kept in ſuch 'Offices*; it was enacted (among other Things), That out of the Securities purchaſed with the Surplus-'money, placed to the Account of Intereſt ariſing from Monies placed out in purſuance of the ſaid Act of 'the twelfth Year of his late Majeſty King *George* the Second, and out of the Intereſt produced and to 'be produced from ſuch Securities; and alſo out of the Securities purchaſed with the Surplus-money, 'placed to the Account of Intereſt ariſing from Monies placed out in purſuance of the ſaid Act of the fifth 'Year of the Reign of his preſent Majeſty, and out of the Intereſt produced and to be produced from ſuch 'Securities; and out of the Surplus-intereſt which ſhould ariſe or be produced from Securities purchaſed 'in purſuance of the ſaid ſeveral Acts of the twelfth Year of the Reign of his ſaid late Majeſty, and of the 'fourth, fifth, and ninth Years of the Reign of his preſent Majeſty; and out of the Intereſt which ſhould 'ariſe or be produced from Securities to be purchaſed in purſuance of the ſaid Act of the fourteenth Year 'of the Reign of his preſent Majeſty; ſuch Sum or Sums of Money as the Lord High Chancellor of '*Great Britain*, or the Lord Keeper, or the Lords Commiſſioners for the Cuſtody of the Great Seal of '*Great Britain*, for the Time being, ſhould, in his and their Diſcretion, deem neceſſary, ſhould be paid 'by virtue of any Order or Orders of the ſaid Court; and be applied, under the Direction of the ſaid 'Court, in the firſt place, in paying and defraying the Charges and Expences attending the paſſing and 'obtaining of that Act; and then in rebuilding the ſaid Office called *The Six Clerks Office*, with the Of-'fices belonging thereto, and in purchaſing Ground and Houſes for that Purpoſe, if any ſhould be deemed 'neceſſary by the ſaid Court; and in providing a proper Place for tranſacting the Buſineſs of the ſaid Six 'Clerks Office, during the Time ſuch Office ſhould be rebuilding; and the Sum of ten thouſand Pounds, 'in erecting proper and convenient Offices for the ſaid Regiſter and Accountant-general of the ſaid Court, 'ſeparate and detached from each other, and in purchaſing ſuch Ground and Houſes as ſhould be neceſ-'ſary for thoſe Purpoſes; and for preſerving the ancient Books of Entries of Decrees and Orders of the 'ſaid Court: And by an Act, paſſed in the fifteenth Year of his preſent Majeſty, intituled, *An Act for 'veſting Part of the Garden of the Society of* Lincoln's Inn, *in the County of* Middleſex, *in the Accountant-'general of the Court of Chancery, and his Succeſſors, for ever, for the Purpoſe of erecting thereon Offices for the 'Accountant-general, and for the Regiſter of the ſaid Court*; it was enacted, That the Charges and Expences 'attending the paſſing and obtaining that Act ſhould be paid and defrayed out of the ſame Funds, and in 'like Manner as the Charges and Expences attending the paſſing and obtaining the ſaid Act of the four-'teenth Year of the Reign of his preſent Majeſty, are thereby directed: And whereas, by one other Act, 'paſſed in the ſaid fifteenth Year of his preſent Majeſty, intituled, *An Act for applying the Funds provided 'for rebuilding the Offices of the Six Clerks of the King's Court of Chancery, by an Act made in the fourteenth 'Year of the Reign of his preſent Majeſty, intituled*, "An Act for rebuilding the Office of the Six Clerks "of the King's Court of Chancery; and for erecting Offices for the Regiſter and Accountant-general of "the ſaid Court, for the better preſerving the Records, Decrees, Orders, and Books of Account, kept "in ſuch Offices;" *in building Offices for the ſaid Six Clerks in the Garden of* Lincoln's Inn, *inſtead of re-'building the preſent Six Clerks Office in* Chancery-lane; *and for other Purpoſes*; it is enacted, That, out 'of the Securities purchaſed with the Surplus-money mentioned in the ſaid recited Act, and out of the 'Intereſt produced and to be produced from ſuch Securities, and out of Surplus-intereſt produced and to 'be produced from Securities purchaſed in purſuance of the ſeveral Acts in the ſaid Act of the fourteenth 'Year of his preſent Majeſty mentioned, and out of the Intereſt produced or to be produced from Secu-'rities purchaſed in purſuance of the ſaid Act, ſuch Sum and Sums of Money as the Lord High Chancel-'lor of *Great Britain*, or the Lord Keeper, or the Lords Commiſſioners for the Cuſtody of the Great Seal 'of *Great Britain* for the Time being, ſhould in his and their Diſcretion deem neceſſary, ſhould be paid 'by virtue of any Order or Orders of the ſaid Court, and be applied, under the Direction of the ſaid 'Court, in paying and defraying the Charges and Expences attending the paſſing and obtaining of that 'Act, and in purchaſing the ſaid Ground belonging to the Society of *Lincoln's Inn* therein mentioned and 'deſcribed, and in building thereon an Office for the ſaid Six Clerks, and the Offices thereto belonging, 'as well as in carrying into Execution the Purpoſes of the ſaid Act of the fourteenth Year of his preſent 'Majeſty, except ſo much thereof as relates to the rebuilding of the ſaid Six Clerks Office in the Place 'where the ſame now ſtands, and except ſo far as the ſaid Act of the fourteenth Year of his preſent Ma-'jeſty is thereby altered and varied: And whereas the Ground for building the Offices for the Six Clerks, 'and for the ſaid Regiſter, and for the Accountant-general of the ſaid Court of Chancery, has been pur-'chaſed, and the ſaid Offices for the Regiſter and the Accountant-general have been erected, and ſo far 'completed and finiſhed, that the Buſineſs of thoſe Offices now is and has for ſome Time been carried on 'and tranſacted therein, and great Progreſs has been alſo made in erecting and building the ſaid Office for 'the Six Clerks, and the Offices thereto belonging, and the ſame will alſo in a very ſhort Time be com-'pleted; and all the ſeveral Purpoſes of the ſaid three Acts of the fourteenth and fifteenth Years of his 'preſent Majeſty have been in a great Meaſure anſwered and ſatisfied by and out of the Funds provided 'for the ſame by thoſe Acts, and will in a very ſhort Time be fully anſwered and ſatisfied thereout, ex-'cept that the ſaid Sum of ten thouſand Pounds, mentioned in the ſaid Act of the fourteenth Year of his 'preſent Majeſty, has been found not to be fully ſufficient to anſwer and ſatisfy the Purpoſes intended 'thereby: And whereas the Surplus-intereſt ariſing from Monies placed out in purſuance of the ſaid Act

Act 14 Geo. III. recited.

Act 15 Geo. III. recited.

Another Act 15 Geo. III. recited.

'of the twelfth Year of his late Majeſty King *George* the Second, and the Surplus-intereſt ariſing from 'Monies placed out in purſuance of the ſaid Act of the fifth Year of his preſent Majeſty, and the Intereſt 'ariſing from Monies placed out in purſuance of the ſaid Act of the fourteenth Year of his preſent Majeſty, 'amount together to the Sum of two thouſand five hundred eighty-two Pounds, eighteen Shillings a Year, 'and is unappropriated, except only as to what ſtill remains to be raiſed and paid thereout to anſwer and 'ſatisfy the Purpoſes of the ſaid three ſeveral Acts of the fourteenth and fifteenth Years of his preſent Ma-'jeſty; and it is computed, that in caſe the ſaid two Sums of eight thouſand four hundred forty-nine 'Pounds ſeven Shillings and Nine-pence Halfpenny, and twelve thouſand five hundred eighty Pounds 'three Shillings and one Penny, amounting together to the Sum of twenty-one thouſand and twenty-'nine Pounds ten Shillings and Ten-pence Halfpenny, and the Money to be applied in paying and 'defraying the Charges and Expences of and attending the paſſing and obtaining of this Act, be bor-'rowed on a Mortgage of the ſaid Rolls Houſes, ſuch Mortgage may be diſcharged, by and out of the 'ſaid Funds of Intereſt and Surplus-intereſt, in the Space of ten Years, or thereabouts, beſides what 'may appear to be now ſtill further wanting to be paid thereout, for fully anſwering the ſeveral Purpoſes 'of the ſaid Act of the fourteenth, and two ſeveral Acts of the fifteenth Years of his preſent Majeſty: 'And whereas a very conſiderable Sum of Money, belonging to the Suitors of the ſaid Court of Chan-'cery, is now, and has been for many Years, lying dead and unemployed in the Bank of *England*;' be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That out of the Caſh belonging to the Suitors of the ſaid Court of Chancery, which now lies, or ſhall hereafter lie dead and unemployed in the Bank of *England*, there ſhall be paid, by virtue of an Order or Orders of the ſaid Court of Chancery to be made for that Purpoſe, ſuch Sum of Money as the Lord High Chancellor of *Great Britain*, or the Lord Keeper, or the Lords Commiſſioners for the Cuſtody of the Great Seal of *Great Britain*, for the Time being, ſhall, in his or their Diſcretion, deem neceſſary, and be applied, under the Direction of the ſaid Court, in paying and defraying the Charges and Expences of and attending the paſſing and obtaining of this Act; and that out of the ſaid Caſh, belonging to the Suitors of the ſaid Court of Chancery, which now lies, or ſhall hereafter lie dead and unemployed in the Bank of *England*, there ſhall be paid, by virtue of an Order or Orders of the ſaid Court of Chancery to be made for that Purpoſe, to the Right Honourable the ſaid Earl of *Macclesfield*, his Executors or Adminiſtrators, the Sum of eight thouſand four hundred forty-nine Pounds ſeven Shillings and Nine-pence Halfpenny, as an Equivalent, and in full Satisfaction of and for all his Right, Title, and Intereſt, in and to the ſaid Rolls Houſes and Premiſes, and the Rents and Profits thereof, from and ſubſequent to the fifth Day of *July*, one thouſand ſeven hundred and ſeventy-ſeven; and to the ſaid Sir *Thomas Sewell*, his Executors or Adminiſtrators, the Sum of twelve thouſand five hundred eighty Pounds three Shillings and one Penny, as an Equivalent, and in Satisfaction of and for all his Right, Title, and Intereſt, in and to the ſaid Rolls Houſes and Premiſes (except as aforeſaid), and the Rents and Profits thereof, under or by virtue of any Leaſe or Leaſes by him granted or made of the ſaid Houſes and Premiſes, or any of them, purſuant and according to the ſaid Act of the twelfth Year of King *Charles* the Second, except ſuch Proviſion as is hereby made for him and the ſucceeding Maſters of the Rolls, out of the improved Rents and Profits of the ſaid Houſes and Premiſes which ſhall accrue and become due from and ſubſequent to the ſaid fifth Day of *July*, one thouſand ſeven hundred and ſeventy-ſeven (except as to what may be due to him or them from the ſaid Earl of *Macclesfield*, his Executors, Adminiſtrators, or Aſſigns, or the Leſſees in ſuch Leaſes, their Executors, Adminiſtrators, or Aſſigns, for or any ways on account or in reſpect of the ſaid ſmall yearly Rents, amounting together to the ſaid yearly Sum of one hundred and thirty-five Pounds, upon, or previous to, the ſaid fifth Day of *July*, one thouſand ſeven hundred and ſeventy-ſeven); and upon Payment of the ſaid ſeveral Sums of eight thouſand four hundred and forty-nine Pounds ſeven Shillings and Nine-pence Halfpenny, and twelve thouſand five hundred eighty Pounds three Shillings and one Penny, to the ſaid Earl of *Macclesfield*, and the ſaid Sir *Thomas Sewell* reſpectively, all ſuch their, and each of their Right, Title, and Intereſt, of and in the ſaid Houſes and Premiſes, and the Rents and Profits thereof as aforeſaid (except as in and by this preſent Act is mentioned and provided) ſhall ceaſe and determine; and all Leaſes granted by the ſaid Sir *Thomas Sewell*, as Maſter of the Rolls, under or by virtue of the ſaid Act of the twelfth Year of King *Charles* the Second, and now ſubſiſting, ſhall from thenceforth be void and of no Effect, and the ſaid Act of the twelfth Year of King *Charles* the Second be repealed.

Out of the Caſh lying dead in the Bank, belonging to the Suitors in the Court of Chancery, there ſhall be paid, by Order of the ſaid Court, the Expences of obtaining this Act; alſo 8,449 l. 7 s. 9 d Halfpenny to the Earl of Macclesfield,

and 12,580 l. 3 s. 1 d. to Sir Thomas Sewell, in full Satisfaction of their reſpective Intereſts in the Rolls Houſes, &c. under the ſaid Act 12 Car. II.

Upon Payment of the Sums above mentioned, the Act 12 Car. II. to be repealed; and all Leaſes granted by virtue thereof to be void.

II. And it is hereby enacted, That the ſaid Act of the twelfth of King *Charles* the Second ſhall be and the ſame is hereby repealed accordingly.

The ſaid Sums to be paid to the Earl of Macclesfield and Sir Thomas Sewell, &c. are to be advanced as a Mortgage on the Rolls Houſes.

III. And it is hereby enacted and declared, That the ſaid Sum of eight thouſand four hundred forty-nine Pounds ſeven Shillings and Nine-pence Halfpenny, and twelve thouſand five hundred eighty Pounds three Shillings and one Penny, ſo directed to be paid to the ſaid Earl of *Macclesfield* and the ſaid Sir *Thomas Sewell*, as aforeſaid, reſpectively, amounting together to the ſaid Sum of twenty-one thouſand and twenty nine Pounds ten Shillings and Ten-pence Halfpenny, and alſo ſuch Sum or Sums as ſhall be paid out of the ſaid dead Caſh in the Bank, for and to be applied in paying and defraying the Charges and Expences of and attending the paſſing and obtaining this Act as aforeſaid, are to be conſidered as advanced and paid, and ſhall be ſo advanced and paid on the Security of, and be a Charge on, the ſaid Rolls Houſes and Premiſes (except as aforeſaid) by way of Mortgage, for the Repayment thereof; and the ſaid Houſes and Premiſes ſhall ſtand and be a Security for the Repayment thereof accordingly, until the ſame ſhall be raiſed and ſatisfied in Manner herein-after mentioned.

After the Purpoſes of the Acts 14 and 15 Geo. III. ſhall be ſatisfied, certain Surplus-intereſts

IV. And be it enacted by the Authority aforeſaid, That from and after the Time when the Lord High Chancellor of *Great Britain*, or the Lord Keeper, or the Lords Commiſſioners for the Cuſtody of the Great Seal of *Great Britain*, ſhall deem the Purpoſes of the ſaid Acts of the fourteenth and fifteenth Years of his preſent Majeſty to have been fully ſatisfied, the Surplus-intereſt ariſing, and which ſhall ariſe, from Monies

Monies placed out in purſuance of the ſaid Act of the twelfth Year of his late Majeſty King *George* the Second, and the Surplus-intereſt ariſing, and which ſhall ariſe, from Monies placed out in purſuance of the ſaid Act of the fifth Year of his preſent Majeſty, and the Intereſt ariſing and which ſhall ariſe from Monies placed out in purſuance of the ſaid Act of the fourteenth of his preſent Majeſty, ſhall and may, by an Order or Orders of the ſaid Court of Chancery to be made for that Purpoſe, be appropriated and applied in and to the raiſing and diſcharging of the ſaid Sums of eight thouſand four hundred forty-nine Pounds ſeven Shillings and Nine-pence Halfpenny, and twelve thouſand five hundred eighty Pounds three Shillings and one Penny, and of ſuch Sum or Sums of Money as ſhall be paid and applied in paying and defraying the Charges and Expences of and attending the paſſing and obtaining of this Act, as aforeſaid, until the ſame ſhall be fully raiſed, made up, and completed; and which, when ſo raiſed, made up, and completed, ſhall be conſidered to be, and ſhall be in full Redemption of the ſaid Rolls Houſes and Premiſes.

ſhall be applied to the diſcharging the Sums above mentioned.

V. Provided always, and be it further enacted and declared, That if at any Time hereafter the Whole, or any Part of the ſaid ſeveral Sums ſo to be paid as aforeſaid, out of the ſaid dead Caſh, ſhall be wanted to anſwer any of the Demands of the Suitors of the ſaid Court of Chancery before the ſame ſhall have been raiſed, made up, and completed, by and out of the ſaid Funds of Intereſt and Surplus-intereſt ſo appropriated, or to be appropriated, for that Purpoſe, as aforeſaid; then, and in ſuch Caſe, the ſaid Court of Chancery may and ſhall, in a ſummary Way, direct the ſame, or any Part thereof, to be raiſed out of the ſaid Rolls Houſes and Premiſes, or any Part thereof (except as aforeſaid), in ſuch Manner as the Court ſhall think proper, in order that the Suitors of the ſaid Court may, at all Times, be paid their reſpective Demands, out of the common and general Caſh belonging to ſuch Suitors.

How the Court of Chancery to proceed, in caſe any of the Sums to be paid out of the ſaid dead Caſh ſhould be wanted for the Suitors of that Court.

'VI. And whereas it is proper that ſome reaſonable Part of the Rents and Profits of the ſaid Rolls 'Houſes, as the ſame ſhall from Time to Time accrue and become due and payable, ſhould be appropri-'ated for or towards keeping in Repair, and properly ſupporting and rebuilding the ſaid Houſes and Pre-'miſes, or any of them, except and excluſive of the ſaid Chapel of the Rolls, and other the ſaid excepted 'Premiſes, as there may be Occaſion, and that a Receiver of the ſaid Rents and Profits ſhould be appointed 'for that Purpoſe;' be it therefore enacted by the Authority aforeſaid, That ſuch Perſon as the Lord High Chancellor of *Great Britain*, or the Lord Keeper, or the Commiſſioners for the Cuſtody of the Great Seal, ſhall from Time to Time approve of and appoint, ſhall be Receiver of the Rents and Profits of the ſaid Houſes and Premiſes (excluſive of and except as aforeſaid), with ſuch Salary to be paid to, or retained by him out of the ſaid Rents and Profits, as the ſaid Lord Chancellor of *Great Britain*, Lord Keeper, or Lords Commiſſioners of the Great Seal, ſhall direct, not exceeding the yearly Sum of fifty Pounds; ſuch Receiver firſt giving Security by Recognizance with two Sureties, or otherwiſe, as the ſaid Court ſhall direct; which Receiver ſhall, out of the ſaid Rents and Profits, pay the Land Tax, and alſo pay to the Maſter of the Rolls for the Time being the clear yearly Sum of one thouſand two hundred and fifty Pounds, by two equal half-yearly Payments, on the fifth Day of *January*, and the fifth Day of *July*, in each Year; the firſt half-yearly Payment to become due and payable on the fifth Day of *January*, one thouſand ſeven hundred and ſeventy-eight; and with ſuch Apportionment on the Death of any Maſter of the Rolls, as in caſe of Apportionment of Rent on the Death of Tenants for Life; and which Apportionment ſhall take Place, as well in caſe of Leaſes to be granted in purſuance of the Power hereby given of granting Leaſes not exceeding twenty-one Years to bind the Succeſſor, as of other Leaſes granted or to be granted by any Maſter of the Rolls ſo dying, and which ſhall determine by his Death; and the Surplus of the ſaid Rents and Profits, beyond and after Payment of the ſaid Receiver's Salary, and the Land Tax, and ſuch Payment to the Maſter of the Rolls as aforeſaid, ſhall, by virtue and in purſuance of any Order or Orders of the ſaid Lord High Chancellor of *Great Britain*, or the Lord Keeper, or the Commiſſioners for the Cuſtody of the Great Seal, as aforeſaid, for the Time being, be paid into the Bank of *England*, in the Name and with the Privity of the Accountant-general of the High Court of Chancery, to be placed to an Account to be intituled, *The Account of the Rolls Eſtate*, in order to be paid and applied, in Manner herein-after mentioned, in or towards the Repairs and the Support of the ſaid Houſes and Premiſes (excluſive of and except as aforeſaid) and the rebuilding of the ſame, as there may at any Time or Times hereafter be Occaſion, and inſuring the ſaid Houſes and Premiſes from Fire, except ſuch Part or Parts of the ſaid Rents and Profits as, by any ſuch Order or Orders of the ſaid Court, ſhall be directed to be paid and applied by the Receiver, for thoſe Purpoſes, or any of them, without paying the ſame into the Bank; and the ſaid Receiver ſhall, at the End of each and every Year (or oftener if required and ordered by the ſaid Court), deliver in, upon Oath, his Accounts of his Receiverſhip to the ſaid Accountant-general, and pay his Balances into the Bank from Time to Time, in the Name of the ſaid Accountant-general, to be placed to the ſame Account.

The Lord Chancellor to appoint a Receiver of the Rents of the Rolls Houſes,

with a Salary not exceeding 50 l. per Ann.

How the Rents ſhall be diſpoſed of.

Surplus to be paid into the Bank in the Name of the Accountant-general, &c.

to be applied towards the Repairs of the ſaid Houſes, &c.

Receiver to account, upon Oath, to the Accountant-general.

VII. And it is hereby further enacted by the Authority aforeſaid, That out of ſuch the Surplus Rents and Profits of the ſaid Houſes and Premiſes, hereby appropriated for the Purpoſe of repairing, ſupporting, and rebuilding, and inſuring the ſaid Houſes and Premiſes (excluſive of and except as aforeſaid), or out of what the ſame, or any Part thereof, ſhall be inveſted in, ſuch Sum and Sums of Money, as the Lord High Chancellor of *Great Britain*, or the Lord Keeper, or Lords Commiſſioners for the Cuſtody of the Great Seal of *Great Britain*, ſhall, from Time to Time, direct or appoint, ſhall be paid and applied in or towards the repairing and ſupporting of the ſaid Rolls Houſes and Premiſes, or in rebuilding the ſame, or any of them, and in inſuring the ſaid Houſes and Premiſes from Fire, in ſuch Manner as by any Order or Orders of the ſaid Lord Chancellor, Lord Keeper, or Lords Commiſſioners, to be made for thoſe Purpoſes reſpectively, ſhall be directed; and that the ſaid Fund, or any Part thereof, ſhall or may, from Time to Time, by virtue and in purſuance of any Order or Orders of the ſaid Lord Chancellor, Lord Keeper, or Lords Commiſſioners, for that Purpoſe, be placed out and inveſted in Government Securities, in the Name of the ſaid Accountant-general, and placed to the ſaid Account of the Rolls Eſtate, and the Intereſt or Dividends

Out of the Surplus Rents of the ſaid Houſes, &c. the Lord Chancellor may order any Sums to be applied towards repairing the ſame, and inſuring them from Fire.

The ſaid Fund to be inveſted in Government Securities, in the Name of the

Accountant-general, and placed to the Account of the Rolls Eſtate, &c.

dends thereof be laid out and inveſted in other ſuch like Securities, in the Name of the ſaid Accountant-general, and placed to the ſame Account; and ſo from Time to Time as often as the Intereſt or Dividends of the ſaid original Securities, and ſuch new purchaſed Securities, ſhall amount to a competent Sum, in order to accumulate and increaſe the ſaid Fund for the Purpoſe of repairing, ſupporting, and rebuilding, and inſuring from Fire, the ſaid Houſes and Premiſes, and to be ſold, applied, and diſpoſed of for thoſe Purpoſes, or any of them, by Order of the ſaid Lord Chancellor, Lord Keeper, or Lords Commiſſioners as aforeſaid, from Time to Time, as there may be Occaſion.

'VIII. And whereas, by reaſon and in conſequence of the ſaid Earl of *Macclesfield*'s having ſold and 'diſpoſed of ſuch his beneficial Right and Intereſt in the ſaid Houſe of the improved yearly Rent of forty-'five Pounds, in which (in caſe he had not ſo ſold the ſame) he would now have had a Term of ſix Years 'to come, from the making of the Leaſe thereof on the ſaid ſixth Day of *January*, one thouſand ſeven 'hundred and ſeventy-ſeven, there will not be any Rent payable for the ſaid Houſe for the ſaid ſix Years to 'the Maſter or Maſters of the Rolls for the Time being, and in the Eſtimate and Valuation of the ſaid 'Earl of *Macclesfield*'s Intereſt in the ſaid Houſes and Premiſes a Deduction is made on Account thereof;' it is therefore provided and hereby enacted, That out of the Intereſt ariſing, and which ſhall ariſe, from Monies placed out in purſuance of the ſaid Act of the fourteenth of his preſent Majeſty, there ſhall and may, by virtue of an Order or Orders of the ſaid Court of Chancery, to be made for that Purpoſe, although all the Purpoſes of the ſaid Acts of the fourteenth and fifteenth Years of his preſent Majeſty may not have been, or have been deemed by him or them to have been fully ſatisfied as aforeſaid, be paid the yearly Sum of forty-five Pounds, by half-yearly Payments, to the Receiver, ſo to be appointed, of the Rents and Profits of the ſaid Rolls Houſes and Premiſes, for the Time being, for the Term of ſix Years, to be computed from the making of the ſaid laſt mentioned Leaſe of the ſixth Day of *January*, one thouſand ſeven hundred and ſeventy-ſeven, in lieu of, and as a Recompence and Satisfaction for, the ſaid yearly Rent of forty-five Pounds for the ſaid Term of ſix Years; and which ſaid yearly Sum of forty-five Pounds ſhall be deemed and had and taken as Part of the yearly Rents and Profits of the ſaid Houſes and Premiſes of which ſuch Receiver ſhall be appointed, and be applied and diſpoſed of as Part of the ſaid yearly Rents and Profits accordingly, in Manner and for the Purpoſes herein-before mentioned concerning the ſaid Rents and Profits.

Out of the Intereſt ariſing under the ſaid Act 14 Geo. III. the Court of Chancery may order 45 l. per Ann. to be paid, for ſix Years, to the Receiver of the ſaid Rents, in Lieu of the improved Rent of the Houſe before-mentioned.

'IX. And whereas divers Leaſes have been granted by, or on Behalf of, the ſaid Earl of *Macclesfield*, of 'ſeveral of the ſaid Houſes and Premiſes, to ſeveral Perſons for Terms of Years not exceeding the Time 'which the ſaid Earl of *Macclesfield* then had to come in the ſaid Houſes and Premiſes reſpectively, at the 'beſt and moſt improved Rents that could be had and gotten for the ſame, and which Leaſes are now ſub-'ſiſting;' be it therefore further enacted and declared, That the Rights of the ſeveral Perſons claiming under ſuch ſaid laſt mentioned Leaſes reſpectively, or any of them, ſhall not, by or in conſequence of any Thing in this Act contained, be any ways defeated, impeached, or leſſened; and that ſuch ſeveral Perſons, ſo claiming under the ſame, ſhall ſtill be intitled to, and have and enjoy the full Fruit and Benefit of ſuch ſaid ſeveral Leaſes reſpectively, upon and according to the Terms thereof; any Thing herein contained to the contrary thereof in any wiſe notwithſtanding: But the Rents reſerved and made payable in and by ſuch ſaid ſeveral Leaſes reſpectively, although expreſſed therein to be reſerved and made payable to or for the Benefit of the ſaid Earl of *Macclesfield*, his Executors, Adminiſtrators, or Aſſigns, or in what Manner ſoever the ſame may therein be reſerved or made payable, which have accrued or become due and payable from and ſince the ſixth Day of *January*, one thouſand ſeven hundred and ſeventy-ſeven, and which from henceforth ſhall accrue or become due and payable, ſhall be paid to the Receiver ſo to be appointed of the Rents and Profits of the ſaid Houſes and Premiſes, and be applied and diſpoſed of as Part of the ſaid Rents and Profits accordingly, in Manner and for the Purpoſes aforeſaid; and the ſaid Earl of *Macclesfield*, his Executors, Adminiſtrators, and Aſſigns, ſhall have and be intitled to ſuch of the ſaid Rents as accrued and became due on or before the ſaid ſixth Day of *January*, one thouſand ſeven hundred and ſeventy-ſeven, and are ſtill remaining due and unpaid under and by virtue of the ſaid laſt mentioned Leaſes of the ſaid Houſes and Premiſes, or any of them.

This Act not to vacate Leaſes granted by the Earl of Macclesfield at the moſt improved Rents:

But the ſaid Rents, from Jan. 6, 1777, are to be paid to the Receiver before mentioned.

X. Provided always, and it is hereby further enacted and declared, That from and after the Expiration, or other ſooner Determination, by Surrender or otherwiſe, of the ſaid ſeveral laſt mentioned Leaſes, ſo granted by or on Behalf of the ſaid Earl of *Macclesfield* as aforeſaid, and now ſubſiſting, reſpectively as to the Houſes and Premiſes therein comprized; and as to the Reſt of the ſaid Houſes, except the ſaid Houſe herein before mentioned to be of the yearly Rent of forty-five Pounds, from and immediately after the paſſing of this preſent Act; and as to the ſaid laſt mentioned ſo excepted Houſe, from and after the fifth Day of *January*, one thouſand ſeven hundred and eighty-three; it ſhall be lawful for the Maſter of the Rolls for the Time being, to make and execute any Leaſe or Leaſes of all or any of the ſaid Houſes and Premiſes belonging to the Rolls (the Chapel of the Rolls, and the Manſion-houſe, Court-yard, Garden, Stables, Coach-houſes, and other Out-houſes and Buildings now uſed for the Habitation and Accommodation of the Maſter of the Rolls, only excepted) for any Term or Number of Years, not exceeding twenty-one Years, in Poſſeſſion, from the making thereof, or from the Quarter-day next preceding the Date and making thereof; that is to ſay, the fifth Day of *January*, the fifth Day of *April*, the fifth Day of *July*, or the tenth Day of *October*, whichever of the ſaid Days ſhall happen to be the Quarter-day next preceding the Date and making of ſuch Leaſe or Leaſes reſpectively, at and for the beſt and moſt improved Rent or Rents that can be reaſonably had and gotten for the ſame, without taking any Fine, Foregift, or Gratuity for the making of any ſuch Leaſe or Leaſes; ſuch Rent or Rents to be thereby reſerved and made payable to the Maſter of the Rolls making ſuch Leaſes reſpectively, and his Succeſſors, during the Term or Terms, not exceeding the ſaid Term of twenty-one Years, for which ſuch Leaſes reſpectively ſhall be granted; and the Leſſees in ſuch Leaſes reſpectively executing Counterparts thereof, and thereby covenanting to pay ſuch Rents accordingly; and thereby alſo covenanting to keep the Premiſes thereby demiſed in

The Maſter of the Rolls for the Time being may, after the Determination of certain Leaſes and Terms herein mentioned, grant Leaſes of the Rolls Houſes for 21 Years, for the moſt improved Rents that can be had, without taking any Fine, &c.

Leſſees to keep the Premiſes in tenantable Repair.

in good and tenantable Repair during the Term, and to leave the ſame in ſuch good and tenantable Repair at the End, or other ſooner Determination of the Term.

No future Leaſe granted by any Maſter of the Rolls, contrary to this Act, ſhall be binding on his Succeſſors.

XI. And it is hereby declared, That no Leaſe or Leaſes of the ſaid Houſes and Premiſes, or any of them, hereafter to be made or executed by any Maſter of the Rolls, otherwiſe than according to the Power hereby given to the Maſter of the Rolls for the Time being as aforeſaid, ſhall be binding on his Succeſſors, or any of them.

The Rents under all future Leaſes to be paid to the Receiver, &c.

XII. And it is hereby enacted and declared, That the Rents and Profits of the ſaid Houſes and Premiſes, to be reſerved and made payable by and upon any ſuch Leaſe or Leaſes thereof hereafter to be made or granted by any Maſter or Maſters of the Rolls, ſhall be paid to ſuch Receiver as aforeſaid, and be applied and diſpoſed of accordingly, in Manner and for the Purpoſes aforeſaid.

Applications concerning this Act may be made to the Court of Chancery, gratis.

XIII. And it is hereby enacted and declared, That all Applications to the ſaid Court of Chancery for or touching any of the Matters of this Act, and all Orders and Proceedings relating thereto, ſhall and may be had and made in a ſummary Way, and without any Fee or Reward to be paid or given for the ſame; and without Stamps on any of the ſaid Orders or Proceedings, or to be had, uſed, or employed in or about the ſame, or any of them.

Proceedings to be without Stamps.

## CAP. LX.

An Act for incloſing and embelliſhing the Middle Part of *Hoxton-ſquare*, in the Pariſh of *Saint Leonard, Shoreditch*, in the County of *Middleſex*; and for extinguiſhing all Right of Common in and upon the ſaid Square.

## CAP. LXI.

An Act to enable the Dean and Chapter of the Collegiate Church of *Saint Peter* in *Weſtminſter*, to open a Street from the South End of *Long-ditch* to the North End of *Smith-ſtreet*, and to widen Part of *Tothill ſtreet*, and of *Long-ditch* aforeſaid; and to widen the Paſſage between *Orchard-ſtreet*, and the new intended Street, and alſo to widen *Wood-ſtreet*, and to make a more commodious Entrance from the *Broad Sanctuary* into *Dean's-yard*, within the City and Liberty of *Weſtminſter*.

## CAP. LXII.

An Act for the more eaſy and ſpeedy Recovery of ſmall Debts, within the ſeveral Pariſhes of *Surfleet*, *Goſberton*, *Quadring*, *Donington*, *Bicker*, *Swineſhead*, *Wigtoft*, *Sutterton*, *Algarkirk*, *Foſdike*, *Kirton*, *Frampton*, *Wiberton*, and *Brothertoft*, within the Hundred of *Kirton*, in the Parts of *Holland*, in the County of *Lincoln*.

Preamble.

'WHEREAS in the ſeveral Pariſhes of *Surfleet*, *Goſberton*, *Quadring*, *Donington*, *Bicker*, *Swineſhead*, *Wigtoft*, *Sutterton*, *Algarkirk*, *Foſdike*, *Kirton*, *Frampton*, *Wiberton*, and *Brothertoft*, within the hundred of *Kirton*, in the Parts of *Holland*, in the County of *Lincoln*, there are carried on ſeveral extenſive Branches of Buſineſs, Trade, and Commerce, as well in the inland Parts thereof as upon the Rivers *Glenn*, *Hammond-beck*, and the North and South *Forty-foot*, which run through ſeveral principal Parts of the ſame to the Sea, which employ many thouſand People, many of whom contract ſmall Debts, amounting in the Whole to a large Sum of Money yearly; and although well able to pay the ſame, they often refuſe ſo to do, preſuming on the Diſcouragement their Creditors lie under from the great Expences they are unavoidably put to in ſuing for ſuch Debts in the County Court, which is upwards of twenty-ſeven Miles diſtant from any Part of the ſaid hundred of *Kirton*: And whereas an eaſy and ſpeedy Method of recovering ſmall Debts within the Pariſhes aforeſaid, will greatly tend to promote Induſtry, and to ſupport uſeful Credit therein;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That *Oliver Shepherd*, *William Golding*, *John Weeks*, *William Ward*, *James Shilcock*, *Chriſtopher Johnſon*, *John Ward*, *Henry Thorold*, *John Harvey*, *William Hunt*, *Matthew Flinders*, *Richard Bowles*, *John Lee*, *John Aſhworth*, *Thomas Snell*, *John Wilkinſon*, *Joſeph Lowe*, *John Birks*, *David Pike*, *Thomas Pike*, *William Spendley*, *Thomas Jarvis*, *David Trimnell*, *Bracebridge Green*, *James Godley*, *William Gee*, *Joſeph Maſon*, *William Hanley*, *John Hanley*, *Richard Clay*, *Cowper Love*, *John Harnis*, *James Barton*, *William Lockton*, *Henry Fountain*, *Thomas Ackland*, *John Finch*, *Richard Harvey*, *Benjamin Kippis*, *John Brotherton*, *Thomas Staveley*, *Thomas Parr*, *Richard Parr*, *Francis Yorke*, *Benjamin Weatherill*, *William Higdon*, *John Yerburgh*, *Richard Yerburgh*, *John Tunnard*, *John Tunnard* the younger, *Joſeph Blackith*, *Samuel Hare*, *Joſeph Newman*, the Reverend *John Shaw* Doctor of Laws, *Michael Robinſon*, *Richard Fydell*, *Thomas Fydell*, *William Garfit* the younger, *Robert Barlow*, *Thomas Brotherton*, *Samuel Barnard*, *Bartholomew Clayton*, *French Flowers*, *John Betts*, *Abraham Sheath*, *Abraham Sheath* the younger, *Weſt Wheldale* the younger, *John Cheney*, *Thomas Waite*, *Benjamin Parkin*, *Robert Wilby* the younger, *John Hill*, *Samuel Thompſon*, *William Forman*, *John Brackenbury*, *John Francis*, *Thomas Wilſon*, *John Ireland*, *James Ellis*, *William Weeks*, *Thomas Clayton*, the Reverend *Charles Peridge* Doctor of Laws, *Thomas Wright*, *William Wright*, *John Skerrit*, *William Stukeley*, *Thomas Marſh*, *John Overton*, *John George Calthrop*, *William Dods*, *Edward Noble Bell*, *Francis Eaſtland*, *John Wright*, *Robert Allen*, *Luke Batham*, *George Swallow*, *Thomas Maydens*, *William Thimbleby*, *John Robinſon*, *Robert Robinſon*, *William Slater*, *Francis Aſhworth*, *Francis Maſtin*, *John Bartel*, *Henry Burgeſs*, *James Herd*, *William Crain*, *Robert Peach*, *John Walton*, *Samuel Elſdale*, *George Emitt*, and *James Gibbins*, ſhall be, and they are hereby declared, conſtituted, and appointed Commiſſioners to hear and determine all ſuch Cauſes and Matters of Debt as are herein-after mentioned;

Commiſſioners Names.

Commiſſioners conſtituted a Court of Juſtice. Their Style.

mentioned; and ſuch Commiſſioners, and their Succeſſors, are hereby conſtituted a Court of Juſtice, by the Name and Style of *The Court of Requeſts for the ſeveral Pariſhes of Surfleet, Goſberton, Quadring, Donington, Bicker, Swineſhead, Wigtoft, Sutterton, Algarkirk, Foſdike, Kirton, Frampton, Wiberton, and Brothertoft, within the Hundred of Kirton, in the Parts of Holland, in the County of Lincoln*; and they the ſaid Commiſſioners, or any three or more of them, ſhall and are hereby authoriſed, impowered, and required to meet, aſſemble, and hold the ſaid Court in the Towns of *Donington*, *Kirton*, and *Goſberton*, alternately and by Turns, once in every Fortnight (to wit) on every *Friday* Fortnight, or oftener if there ſhall be Occaſion, in a Court-houſe, or ſome convenient Place, to be provided by the major Part of the Commiſſioners, who ſhall be aſſembled at ſome General Meeting to be held for that Purpoſe; which General Meeting of the ſaid Commiſſioners ſhall be for the firſt Fortnight at *Donington* aforeſaid, on the *Friday* Fortnight next after the paſſing of this Act; and for the ſecond Fortnight at *Kirton* aforeſaid, on the *Friday* four Weeks next after the paſſing of this Act; and for the third Fortnight at *Goſberton* aforeſaid, on the *Friday* ſix Weeks next after the paſſing of this Act; and for the fourth Fortnight at *Donington* again, on the ſame Day of the Week; and ſo on in Succeſſion and Rotation.

Meetings appointed.

For want of a ſufficient Number to act, Clerk to adjourn the Court.

II. Provided nevertheleſs, That in caſe three or more of the ſaid Commiſſioners, appointed or to be appointed by virtue of this Act, ſhall neglect or refuſe to aſſemble on any of the Days appointed for holding the ſaid Court, that then it ſhall and may be lawful to and for the Clerk or Clerks of the ſaid Court, or his or their Deputy or Deputies for the Time being, to adjourn the ſaid Court to ſome other convenient Day, within a Fortnight from the Day on which the ſaid Court ought to have been held, or until the next General Court Day, to be held by Rotation as aforeſaid.

Commiſſioners Powers.

III. And be it enacted by the Authority aforeſaid, That the Commiſſioners ſo named and appointed, and their Succeſſors, to be choſen as herein-after is mentioned, or any three or more of them, from Time to Time aſſembled as aforeſaid, ſhall have Power and Authority, by virtue of this Act, to hear and determine all ſuch Cauſes and Matters of Debt as ſhall be brought before them, in Manner as hereafter is mentioned, and to give ſuch Judgments, and to make ſuch interlocutory and final Orders and Decrees therein, and to award ſuch Execution thereupon, with Coſts, both againſt the Bodies and the Goods and Chattels of all and every the Perſon and Perſons againſt whom they ſhall give or make any ſuch Judgment, Order, or Decree, as to them ſhall ſeem juſt and moſt agreeable to Equity and good Conſcience; and if the Commiſſioners, ſo aſſembled, ſhall happen to be equally divided upon any Queſtion that may come before them, the Commiſſioner preſent, whoſe Name ſtands firſt on the Liſt of the Commiſſioners directed to be kept in the Court-houſe or Place where they ſhall reſpectively meet, ſhall have the caſting Vote.

When Commiſſioners die, or refuſe to act, new ones to be choſen.

IV. And be it further enacted by the Authority aforeſaid, That from Time to Time, and as often as it ſhall be neceſſary, either by the Death of any of the ſaid Commiſſioners herein-before particularly named, or of any of their Succeſſors, to be choſen in Manner herein-after mentioned, or by his or their refuſing or neglecting, for the Space of twelve Months, to act herein, it ſhall and may be lawful to and for the Commiſſioners hereby appointed, and ſuch their Succeſſors, or any eleven or more of them, to meet and aſſemble together, at any Time after ſuch Death, Refuſal, or Neglect to act, and to elect and appoint one or more Commiſſioner or Commiſſioners in the Stead and Place of ſuch Commiſſioner or Commiſſioners dying or refuſing to act; and every ſuch Commiſſioner ſo elected and appointed ſhall be, and is hereby enabled to act in the Execution of the Powers granted to the Commiſſioners hereby appointed, as fully and effectually, to all Intents and Purpoſes, as if he or they had been particularly named in this Act.

Firſt Clerks and Serjeants.

V. And be it further enacted by the Authority aforeſaid, That *John Atkinſon* and *Jonathan Gleed*, Gentlemen, ſhall be, and are hereby conſtituted and appointed Clerks of the ſaid Court of Requeſts; and that *Stiles Mapletoft*, *William Steevenſon*, and *James Robertſon*, ſhall be, and are hereby conſtituted and appointed Serjeants of the ſaid Court of Requeſts; who ſhall continue Clerks and Seajeants of the ſaid Courts ſo long as they ſhall behave themſelves well in their reſpective Offices.

Victuallers, &c. not to hold any Place of Profit.

VI. Provided always, That no Commiſſioner, or any Perſon or Perſons who ſhall keep any Victualling-houſe, Ale-houſe, or other Houſe of any public Entertainment, or who ſhall ſell any Wine, Cyder, Beer, Ale, ſpirituous or other ſtrong Liquors by Retail, ſhall be capable of holding the Office of Clerk, or any other Place of Profit belonging to the ſaid Court.

Clerks and Serjeants how to be elected.

VII. And be it further enacted by the Authority aforeſaid, That whenever it ſhall happen that the Place of Clerk or Serjeant of the ſaid Court ſhall become vacant, either by Death, Reſignation, or Miſbehaviour, the Commiſſioners for the Time being, or any eleven or more of them, ſhall meet at ſome convenient Place, as ſoon as conveniently may be after ſuch Vacancy ſhall happen, and a Majority of the ſaid Commiſſioners ſo met, are hereby authoriſed and required to chuſe and appoint another fit Perſon to be Clerk or Serjeant of the ſaid Court during his good Behaviour.

Duty of the Clerks;

VIII. And be it further enacted by the Authority aforeſaid, That the Clerks herein-before named and choſen, and their Succeſſors, ſo from Time to Time to be choſen and appointed, or his or their lawful Deputy or Deputies, ſhall make and cauſe to be fixed up in ſome convenient Part of each of the ſaid Court-houſes, fair and complete Liſts in Writing, of the Commiſſioners herein named and appointed, or to be elected and appointed as aforeſaid; and ſhall alſo, and are hereby impowered and required to iſſue, or cauſe to be iſſued out, all Summonſes, Attachments, Warrants, Subpoenas, and Precepts, and to regiſter and enter, or cauſe to be regiſtered and entered, all Cauſes, Orders, Decrees, and Judgments, and other Acts and Proceedings of the ſaid Court, in proper Books to be provided by them, and kept for that Purpoſe; and that the Serjeant and Serjeants herein-before named and choſen, or from Time to Time to be choſen and appointed as aforeſaid, or his or their lawful Deputy or Deputies, ſhall, and are hereby impowered and required to ſerve and execute, or cauſe to be ſerved and executed, all ſuch Summonſes, Orders, Attachments, Warrants, Subpoenas, Executions, and Precepts, and to do and perform all ſuch Acts, Matters, and Things, as are herein directed and appointed to be done by them.

and Serjeants.

IX. And

Perſons may ſue for Debts under 40 s.

IX. And be it further enacted by the Authority aforeſaid, That from and after the paſſing of this Act, it ſhall and may be lawful to and for all and every Perſon and Perſons whatſoever, who now hath or have, or hereafter ſhall or may have any Debt or Debts, not amounting to the Sum of forty Shillings, due or owing to him, her, or them, in his, her, or their own Right, or as Executor, Adminiſtrator, Guardian, or Truſtee, by or from any other Perſon or Perſons whatſoever, inhabiting or reſiding within the Pariſhes aforeſaid, or trading and dealing, or ſeeking a Livelihood therein, to apply to either of the Clerks of the ſaid Court, or his or their Deputy or Deputies for the Time being; who ſhall immediately make an Entry in his Book of the Cauſe, expreſſing the Names of the Parties, and the Sum demanded; and ſhall thereupon make out and deliver a Summons in Writing under his Hand, directed to ſuch Debtor or Debtors, expreſſing the Sum demanded of him, her, or them, and the Name or Names of ſuch Party or Parties demanding the ſame; thereby requiring and commanding ſuch Debtor or Debtors to appear, at a certain Time and Place, before the Commiſſioners of the ſaid Court, to anſwer ſuch Demand; and the Serjeant or Serjeants of the ſaid Court ſhall forthwith ſerve, or cauſe ſuch Summons to be ſerved, on ſuch Debtor or Debtors, either perſonally, or by leaving the ſame at the Dwelling-houſe or Place of Abode, Lodging, Shop, Shed, Stall, Stand, or other Place of dealing or working of ſuch Debtor or Debtors within the Pariſhes aforeſaid; and the ſaid Commiſſioners, or any three or more of them, ſhall, upon Proof made of the Service of ſuch Summons, have full Power and Authority, by virtue of this Act, to make due Inquiry concerning ſuch Demands, and to pronounce and give ſuch final Sentence or Judgment, and to make ſuch Interlocutory or final Orders and Decrees therein as to them ſhall ſeem moſt juſt and equitable.

How Officers are to proceed.

Commiſſioners may regulate Proceedings of the Court;

'X. And, for the better regulating the Proceedings of the ſaid Court, and rendering this Act effectual 'for the Purpoſes thereof,' be it enacted by the Authority aforeſaid, That the Commiſſioners for the Time being, or any three or more of them, being a Majority of the Commiſſioners aſſembled in Court as aforeſaid, ſhall have full Power and Authority, by virtue of this Act, from Time to Time, and as often as they ſhall ſee Occaſion, at any of the ſaid Courts, to make ſuch Rules or Orders for the better regulating the Practice of the ſaid Court, as to them ſhall ſeem neceſſary and conducive to the Purpoſes of this Act, ſo as they ſhall be conſiſtent with Equity, and do not tend to leſſen, abridge, or alter the Fees herein-after allowed by this Act to be taken by the reſpective Clerks and Serjeants or Officers of the ſaid Courts for the Time being, or to the Exerciſe of any Juriſdiction inconſiſtent with the true Intent and Meaning of this Act, and do relate to the Proceſs, Practice, and Method of Proceeding of and in the ſaid Court only: According to which Rules and Orders, ſo from Time to Time to be made, the ſaid Commiſſioners, or any three or more of them, ſhall have full Power and Authority, by virtue of this Act, to proceed upon, and to hear and determine all Matters of Debt not amounting to the ſaid Sum of forty Shillings, which ſhall be brought before them by virtue of this Act, and to make and pronounce ſuch Judgments and Decrees concerning the ſame, and the Coſts of Suit, as to them ſhall ſeem agreeable to Equity and good Conſcience.

and determine all Suits for Debt under 40 s.

Commiſſioners may adminiſter Oaths.

'XI. And, for the better Diſcovery of the Truth, and for the more ſolemn Determination of all the 'Cauſes and Matters which ſhall be depending in the ſaid Court,' be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Commiſſioners, or any three or more of them aſſembled in Court, and they are hereby impowered, to adminiſter, or cauſe to be adminiſtered, an Oath to the Party or Parties, Plaintiff or Plaintiffs, Defendant or Defendants, and alſo to ſuch Witneſs or Witneſſes as ſhall be produced by either Party, and alſo to the Officers of the Court, and to any Perſon or Perſons whatſoever, whoſe Evidence ſhall, to the ſaid Commiſſioners, or to the major Part of them aſſembled at the ſaid Court, appear neceſſary.

On Non-appearance of Defendant the Court may proceed ex parte:

XII. And be it further enacted by the Authority aforeſaid, That if any Debtor or Debtors, who ſhall have been duly ſummoned as aforeſaid, ſhall, without ſome good Cauſe to be allowed by the ſaid Court, refuſe or neglect to appear in the ſaid Court at the Time mentioned in the ſaid Summons, then it ſhall and may be lawful to and for the ſaid Commiſſioners, or any three or more of them, upon Proof being made upon Oath of the Service of the ſaid Summons, in Manner before directed, to proceed to hear the Cauſe on the Part of the Plaintiff or Plaintiffs only, and to make ſuch Order, Decree, or Judgment therein, and to award ſuch Coſts, as to them ſhall ſeem meet.

Or may award Coſts on Non-ſuit of the Plaintiff.

XIII. And be it further enacted by the Authority aforeſaid, That if, upon the Day of the Return of the Summons, or at any Continuation or Adjournment of the ſaid Court, the Plaintiff or Plaintiffs ſhall not appear, or appearing ſhall not make Proof of his, her, or their Debt or Demand to the Satisfaction of the ſaid Court, it ſhall and may be lawful to and for the ſaid Commiſſioners, or any three or more of them, to award to the Defendant or Defendants reaſonable Coſts, and to order and compel the Plaintiff or Plaintiffs to pay the ſame, by ſuch Ways and Means as are herein provided for the enforcing of the Payment of Debts and Coſts ordered and decreed to be paid by the ſaid Court.

Commiſſioners may award Execution againſt Body or Goods.

XIV. And be it further enacted by the Authority aforeſaid, That in any Caſe where the ſaid Commiſſioners, or any three or more of them, ſhall have made any Order or Decree for the Payment of Money, it ſhall and may be lawful to and for the ſaid Commiſſioners, or any three or more of them, to award Execution, either againſt the Body or Goods of the ſaid Party or Parties againſt whom ſuch Order or Decree ſhall be made; and thereupon it ſhall and may be lawful to and for the Clerk or Clerks of the ſaid Court, at the Requeſt of the Party or Parties proſecuting ſuch Order or Decree, to iſſue a Precept, under his Hand and Seal, to the Serjeant or Serjeants of either of the ſaid Courts, who, by virtue of any ſuch Precept iſſued upon the Execution awarded againſt the Body or Bodies of ſuch Party or Parties, ſhall and may, and is and are hereby impowered and required to take and apprehend, or cauſe to be taken and apprehended, ſuch Party or Parties, being within the Pariſhes aforeſaid, and to convey him, her, or them, to ſome common Gaol or Houſe of Correction within the ſaid County of *Lincoln*, there to remain until he, ſhe, or they ſhall perform and obey ſuch Order, Decree, or Judgment, ſo as no Perſon ſhall remain in Confinement upon any ſuch Execution for any longer Space of Time than three Calendar Months: And ſuch Serjeants, by virtue of any ſuch Precept iſſued upon the Execution awarded againſt the Goods of any ſuch Party, ſhall and

If againſt the Body, the Clerk may iſſue a Precept to the Serjeant to commit the Party:

If againſt the Goods, the Serjeant ſhall levy the Sum decreed

by Diſtreſs and Sale, &c.

and may, and is and are hereby impowered to levy by Diſtreſs and Sale of the Goods of ſuch Party, being within the Pariſhes aforeſaid, ſuch Sum and Sums of Money and Coſts, as ſhall be ſo ordered and decreed: And if the Party againſt whoſe Body or Goods ſuch Execution ſhall be awarded, and ſuch Proceſs ſhall iſſue thereupon, ſhall, by abſconding, or by ſecreting or removing his, her, or their Goods, or by any other Means, prevent or evade the Service or Effect of any ſuch Execution, it ſhall and may be lawful to and for the ſaid Commiſſioners, or any three or more of them, upon due Proof thereof made to them by the Oath or Oaths of ſuch Serjeant, or of one or more credible Witneſs or Witneſſes, at their Diſcretion, to award Execution either againſt the Body or Goods of ſuch Party or Parties; and Proceſs ſhall iſſue thereupon, and be executed by the reſpective Serjeants in Manner aforeſaid, until the Party or Parties, at whoſe Suit ſuch Execution ſhall be iſſued, ſhall be fully paid and ſatisfied.

Court may order Debts to be paid at ſeveral Times, &c.

XV. And be it further enacted by the Authority aforeſaid, That in caſe the ſaid Commiſſioners, or any three or more of them, ſhall, at any Time, upon the Requeſt, and for the Eaſe and Convenience of the Defendant or Defendants, order and decree the Debt due to the Plaintiff or Plaintiffs to be paid at ſeveral Payments, then, upon the firſt Default or Failure of any of the ſaid Payments ſo ordered and decreed, the ſaid Commiſſioners, or any three or more of them, aſſembled in Court, ſhall and may, at the Inſtance of the Plaintiff or Plaintiffs, and upon due Proof of the ſaid Default or Failure, award Execution for the whole Debt, or ſuch Part thereof as ſhall then remain unpaid, together with ſuch further Coſts as to them ſhall ſeem reaſonable, to be recovered by the ſame Proceſs, and in like Manner as is herein-before provided for Recovery of the Debt and Coſts firſt decreed; the former Order or Decree to the contrary thereof notwithſtanding.

On Execution, Clerk to indorſe the Debt and Coſts. In what Caſes Execution ſhall be ſuperſeded.

XVI. And be it further enacted by the Authority aforeſaid, That in every Precept to be iſſued upon any Execution, awarded againſt the Body or Goods of any Perſon or Perſons whatſoever, the Clerk who iſſues the ſame ſhall expreſs and ſet down in Writing the Sum or Sums of Money and Coſts ſo ordered and decreed to be paid: And if the Party or Parties againſt whom ſuch Execution ſhall be awarded, ſhall, before any actual Sale of his, her, or their Goods, or before he, ſhe, or they, is, are, or ſhall be taken and apprehended, or before the Expiration of the Term of his, her, or their Impriſonment, pay, or cauſe to be paid or tendered, unto the Clerk of the Court who ſhall iſſue ſuch Precept, ſuch Sum or Sums of Money and Coſts, together with one Shilling, as a Reward for his Trouble in receiving and paying over ſuch Debts and Coſts to the Plaintiff or Plaintiffs, and entering Acknowledgment of Satisfaction in the Book or Regiſter of the ſaid Court for ſuch Debt and Coſts; and alſo the Sum of two Shillings and Sixpence for Gaol Fees, in caſe ſuch Party or Parties ſhall have been committed to Priſon; then, and in ſuch Caſe and Caſes, the Execution ſhall be ſuperſeded, and the Body or Bodies and Goods of ſuch Party or Parties ſhall be diſcharged and ſet at Liberty.

Serjeant ſuffering an Eſcape, &c. by Neglect, to pay Debt and Coſts.

XVII. And be it further enacted by the Authority aforeſaid, That if the Serjeant or Serjeants of the ſaid Court, who ſhall be employed to ſerve or levy any Execution, ſhall, by wilful Connivance or Neglect, cauſe or ſuffer the Party againſt whom ſuch Execution ſhall be awarded to eſcape or abſcond, or the Goods of ſuch Party or Parties to be carried away or ſecreted, ſo as ſuch Execution ſhall not have its due Effect, it ſhall and may be lawful to and for the ſaid Commiſſioners, or any three or more of them, aſſembled in Court, upon Complaint and due Proof made, upon the Oath or Oaths of one or more credible Witneſs or Witneſſes, to order ſuch Serjeant or Serjeants to pay the Sum or Sums of Money, for which the ſaid Execution was awarded, to the Party complaining, and to inforce the Payment thereof by the ſame Method and Means as are herein provided for the Payment of other Debts.

Commiſſioners to be ſworn.

XVIII. And be it further enacted by the Authority aforeſaid, That no Perſon ſhall be capable of acting as a Commiſſioner in the Execution of this Act, until he ſhall have taken an Oath to the following Effect; (that is to ſay)

The Oath.

'I *A. B.* do ſwear, That I will faithfully, impartially, and honeſtly, according to the beſt of my Judgment, hear and determine all ſuch Matters and Cauſes as ſhall be brought before me, by virtue of an Act of Parliament, *for the more eaſy and ſpeedy Recovery of ſmall Debts, within the ſeveral Pariſhes of* Surfleet, Goſberton, Quadring, Donington, Bicker, Swineſhead, Wigtoft, Sutterton, Algarkirk, Foſdike, Kirton, Frampton, Wiberton, *and* Brothertoft, *within the Hundred of* Kirton, *in the Parts of* Holland, *in the County of* Lincoln, without Favour or Affection, Prejudice or Malice, to either Party.

*So help me* GOD.'

Memorial thereof to be regiſtered.

Which Oath the Clerk or Clerks of the ſaid Courts, or any of the Commiſſioners who ſhall have taken ſuch Oath, is and are hereby impowered and required to adminiſter in open Court; and the Clerk or Clerks of the ſaid Courts ſhall enter, or cauſe a Memorial thereof to be entered, in the Regiſter of the ſaid Court.

The Fees.

XIX. And be it further enacted by the Authority aforeſaid, That the ſeveral Fees herein-after limited and expreſſed, and no other, ſhall be taken by the Clerks or Serjeants, or their Succeſſors, for their ſeveral and reſpective Services in the Execution of this Act; (that is to ſay)

*To the* CLERKS.

For entering every Cauſe, Sixpence.
For iſſuing every Summons, Sixpence.
For every Subpœna, Sixpence.
For calling every Plaintiff or Defendant before the Court, Threepence.
For every Hearing or Trial, Sixpence.
For ſwearing every Witneſs, Plaintiff, or Defendant, Threepence.
For every Order, Judgment, or Decree, Sixpence.

For a Nonſuit, Sixpence.
For every Search in the Books, Threepence.
For paying Money into Court, Sixpence; if by Inſtalments, Sixpence in the Pound more.
For taking Money out of Court, and acknowledging of Satisfaction in the Clerk's Book, Sixpence.
For every Attachment, Sixpence.
For every Execution, Sixpence.
For every Warrant of Commitment for an Inſult or Miſbehaviour in the Court, or to the Commiſſioners, Clerks, or Officers of the Court, one Shilling.

*To the* SERJEANTS.

For the Service of every Summons, Order, or Subpœna, if within either of the Towns of *Donington*, *Kirton*, or *Goſberton*, and attending the Court, with the Return thereof, Sixpence; if out of either of the ſaid Towns, Threepence more for every Mile.
For calling every Plaintiff or Defendant before the Court, One Penny.
For executing every Attachment, Execution, or Warrant, againſt the Body or Goods, One Shilling; if out of either of the Towns of *Donington*, *Kirton*, or *Goſberton*, Threepence more for every Mile.
For carrying every Plaintiff, Defendant, or Delinquent to Priſon, Sixpence for every Mile.

A Table of which Fees ſhall, from Time to Time, be hung up by the Clerk of each of the ſaid Courts, in ſome conſpicuous Part or Parts of the ſaid Court-houſe or Court-houſes, Place or Places, where the ſaid Commiſſioners ſhall meet, ſo that all Perſons concerned may ſee and examine the ſame. Table thereof to be hung up in the Court houſe.

XX. Provided always, That no Coſts to be given, awarded, or allowed by the ſaid Commiſſioners, ſhall in any Caſe whatſoever exceed the Sum of ten Shillings. Coſts in no Caſe to exceed ten Shillings.

XXI. And be it further enacted by the Authority aforeſaid, That, if any of the Clerks or Serjeants of the ſaid Court, for the Time being, ſhall take or demand any greater or other Fees or Reward, than what are herein before mentioned, for his or their Service in the Execution of this Act, he and they ſhall, for every ſuch Offence, forfeit and pay ſuch Fine (not exceeding the Sum of forty Shillings, nor leſs than ten Shillings) as the ſaid Commiſſioners, or any ſeven or more of them, ſhall aſſeſs and impoſe, to be applied to the Uſe of the Poor of the Town or Pariſh where the Offence ſhall be committed. Penalty on taking greater Fees.

XXII. And be it further enacted by the Authority aforeſaid, That if any of the ſaid Clerks or Serjeants ſhall be guilty of any Miſbehaviour, either by Neglect or Breach of Duty, or in taking greater Fees than before mentioned, or otherwiſe, in the Execution of their reſpective Offices; that then, upon Complaint and due Proof thereof, made upon Oath in open Court, the ſaid Commiſſioners then ſitting are hereby directed and required to cauſe the whole Number of Commiſſioners to be ſummoned, by an Advertiſement to be inſerted in ſome public Newſpaper, to meet at a convenient Time and Place; and the Commiſſioners then preſent, not being leſs than Eleven in Number, ſhall and may examine and conſider the Merits of ſuch Complaint; and if it ſhall appear to ſuch Commiſſioners, or the major Part of them, that any of the Clerks or Serjeants have been guilty of ſuch Miſbehaviour or Breach of Duty, as aforeſaid, in his Office, it ſhall and may be lawful to and for the ſaid Commiſſioners, or the major Part of them then aſſembled, to diſmiſs or remove ſuch Clerk or Serjeant from his ſaid Office, and to nominate and appoint a fit and proper Perſon to execute the ſaid Office of Clerk or Serjeant, in the Room and Place of him ſo diſmiſſed and removed as aforeſaid. Clerks and Serjeants may be diſplaced for Neglect of Duty, &c.

XXIII. And be it further enacted by the Authority aforeſaid, That if any Commiſſioner of the ſaid Court for the Time being, ſhall be Party to, or intereſted in, any Cauſe depending in the ſaid Court, ſuch Perſon ſhall not be capable of acting as a Commiſſioner in the hearing and determining ſuch Cauſe, or making any Order, Decree, or Judgment therein: But after being heard in the ſaid Cauſe, ſhall withdraw from the ſaid Court, until the ſame is finally determined: And if the Clerk or Serjeant of the ſaid Court, for the Time being, ſhall be a Party to, or intereſted in, any Cauſe depending in the ſaid Court, ſuch Clerk or Serjeant ſhall not exerciſe his ſaid Office in the ſaid Cauſe, or in any Thing relating thereto; but the Commiſſioners, or any three or more of them, aſſembled at ſuch Court, ſhall and may depute and appoint another Perſon to exerciſe the ſaid Office of Clerk or Serjeant reſpectively, in all Things relative to ſuch Cauſe. No Commiſſioner, &c. to act where intereſted.

'XXIV. And, for the better enforcing the Orders and Decrees from Time to Time to be made by the 'ſaid Commiſſioners, and that the Commiſſioners, and the Clerks and Officers of the ſaid Court, may be 'inveſted with proper Power and Authority, and be free and exempt from Inſult and Abuſe,' be it enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall affront, inſult, or abuſe, all or any of the Commiſſioners, Clerks, or Officers of the ſaid Court for the Time being, during their ſitting in the ſaid Court, or in going to, or returning from, the ſame, or ſhall interrupt the Proceedings of the ſaid Court, or at any Time ſhall affront, inſult, or abuſe, hinder or obſtruct, or attempt or threaten to hinder or obſtruct, any of the Clerks or Serjeants in the lawful Execution of his or their reſpective Office or Offices, it ſhall and may be lawful to and for the ſaid Commiſſioners, or any three or more of them then ſitting, or if not then ſitting, at the next Court to be held in or near the Town where ſuch Inſult or Miſdemeanor ſhall be committed, to cauſe a Warrant to be iſſued by the Clerk of the ſaid Court, or his or their Deputy or Deputies, directing ſuch Serjeant to apprehend and take, or cauſe ſuch Perſon or Perſons ſo offending as aforeſaid to be apprehended and taken, before one or more of his Majeſty's Juſtice or Juſtices of the Peace for the Parts of *Holland*, in the County of *Lincoln*; and upon the Fact alledged being proved, by the Oath of one or more credible Witneſs or Witneſſes, the ſaid Juſtice or Juſtices is and are hereby impowered and directed to puniſh ſuch Perſon or Perſons ſo offending as aforeſaid, by Fine, not exceeding the Sum of forty Shillings, nor leſs than five Shillings, which ſhall be immediately paid into the Hands of the ſaid Juſtice or Juſtices before whom ſuch Offender or Offenders ſhall be convicted, and be paid and applied in like Manner Penalty on inſulting the Court.

If the Fine is not immediately paid, it may be levied by Diſtreſs, &c.

as the Fines herein-before mentioned are directed to be applied: And if the ſaid Offender or Offenders ſhall not pay the ſaid Fine in Manner aforeſaid, it ſhall and may be lawful to and for the ſaid Juſtice or Juſtices, by Warrant under his or their Hand and Seal or Hands and Seals, to cauſe the ſame to be levied by Diſtreſs and Sale of the Offender's Goods, or to commit ſuch Perſon or Perſons ſo offending as aforeſaid to ſome common Gaol or Houſe of Correction in the ſaid County of *Lincoln*, there to remain for any Space of Time not exceeding three Calendar Months, or until he, ſhe, or they, ſhall pay the ſaid Fine.

Copy of the laſt preceding Clauſe to be ſtuck up in the Court-houſe.

XXV. Provided always, and be it further enacted by the Authority aforeſaid, That the Clerks of the ſaid Court ſhall fix, or cauſe to be fixed or ſtuck up, in ſome public Part of each of the ſaid Court-houſes, or other Places where the ſaid Commiſſioners ſhall meet, a true Copy of the laſt preceding Clauſe of this Act, to the End that no Perſon or Perſons ſhall or may plead Ignorance thereof.

Gaolers, &c. to receive Perſons committed.

XXVI. And be it further enacted by the Authority aforeſaid, That the reſpective Keepers, for the Time being, of the reſpective common Gaols, or Houſes of Correction, within the ſaid County of *Lincoln*, ſhall and may, and they are hereby required and commanded to receive and take into Cuſtody reſpectively, all and every Perſon and Perſons who ſhall be committed, or ordered to ſtand committed, by any three or more of the ſaid Commiſſioners preſent in Court; or by virtue of any Warrant, Attachment, Execution, or other Proceſs, iſſuing out of the ſaid Court of Requeſts: And in caſe the Keepers of the ſaid Gaols, or Houſes of Correction reſpectively, or either of them, ſhall neglect or refuſe to receive and take into his or their Cuſtody, any Perſon or Perſons committed by virtue of this Act, or before the Expiration of the Time for which any Perſon or Perſons ſhall be ſo committed to his or their Cuſtody, ſhall diſcharge ſuch Perſon or Perſons, or wilfully permit and ſuffer ſuch Perſon or Perſons to go at large without a Warrant, Order, or Authority for that Purpoſe in Writing, ſigned in Court by five or more of the ſaid Commiſſioners; every Keeper offending in any of the Caſes aforeſaid, and being thereof convicted before one or more of his Majeſty's Juſtices of the Peace for the Parts of *Holland*, in the ſaid County, upon the Oath or Oaths of one or more credible Witneſs or Witneſſes, or on his or their own Confeſſion, ſhall forfeit and pay, for every ſuch Offence, any Sum not exceeding five Pounds, nor leſs than forty Shillings, at the Diſcretion of ſuch Juſtice or Juſtices; and ſuch Sum ſhall be immediately paid, by the Perſon or Perſons ſo offending, into the Hands of the Juſtice or Juſtices before whom he or they ſhall be convicted; or in Default thereof, ſhall and may be levied by Diſtreſs and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal or Hands and Seals of ſuch Juſtice or Juſtices; and which Sum, when paid or levied, ſhall be applied in like Manner as the Fines herein-before mentioned are directed to be paid and applied.

Penalty on Refuſal, or permitting Eſcape.

No Action for Debt recoverable by this Act, to be brought in any other Court.

XXVII. And be it further enacted by the Authority aforeſaid, That no Action or Suit for any Debt, not amounting to the Sum of forty Shillings, and recoverable by virtue of this Act in the ſaid Court of Requeſts, ſhall be brought againſt any Perſon or Perſons, reſiding or inhabiting within the Juriſdiction thereof, in any of the King's Courts at *Weſtminſter*, or any other Courts whatſoever, or elſewhere, out of the ſaid Court of Requeſts; and no Suit that ſhall be commenced in the ſaid Court of Requeſts, in purſuance of this Act, nor any Proceedings therein, ſhall or may be removed into any ſuperior Court; but the Judgments, Decrees, and Proceedings of the ſaid Court, ſhall be final and concluſive to all Intents and Purpoſes.

To what Debts this Act ſhall not extend.

XXVIII. And be it further enacted by the Authority aforeſaid, That this Act, or any Thing herein contained, ſhall not extend to any Debt for Rent upon any Leaſe or Contract, where the Title of any Lands, Tenements, or Hereditaments, can or may come in queſtion, or in or upon any other real Contract; nor to any Debt that ſhall ariſe upon or by reaſon of any Cauſe concerning any laſt Will or Teſtament, or Matrimony, or any Thing properly belonging to the Eccleſiaſtical Courts; nor to any Debt for Money won at or by Means of any Horſe-race, Cock-match, Wager, or any Kind of Gaming or Play; nor for any Forfeiture upon any penal Statute or Bye-law; nor to any Debt whereof there hath not been a Contract, Acknowledgment, Undertaking, or Promiſe to pay, within ſix Years before the taking out of the Summons for the ſame, although ſuch Debt ſhall not amount to forty Shillings.

Penalty on wilful Perjury.

XXIX. And be it further enacted by the Authority aforeſaid, That in caſe any Perſon or Perſons making Oath or giving Evidence, in any Cauſe or Matter whatſoever depending in the ſaid Court of Requeſts, ſhall commit wilful and corrupt Perjury, and be thereof duly convicted according to Law, ſuch Perſon or Perſons ſhall incur and ſuffer the like Pains and Penalties as any other Perſon or Perſons convicted of wilful and corrupt Perjury is or are liable to, or ſhall be ſubject to, by the Laws and Statutes of this Realm.

Penalty on not obeying a Subpœna.

XXX. And be it further enacted by the Authority aforeſaid, That in caſe any Perſon reſiding within the Pariſhes aforeſaid, who ſhall be duly ſerved with a Subpœna or Summons, to be iſſued out of the ſaid Court of Requeſts, to give Evidence on Behalf of any Plaintiff or Defendant, ſhall neglect or refuſe to appear purſuant to ſuch Subpœna or Summons, at the Time and Place therein mentioned, and due Proof ſhall be made of the Service of ſuch Subpœna or Summons, and no Cauſe of Abſence be ſhewn or aſſigned to the Satisfaction of the Commiſſioners preſent at the Court to which ſuch Perſon ſhall be by ſuch Subpœna or Summons required to appear; and Oath ſhall be made before the ſaid Commiſſioners, by the Party at whoſe Inſtance and on whoſe Behalf ſuch Subpœna or Summons iſſued, that the Perſon ſerved therewith was a material Witneſs for ſuch Party; it ſhall and may be lawful to and for the ſaid Commiſſioners, or any three or more of them, aſſembled in ſuch Court, to impoſe and lay a Fine not exceeding fifty Shillings, nor leſs than five Shillings, to be levied (if not immediately paid on Demand) by Diſtreſs and Sale of the Offender's Goods, by Warrant under the Hands and Seals of the ſaid Commiſſioners, or any three or more of them; which Fine, when paid or levied, ſhall be paid over to the Party at whoſe Inſtance ſuch Subpœna or Summons iſſued.

This Act not to obſtruct the Execution of an Act of 26 Geo. II.

XXXI. Provided always, and be it further enacted, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to prejudice, obſtruct, prevent, or defeat the Execution of an Act made in the twenty-ſixth Year of the Reign of his late Majeſty King *George* the Second, (intituled, *An Act for the more eaſy and ſpeedy Recovery of ſmall Debts within the Borough of* Boſton *and* Skirbeck *Quarter, and the Pariſhes of*

*of* Boſton *and* Skirbeck, *in the County of* Lincoln); or in any Manner whatſoever to interfere with, leſſen, or alter the Juriſdiction of the Court of Requeſts for the Borough of *Boſton*, *Skirbeck* Quarter, and Pariſhes of *Boſton* and *Skirbeck*, by the ſaid Act conſtituted, or to impower the Commiſſioners acting by virtue of this Act to intermeddle with, or to invalidate, leſſen, alter, or take away, any of the Rights, Powers, or Authorities which by the ſaid Act were veſted in all or any of the Commiſſioners acting under the ſaid Act; but that the ſame ſhall be and continue as fully, to all Intents and Purpoſes, as if this Act had never been made, any Thing herein contained to the contrary thereof in anywiſe notwithſtanding.

Limitation of Actions.

XXXII. And be it further enacted by the Authority aforeſaid, That if any Action or Suit ſhall be brought or commenced againſt any Perſon or Perſons, for any Matter or Thing done, or to be done, in purſuance of this Act, ſuch Action or Suit ſhall be brought or commenced within three Calendar Months next after the Cauſe of Action ſhall ariſe, and not afterwards; and ſhall be laid in the County of *Lincoln*, and not elſewhere; and the Defendant or Defendants, in ſuch Action or Suit, ſhall and may plead the General Iſſue, and give this Act and the Special Matter in Evidence, at any Trial to be had thereon: And if the Plaintiff or Plaintiffs ſhall become nonſuited, or diſcontinue ſuch Action or Suit; or if, upon a Verdict or Demurrer, Judgment ſhall be given againſt the Plaintiff or Plaintiffs, the Defendant or Defendants ſhall and may recover Treble Coſts, and have ſuch Remedies for the ſame, as any Defendant or Defendants can or may have in other Caſes where Coſts are given by Law.

General Iſſue.

Treble Coſts.

Public Act.

XXXIII. And be it further enacted by the Authority aforeſaid, That this Act ſhall be deemed, adjudged, and taken to be a public Act; and ſhall be judicially taken Notice of as ſuch by all Judges, Juſtices, and other Perſons whatſoever, without ſpecially pleading the ſame.

## CAP. LXIII.

An Act to explain and amend an Act, made in the fourteenth Year of the Reign of his preſent Majeſty, intituled, *An Act for paving, repairing, lighting, and watching the Streets, and other public Paſſages and Places, within that Part of the Pariſh of* Clerkenwell, *called* Saint James's, *and removing Obſtructions and Annoyances therein; for widening the Paſſage from* Clerkenwell-green *to the Pariſh Church, and for watching and lighting certain Highways within the ſaid Pariſh*; for repairing the Highways in the ſaid Pariſh, and cleanſing the ſaid Part of the ſaid Pariſh; for widening the Paſſage from *Clerkenwell-cloſe* to *Roſoman's Street*, and from *Roſoman's Street* to *Saint John Street*; and for building a Chapel in the ſaid Pariſh.

## CAP. LXIV.

An Act for the better Relief and Employment of the Poor of the Pariſh of *Saint Mary Abbotts, Kenſington*, in the County of *Middleſex*; and for other Purpoſes therein mentioned.

## CAP. LXV.

An Act for amending and rendering more effectual an Act, made in the twenty-ſecond Year of the Reign of King *George* the Second, intituled, *An Act for draining and preſerving certain Fen Lands and Low Grounds in the ſeveral Pariſhes of* Sutton, Mepal, Witcham, Chatteris, Doddington, *and a Place called* Byalfen, *in the* Iſle of Ely, *and County of* Cambridge; *and alſo in the Pariſhes of* Somerſham *and* Pidley with Fenton, *in the County of* Huntingdon, ſo far as the ſame relates to the Fen Lands and Low Grounds lying in the Pariſhes of *Sutton*, *Mepal*, *Witcham*, *Chatteris*, and a Place called *Byal-fen*, in the *Iſle of Ely*.

Preamble. Act 22 Geo. II. recited.

'WHEREAS by an Act, made in the twenty-ſecond Year of the Reign of his late Majeſty King *George* the Second, intituled, *An Act for draining and preſerving certain Fen Lands and Low Grounds in the ſeveral Pariſhes of* Sutton, Mepal, Witcham, Chatteris, Doddington, *and a Place called* Byal-fen, *in the* Iſle of Ely, *and County of* Cambridge; *and alſo in the Pariſhes of* Somerſham *and* Pidley with Fenton, *in the County of* Huntingdon; it was (amongſt other Things) enacted, That it ſhould and might be lawful for the Commiſſioners appointed by the ſaid Act, or any five or more of them, at any of their Meetings to be held as by the ſaid Act is directed, to aſſeſs, rate, tax, and charge all and every the reſpective Owner or Owners, Occupier or Occupiers of all and ſingular the ſaid Fen Lands or Low Grounds, bounded and deſcribed in the ſaid Act (except ſuch Part, and ſo much thereof, as is therein excepted), and all and every Commoner and Commoners having Right of Common on the commonable Parts thereof, by an equal and proportionable Tax, in any Rate or Sum not exceeding one Shilling and Sixpence *per* Acre for the firſt Year, to be computed from the twenty-fifth Day of *March*, one thouſand ſeven hundred and forty-nine; and for every Year after with any other yearly Sum or Sums of Money, not exceeding one Shilling *per* Acre, for carrying on and effecting the ſaid Work of draining, and for maintaining the ſame: And whereas by another Act, made in the thirty-ſecond Year of the Reign of his ſaid Majeſty King *George* the Second, intituled, *An Act for draining and preſerving certain Fen Lands and Low Grounds in the Pariſhes of* Somerſham *and* Pidley with Fenton, *and the Pariſh of* Colne, *in the County of* Huntingdon, certain other Fen Lands and Low Grounds, lying in the Pariſhes therein mentioned, were added to and directed to be drained with the Fen Lands and Low Grounds deſcribed in the ſaid Act of the twenty-ſecond Year of the Reign of King *George* the Second: And whereas by another Act, made in the fifteenth Year of the Reign of his preſent Majeſty (intituled, *An Act for draining and preſerving certain Fen Lands, Low Grounds, and Commons, in the ſeveral Pariſhes of* Ramſey, Bury, Wiſtow, Wa-

Recital of the Somerſham, &c. Act of 32 Geo. II.;

and the Ramſey, &c. Act of 15 Geo. III.

'boys, Somerſham, Colne, *and* Pidley with Fenton, *in the County of* Huntingdon, *and in the Pariſhes of* 'Chatteris *and* Doddington, *within the* Iſle of Ely, *in the County of* Cambridge), all the Lands and Grounds 'lying in the ſaid Pariſhes of *Doddington*, *Somerſham*, *Colne*, and *Pidley with Fenton*, and Part of the Lands 'and Grounds lying in the Pariſh of *Chatteris*, contained in the Boundaries of the ſaid two recited Acts 'made in the twenty-ſecond and thirty-ſecond Years of the Reign of King *George* the Second, were there- 'by taken from the Controul and Juriſdiction of the Commiſſioners acting under the ſaid two recited Acts, 'and placed under the Controul and Juriſdiction of the Commiſſioners acting under the ſaid laſt recited 'Act, made in the fifteenth Year of the Reign of his preſent Majeſty; ſo that there now remain only ſix 'thouſand and eight hundred Acres, by Eſtimation, or thereabouts, ſubject to the Controul of the Com- 'miſſioners acting by virtue of the ſaid Act made in the twenty-ſecond Year of the Reign of King *George* 'the Second, and which are bounded as follows; (that is to ſay) Beginning at a Bank called *The Twenty-* Boundaries of the preſent Lands. '*foot Bank*, or *Black Bank*, next adjoining to a Houſe now in the Poſſeſſion of *Thomas Rogers*; and from 'thence along by the Side of the Outring Ditch next the Lands called *North Meadlands*, to a Place called '*The Weſt-water*; and from thence along by the ſaid Water, to a Place called *Capen's Corner*; and from 'thence to *Somerſham* Turnpike Bridge on the Eaſt Side of *Somerſham* Turnpike Road; and from thence 'along the Eaſt Side of the ſaid Road, to the hard Lands at a Place called *The Ferry Chelm*, otherwiſe '*Chatteris Ferry*; and from thence along the Outring Ditch next adjoining to a Common, known by the 'Name of *Ferry Burrows*, to another Common called *Horſe-load Fen*; and from thence along by the Out- 'ring Ditch next adjoining to the ſaid Fen, formerly known by the Name of *Snare's Load*, to a Tunnel 'lying under and through a Bank called *Ireton's Way* or *Bank*; and from thence along by the Outring 'Ditch which parts certain Grounds called *Mepal Severals* from a Common called *Block Fen*, and the Out- 'ring Ditch which parts *Chatteris Severals* and the ſaid *Block Fen*, to the ſaid Bank called *Ireton's Way*, 'otherwiſe *Mepal Bank*; and from thence along by the ſaid Way or Bank to *Chatteris* Common, near to a 'Place called *Wenny*; and from thence along by the Outring Ditch which parts the Lands now in the Poſ- 'ſeſſion of *William Purrant* and others, from a Place called *Chatteris* Common, to a Common Fen called '*Longwood Fen Common*; and from thence along by the Outring Ditch, which divides certain Lands now 'in the Poſſeſſion of *John Gardner* Eſquire from the laſt-mentioned Commons, and along the Outring 'Ditch of certain Lands now in the Poſſeſſion of the Reverend Maſter *Pemberton*, to certain Lands called '*Biſhop's Lands*, now in the Poſſeſſion of *Perkins Saunders*; and from thence along by the ſaid Ditch next 'adjoining to a Common called *Chatteris Common*, to a Bank called *The Forty-foot Bank*, and ſo along by 'the ſaid Bank to a Place called *Welches Dam*; and from thence along by the Bank called *The Twenty-* '*foot Bank*, or *Black Bank*, to the Diviſion Dike, between the Houſe of *Thomas Rogers* before named, and 'the ſaid *North Meadlands*; which ſaid Lands and Grounds are all ſituate and lie in the Pariſhes of *Sutton*, '*Mepal*, *Witcham*, *Chatteris*, and a Place called *Byal-fen* within the *Iſle of Ely*, in the County of *Cam-* '*bridge*: And whereas the ſaid Commiſſioners did, in purſuance of the ſaid firſt-recited Act made in the 'twenty-ſecond Year of the Reign of King *George* the Second, aſſeſs and rate the ſaid Lands and Grounds 'bounded as above deſcribed, and erect Works and Engines for draining the ſame, from which the Pro- 'prietors have found the greateſt Benefit; but the ſaid Works and Engines are by Length of Time and 'other Accidents become ſo ruinous and decayed, that the preſent Tax of one Shilling *per* Acre is now 'very inſufficient to amend and maintain the ſame; and the Commiſſioners have alſo contracted ſeveral 'Debts to a conſiderable Amount, and which cannot be diſcharged, nor the neceſſary Works for draining 'and preſerving the ſaid Lands be made, repaired, and maintained, without the further Aid of Parlia- 'ment:' May it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That, from and after the paſſing of this Act, the Commiſſioners appointed by or acting in purſuance of the ſaid former Act, made in the twenty-ſecond Year of the Reign of King *George* the Second, in caſe they now are poſſeſſed of thirty Acres of taxable Land within the Boundaries of the ſaid Fen Lands or Low Grounds, or are Agents for any Proprietors of Lands in the ſaid Fens and Low Grounds intitled by the ſaid former Act to appoint ſuch Agents, ſhall be, and they are hereby authoriſed and impowered, during the Time they ſhall be poſ- ſeſſed of ſuch Qualifications, to act, as well in Execution of this preſent Act as of the ſaid former Act, in as full and ample a Manner, to all Intents and Purpoſes, as if they had been nominated and appointed Commiſſioners by this preſent Act; and that upon the Death, Reſignation, or Refuſal of any of the Com- miſſioners now acting by virtue of the former Act, that then the ſurviving Commiſſioners ſhall purſue the ſame Rule for chooſing new ones in their Stead, as by the former Act is directed.

Commiſſioners of the former Act to be Commiſſioners of this.

II. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners or their Succeſ- ſors, or any five or more of them, ſhall, twice in every Year, meet on the Days and Times in the Towns as in the ſaid former Act mentioned, except in the Town of *Somerſham*, and may meet at ſuch Houſe or Place of Meeting in the ſaid Towns as the ſaid Commiſſioners ſhall from Time to Time think proper; but that the firſt Meeting of the ſaid Commiſſioners, for the Purpoſe of executing this Act, ſhall be held at the Houſe of *John Smith*, known by the Sign of *The Croſs Keys*, in *Chatteris* in the *Iſle of Ely*, or at ſome other Public Houſe in *Chatteris* aforeſaid, on the third *Tueſday* next after the paſſing of this Act.

Meetings of Commiſſioners.

III. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Commiſſioners, or any five or more of them, at all and every or any ſuch Meeting or Meetings, to aſſeſs, rate, tax, and charge all and every the reſpective Owner or Owners, Occupier or Occupiers of the Lands and Grounds aforeſaid, and liable to be taxed by virtue of the ſaid former Act (other than and except a certain Common called *Mepall Gall Fen Common*, and all public Roads and Droveways throughout the ſaid Fen Lands and Low Grounds, which are hereby exempted from any Tax to be raiſed at any Time under and by virtue of this Act) by an equal and proportionable Acre-tax, with ſuch further Sum or Sums of Money as the ſaid Commiſſioners, or any five or more of them, ſhall think proper, ſo as the ſame do

Commiſſioners impowered to lay a further Tax of 5s an Acre for the firſt four Years, and 2s. 6d. an Acre afterwards.

not

not exceed the annual Sum of five Shillings an Acre (over and above the Tax wherewith the ſaid Lands and Grounds are already liable to be taxed) for the firſt four Years next after the paſſing of this Act; and for every Year after with any other yearly Sum or Sums of Money, not exceeding two Shillings and Sixpence *per* Acre, over and above the ſaid Tax wherewith the ſaid Lands and Grounds are already liable to be taxed; and alſo to aſſeſs, rate, tax, and charge all and every the reſpective Owner or Owners, Occupier or Occupiers of all and ſingular the ſaid Fen Lands and Low Grounds ſo bounded and deſcribed as aforeſaid, and which are not liable to be taxed by virtue of the ſaid former Act, by an equal and proportionable Acre-tax, with ſuch Sum or Sums of Money as the ſaid Commiſſioners, or any five or more of them, ſhall think proper, ſo as the ſame do not exceed the annual Sum of five Shillings *per* Acre for the firſt four Years after the paſſing of this Act; and for every Year after with any other yearly Sum or Sums of Money, not exceeding two Shillings and Sixpence *per* Acre in any Year; all which ſaid Sum or Sums of Money, ſo to be raiſed by virtue of this Act, ſhall be paid, collected, levied, and recovered in the ſame Manner as the ſaid Acre-tax of one Shilling *per* Acre by the ſaid former Act is directed to be paid, collected, levied, and recovered.

How the Great and Little Holts are to be taxed.

IV. Provided always, and be it enacted, That no Tax ſhall be laid, by virtue of this Act, upon two certain Parcels of Lammas Land lying in *Mepal* aforeſaid, called *The Great and Little Holts*, for the firſt two Years next after the paſſing thereof; nor any larger Tax than the Sum of two Shillings and Sixpence *per* Acre for the third Year after the paſſing thereof; nor any larger Tax than the Sum of five Shillings *per* Acre for the fourth Year after the paſſing thereof; and that from and after the Expiration of the ſaid four Years after the paſſing of this Act, the ſaid *Great and Little Holts* ſhall be ſubject to the ſame annual Tax of two Shillings and Sixpence *per* Acre, as the other Lands and Grounds are liable to by virtue of this Act.

Tenants to pay the Tax, and deduct the ſame out of their Rents.

V. Provided alſo, and be it enacted, That the ſeveral and reſpective Tenants of the ſaid Fen Lands and Low Grounds, which ſhall be rated or aſſeſſed at the annual Sum of five Shillings an Acre by virtue of this Act for the firſt four Years after the paſſing thereof, and alſo the ſeveral and reſpective Tenants of the ſaid Lammas Land, called *The Great and Little Holts*, which ſhall be rated and aſſeſſed at the Sum of two Shillings and Sixpence *per* Acre for the third Year after the paſſing of this Act, and at the Sum of five Shillings *per* Acre for the fourth Year after the paſſing of this Act, ſhall, and are hereby required and authoriſed to pay ſuch annual Sum of five Shillings, two Shillings and Sixpence, and five Shillings an Acre reſpectively, and to deduct the ſame out of the Rent which now is or ſhall accrue due to their reſpective Landlords for the ſaid Lands; and the ſaid Landlords, both mediate and immediate, are hereby required to allow ſuch Deductions and Payments, upon proper Receipts being produced of ſuch Payment, and upon Payment of the Reſidue of the ſaid Rents: And that every Tenant, paying the ſaid Aſſeſſment, ſhall be acquitted and diſcharged of ſo much Money as the ſaid Aſſeſſment ſhall amount to, as if the ſame had been actually paid unto ſuch Perſon or Perſons to whom his or her Rent ſhall have been due or payable, except where there are or have been prior Agreements made between the Landlord and Tenant to the contrary.

Who ſhall pay the Taxes for Lands under Leaſe.

VI. Provided nevertheleſs, That in all Caſes where there ſhall be a Leaſe or Agreement ſubſiſting, which has more than ſeven and under fourteen Years to come and unexpired, at the Time of the paſſing of this Act, one Moiety of the Taxes to be laid by virtue of this Act ſhall be borne and paid by the Landlord, and the other Moiety by the Tenant; and that in all Caſes where there ſhall be a Leaſe or Agreement ſubſiſting, which has fourteen or more Years to come and unexpired at the Time of the paſſing of this Act, the Whole of the Taxes to be laid by virtue of this Act ſhall be borne and paid by the Tenant.

Application of Taxes.

VII. And be it further enacted, That the Monies ariſing from the ſaid Taxes or Aſſeſſments ſhall be applied and diſpoſed of, in the firſt Place, to defray the Expences of obtaining this Act; and in the next Place to diſcharge ſuch Notes of Hands as have been given by the Commiſſioners for Money by them borrowed and expended in Works for imbanking and draining the ſaid Fen Lands and Low Grounds, with the Intereſt thereon due; and then to diſcharge the Bills due to Tradeſmen for Materials and Work done by Order of the ſaid Commiſſioners; and the Remainder thereof in making, maintaining, and keeping ſuch Cuts, Drains, Dams, Banks, Bridges, Tunnels, and Outlets, and erecting, repairing, maintaining, and keeping ſuch Works and Engines as will be neceſſary for draining and improving the ſaid Fen Lands and Low Grounds, and for the other Purpoſes directed by this Act, and to no other Uſe or Purpoſe whatſoever.

High-lands not to be taxed.

VIII. Provided always, and be it enacted, That no Tax or Aſſeſſment ſhall be rated, charged, or levied for or in reſpect of any Lands, being Part of the Lands bounded and deſcribed as aforeſaid, which are known and diſtinguiſhed by the Name of *High lands*, and have not been damaged by Inundations.

A Survey to be taken, and Map made.

'IX. And, in order to the aſcertaining the Number of Acres contained within the ſaid Boundaries, and 'which are High-lands, and have not been damaged by Inundations, and which are not,' be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid Commiſſioners, or any nine or more of them, who ſhall be preſent at the firſt Meeting, or any other Meeting to be held by virtue of this Act, and they are hereby authoriſed, if they ſhall think proper, to order a Survey to be taken, and a Map made, by ſuch Perſon or Perſons as they ſhall think proper, of all the Lands and Grounds contained or comprized in this Act, as well thoſe already ſurveyed as thoſe not; which Survey and Map ſhall be delivered in upon Oath to the ſaid Commiſſioners, or any nine or more of them, who ſhall be preſent at any Meeting to be held by virtue of this Act, and the Charges thereof ſhall be borne and paid out of the Monies ariſing by virtue of this Act.

If any Diſpute ſhall ariſe whether any of the Lands ſhould be deemed High-lands or not, the ſame to be de-

X. And be it further enacted, That if any Diſpute ſhall ariſe whether any ſuch Lands ſhall or ſhall not be deemed High-lands, the ſame ſhall be determined upon View, on or before the firſt Day of *September*, one thouſand ſeven hundred and ſeventy-ſeven, by two indifferent Perſons not having any Property in the ſaid Fen Lands and Low Grounds contained within the ſaid Boundaries, one of whom ſhall be nominated by the Commiſſioners, and the other by the Proprietor or Proprietors of the Lands in Diſpute; and the ſaid

termined by two indifferent Perſons.

ſaid two Perſons, before they proceed to determine ſuch Diſpute, ſhall take an Oath well and truly, to the beſt of their Judgment and Knowledge, to determine whether ſuch Lands ſhall or ſhall not be deemed High-lands (which Oath any one or more of the Commiſſioners is and are hereby impowered to adminiſter); and the ſaid two Perſons ſhall ſet forth their Determination in two diſtinct Writings, and ſhall ſign the ſame; one of which Writings ſhall be delivered to the Owner or Owners of ſuch Lands, and the other of ſuch Writings ſhall be depoſited and kept in the Place where the Accounts and other Records of the ſaid Commiſſioners are kept; and the Determination of the ſaid two Perſons ſhall be final.

If the ſaid Perſons cannot agree, they are to chuſe an Umpire.

XI. Provided nevertheleſs, That in caſe the ſaid two Perſons ſo choſen ſhall not agree in their Opinions, then they the ſaid two Perſons ſhall nominate and appoint one other indifferent Perſon not having any Property in the ſaid Fen Lands and Low Grounds; and ſuch Perſon, being firſt ſworn in Manner abovementioned, ſhall and is hereby impowered, together with the ſaid two other Perſons, to determine the Matter ſo in Diſpute; and the Determination of them, or any two of them, ſhall be final.

In caſe the Proprietor refuſes to name a Referee, &c. the Matter to be ſettled by the Quarter Seſſions.

XII. And be it further enacted, That in caſe any Proprietor of Lands ſo in Diſpute ſhall neglect or refuſe to appoint ſuch Referee, or the Referee by him appointed ſhall refuſe to come to a Determination on the ſaid Land with the other Referee, or to agree with him in appointing an Umpire, then the Matter in Diſpute, how far the ſaid Land is taxable, ſhall be ſettled and determined by the Juſtices of the Peace for the County of *Cambridge*, aſſembled at their then next General Quarter Seſſions; and the Determination of ſuch Juſtices ſhall be final.

Tenants for Life, &c. impowered to borrow Money;

XIII. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for any Tenant or Tenants for Life or Lives, Guardians, Huſbands, Truſtees, Committees, or Attornies of any Infants, Lunaticks, Idiots, Femes-covert, Perſons beyond the Seas, or otherwiſe incapable of acting for themſelves, or for any Number of Years determinable upon Life or Lives, or other Contingencies, or for Truſtees of any Charities, or any other Purpoſes whatſoever, by Writing under their Hands and Seals, from Time to Time, to charge ſuch of their ſaid Lands and Grounds, which are ſubject and liable to be taxed by this Act with the annual Sum of five Shillings *per* Acre for the firſt four Years after the paſſing of this Act, with any Sum not exceeding the ſaid ſeveral annual Sums of five Shillings *per* Acre; and for ſecuring the Payment of the ſaid Sum or Sums of Money, with Intereſt for the ſame, to ſurrender, grant, mortgage, leaſe, or demiſe the Lands and Grounds ſo to be charged unto ſuch Perſon or Perſons who ſhall advance and lend the ſame reſpectively; ſo as every ſuch Surrender, Grant, or Demiſe, be made with a Proviſo or Condition to ceaſe and be void, or with an expreſs Truſt to be ſurrendered or aſſigned, when ſuch Sum or Sums of Money thereby ſecured, with the Intereſt thereof, ſhall be fully ſatisfied and paid; and ſo as every ſuch Surrender, Grant, or Demiſe, ſo to be made by any Tenant in Fee, for Life or Lives, or in Tail, or for Years determinable upon Contingencies, contains a Proviſo, that the Perſons intitled in Remainder or Reverſion ſhall not, nor ſhall any Perſon be liable, on his, her, or their becoming ſeiſed and poſſeſſed of any ſuch Lands or Grounds, to pay any further or larger Arrear of Intereſt than for one-half Year preceding the Time when the Title of ſuch Poſſeſſion ſhall accrue and commence; and that every ſuch Surrender, Grant, Mortgage, Leaſe, or Demiſe, made in purſuance of this Act, ſhall be good, valid, and effectual in the Law for the Purpoſes thereby intended, notwithſtanding the Want of a legal Title, or any Settlement, Will, Truſt, Uſe, Remainder, Limitation, or other Incumbrances, of, upon, affecting, or concerning the ſame Grounds, Lands, and Premiſes, or any Part or Parts thereof then in being, or capable of taking Effect to the contrary.

and to mortgage their Lands for a Security.

Commiſſioners impowered to borrow 6,000 l.

XIV. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners, or the major Part of them (ſuch major Part not being leſs than fifteen), aſſembled at any public Meeting to be held as aforeſaid, ſhall and may, and they are hereby impowered, from Time to Time, to borrow any Sum or Sums of Money, not exceeding in the Whole the Sum of ſix thouſand Pounds, which they ſhall think neceſſary for the new-making, carrying on, repairing, and preſerving the ſaid Works; and by Writing under their Hands and Seals (without Stamps) to aſſign over the ſaid yearly Rates and Taxes hereby charged or to be charged upon the ſaid Fen Lands and Low Grounds, and every or any Part thereof, as a Security for the Repayment of ſuch Sum or Sums, with Intereſt for the ſame, to the Perſon or Perſons who ſhall advance or lend ſuch Sum or Sums of Money, his or their Executors, Adminiſtrators, or Aſſigns: And all and every ſuch Perſon or Perſons to whom ſuch Mortgage, Aſſignment, or Transfer thereof ſhall be made, ſhall be, in Proportion to the Sum or Sums therein mentioned, Creditors on the ſaid Aſſeſſments, Rates, Taxes, and Sums of Money, in equal Degree one with another, and ſhall have no Preference in reſpect to the Priority of advancing any Sum of Money: Which Money ſo to be borrowed ſhall, in the firſt Place, be applied and diſpoſed of to defray the Expences of obtaining this Act; and in the next Place, to diſcharge ſuch Notes of Hand as have been given by the Commiſſioners for Money by them borrowed and expended in Works for embanking and draining the ſaid Fen Lands and Low Grounds, with the Intereſt thereon due; and then the Bills due to Tradeſmen for Materials and Work done by Order of the ſaid Commiſſioners; and the Remainder thereof in making, maintaining, and keeping ſuch Cuts, Drains, Banks, Bridges, Tunnels, and Outlets, and erecting, repairing, maintaining, and keeping ſuch Works and Engines as ſhall be neceſſary for draining and improving the ſaid Fen Lands and Low Grounds, and for the other Purpoſes directed by this Act, and to no other Uſe or Purpoſe whatſoever.

and to aſſign the Rates as a Security.

Mortgagees to be Creditors in equal Degree.

Application of Moneyborrowed.

Mortgages of the Rates to be numbered.

XV. And be it further enacted, That all Mortgages or Aſſignments of the ſaid Rates and Taxes to be made, as well of the Taxes to be raiſed by this preſent Act, as all future Mortgages or Aſſignments to be made of the Rates and Taxes raiſed by the ſaid former Act, ſhall be numbered, beginning with Number One, and ſo proceeding in numerical Order; and that no Aſſignment ſhall be made for any greater or leſſer Sum than one hundred Pounds; any Thing in the ſaid former Act contained to the contrary notwithſtanding.

Securities may be aſſigned by Indorſement,

XVI. And it is hereby further enacted, That every Perſon to whom any Aſſignment of the ſaid Rates and Taxes to be raiſed by virtue of this Act, or the former Act, ſhall hereafter be made for ſecuring any

Sum or Sums of Money thereby ſecured, ſhall have full Power from Time to Time, by Indorſement on the original Grant or Security (without Stamps), to aſſign and transfer the ſame to any Perſon or Perſons whomſoever; and ſuch Transfer or Aſſignment, from and after the Time that the ſame is entered in a Book to be kept by the ſaid Commiſſioners for that Purpoſe (which Entry their Clerk is hereby required to make upon producing ſuch Aſſignment, and Payment of one Shilling for the ſaid Entry), ſhall intitle ſuch Aſſignee or Aſſignees, his, her, or their Executors, Adminiſtrators, or Aſſigns, to the ſaid principal Sum, and all Intereſt due or to grow due thereon; and ſuch Aſſignee or Aſſignees, and every other Aſſignee or Aſſignees, ſhall and may, in like Manner, by Indorſement or otherwiſe, aſſign and make over ſuch Mortgages and Securities ſo aſſigned as aforeſaid, and ſo *toties quoties* as Occaſion ſhall require, every ſuch Aſſignment being entered into ſuch Books as aforeſaid.

Rates to be charged with Monies borrowed,

XVII. And be it further enacted and declared, That the Rates or Taxes to be raiſed by virtue of this Act on the ſaid Lands and Grounds, ſhall be charged and chargeable with the Payment of the Principal Monies ſo to be borrowed by the ſaid Commiſſioners as aforeſaid, and with the Intereſt of ſuch Monies from Time to Time, and ſhall veſt in the Creditors upon Default of Payment of ſuch Principal Money and Intereſt, until the ſame and every Part thereof ſhall be fully ſatisfied and paid, together with the Coſts and Charges occaſioned by the Nonpayment thereof; and the ſaid Creditors, their Executors, Adminiſtrators, or Aſſigns reſpectively, ſhall have the ſame Powers, Rights, and Privileges of recovering the ſaid Rates or Taxes, for or in reſpect of ſuch Principal Money and Intereſt, in caſe of Default in Payment thereof, as the ſaid Commiſſioners and their Collectors and Receivers could have had in caſe ſuch Principal Money and Intereſt had been regularly paid.

and, in Default of Payment, veſted in Creditors,

No Money to be borrowed, unleſs at a Meeting where fifteen Commiſſioners are preſent.

XVIII. Provided always, That no Sum or Sums of Money whatſoever ſhall be borrowed and taken up at Intereſt, upon the ſaid Rates and Taxes charged upon the Lands and Grounds by virtue of this Act by the ſaid Commiſſioners, unleſs the ſame ſhall be ſo borrowed at one of their Meetings directed to be held by this or the former Act, nor at any ſuch Meeting as aforeſaid, unleſs fifteen Commiſſioners at the leaſt ſhall be then and there preſent and conſenting or agreeing thereto.

Certain Clauſes of the former Act extended to this Act.

XIX. Provided always, and be it enacted, That nothing in this Act contained ſhall extend to repeal, alter, or take away, any of the Clauſes, Reſtrictions, Powers, and Authorities, given by the ſaid former Act to the Commiſſioners acting by virtue and in purſuance thereof; but that every Clauſe, Power, and Authority therein contained, ſhall remain and be in the ſame Force and Effect as if this Act had never been made; and that all the Clauſes, Reſtrictions, Powers, and Authorities, given by the ſaid former Act, ſo far as the ſame relates to the ſaid Fen Lands and Low Grounds herein-before deſcribed in this preſent Act, ſhall extend to this Act as fully and effectually as if the ſame were repeated and re-enacted in this preſent Act; ſave only and except ſuch Part or Parts thereof as are altered, taken away, or repealed, by virtue of this Act.

Expences of this Act how to be paid.

XX. And be it further enacted, That all the Charges and Expences of obtaining and paſſing this Act, ſhall be borne and defrayed out of the firſt Monies that ſhall be raiſed by virtue of this Act.

Commiſſioners impowered to take Earth for making Banks, &c.

XXI. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners, or any five or more of them, or their Succeſſors, ſhall be, and are hereby authoriſed and impowered to take Earth from any Part of the Lands contained within the ſaid Boundaries for the Purpoſe of making and repairing ſuch Banks, Mill-hills, Dams, Headings, and other Works within the ſaid Boundaries, as they ſhall think neceſſary, paying ſuch reaſonable Satisfaction to the Perſon or Perſons who have a Right to the Soil wherefrom the ſame ſhall be taken, as ſhall be by the ſaid Commiſſioners and ſuch Proprietors agreed on; and in caſe of any Diſpute about the ſame, that it ſhall be ſettled and adjuſted as by the ſaid former Act is directed in ſimilar Caſes; and that they ſhall and do, and they are hereby authoriſed and required, within twelve Calendar Months next after paſſing this Act, to make and cut a new Drain from the preſent Twenty-foot Drain between *Sutton* and *Mepal Fen* to the old Sixteen-foot Drain in Maſter *Fortrey*'s Land, twenty Feet wide at the Top, and fifteen Feet at the Bottom, and five Feet deep.

and to make a Drain from the Twenty Foot Drain to the old Sixteen-foot Drain, &c.

Surveyors may cauſe Ditches leading to Mill-drains to be ſcoured, &c. if the Owners, &c. ſhall neglect ſo to do.

XXII. And be it further enacted by the Authority aforeſaid, That if the Owner or Owners, Occupier or Occupiers, of any Land lying within the Limits aforeſaid, through which any Drove-way Dike, Outring Dike, or Diviſion Dike leading to any of the Mill-drains within the ſaid Boundaries, doth or ſhall paſs, ſhall neglect or refuſe ſufficiently to road, ſcour, cleanſe, open, or repair any ſuch Dike, or to make the ſame of the Depth of four Feet, and the Width of nine Feet at leaſt, after fourteen Days Notice in Writing to him, her, or them given, from Time to Time, by the Collector or Collectors, Receiver or Receivers, then it ſhall and may be lawful to and for the Surveyor or Surveyors, acting under the Authority of the ſaid Commiſſioners, to cauſe ſuch Dikes to be roaded, ſcoured, cleanſed, opened, repaired, and deepened in a ſufficient Manner, and made of the Width aforeſaid, at the proper Coſts, Charges, and Expences of ſuch Owners or Occupiers; and alſo wherever a Road or Way have been or ſhall be made over or acroſs any ſuch Dike, without a Tunnel not leſs than eighteen Inches Square of clear Water-way lying therein, and alſo wherever a Road or Way have been or ſhall be made over or acroſs any Mill-drain, without a Bridge over the ſame of the Width of the Bottom of the ſaid Drain, to cauſe ſuch Ways or Roads to be taken up, and ſuch Dike or Drain to be made of a proper Width and Depth for conveying the Waters through the ſame to the ſeveral Mills or Engines erected or to be erected for draining the ſaid Fen Lands and Low Grounds, and by Warrant or Precept, under the Hands of three or more of the ſaid Commiſſioners, to levy ſuch Charges and Expences as ſhall be occaſioned by the deepening and widening of the ſaid Dikes or Drains, or taking up the ſaid Roads, on the Owner or Owners, Occupier or Occupiers of the Lands through which the ſaid Dikes ſhall paſs, or to which they ſhall be contiguous, or who ſhall make or cauſe to be made ſuch Road as aforeſaid.

Commiſſioners not to do any Works to hinder the Waters in

XXIII. Provided always, and be it enacted by the Authority aforeſaid, That the Commiſſioners already appointed, or hereafter to be appointed, to put this or the ſaid former Act into Execution, ſhall make no Dams or other Works to hinder the Waters drained from the ſaid Lands ſituate on the North-

eaſt

Cranebrook, &c. from iſſuing to their Outfalls.

eaſt Side of *Cranebrook* and South-weſt Side of the Outring Ditch of the North Meadlands aforeſaid, or any other Watercourſes, Dikes, or Drains, running in, by, or through the ſaid Lands and Grounds within the Boundaries deſcribed as aforeſaid, from iſſuing and paſſing to their accuſtomed Outfalls; and that they the ſaid Commiſſioners ſhall, and are hereby authoriſed and required to ſcour out, cleanſe, and keep ſuch old Dikes, Drains, Sewers, and Watercourſes, as have heretofore been made, uſed, or kept in Repair by the ſaid Commiſſioners, in good and ſufficient Repair and Condition for conveying the ſaid Waters to their ſaid Outfalls; any Thing in this or the ſaid former Act contained to the contrary in anywiſe notwithſtanding.

If the Commiſſioners ſhall make a Drain acroſs any Road or Droveway, they ſhall erect proper Bridges.

XXIV. And be it further enacted, That whenever the ſaid Commiſſioners ſhall make or uſe any Drain or Cut acroſs any Road or Droveway, they ſhall, and are hereby authoriſed and required to erect, or cauſe to be erected, and, from Time to Time, to keep in Repair, proper Bridges for the Uſe and Convenience of all Perſons paſſing and repaſſing along ſuch Road or Droveway; and alſo that during the Time that any Bridge or Bridges, Tunnel or Tunnels, acroſs any Drain or Drains that now is or are, or hereafter ſhall be made acroſs a certain Road or Way called *Ireton's Way* or *Mepal Bank*, ſhall be erecting or repairing, the ſaid Commiſſioners ſhall alſo erect and keep up a proper temporary Bridge, or proper temporary Bridges, over ſuch Drain or Drains, for the Uſe and Convenience of all Perſons paſſing or repaſſing along the ſaid Way or Bank, ſo that the Road or Way along the ſaid Bank may not, at any Time, be thereby ſtopped or impeded.

How Juſtices to proceed for Conviction of Offenders.

'XXV. And, for the more eaſy and ſpeedy Conviction of Offenders againſt this Act, and the ſaid for-
'mer Act,' be it further enacted, That all and every the Juſtice and Juſtices of the Peace, before whom any Perſon or Perſons ſhall be convicted of any Offence againſt this Act, or the ſaid former Act, ſo far as the ſame relates to the ſaid Lands or Grounds ſo herein-before bounded and deſcribed, ſhall and may cauſe the Conviction to be drawn up in the following Form of Words, or in any other Form of Words to the ſame Effect, as the Caſe ſhall happen; *videlicet:*

Form of Conviction.

'BE it remembered, That, on the Day of in the Year of our Lord
'*A. B.* is convicted before me *C. D.* one of his Majeſty's
'Juſtices of the Peace for the *Iſle of Ely* [*either* on his own Confeſſion, *or* on Oath of one or more credible
'Witneſs or Witneſſes, *as the Caſe ſhall be*], by virtue of an Act made in the ſeventeenth Year of the
'Reign of his Majeſty King *George* the Third, *for amending and rendering more effectual an Act made in the*
'*twenty-ſecond Year of the Reign of King* George *the Second, intituled,* "An Act for draining and pre-
"ſerving certain Fen Lands and Low Grounds in the ſeveral Pariſhes of *Sutton, Mepal, Witcham, Coat-*
"*teris, Doddington*, and a Place called *Byal fen*, in the *Iſle of Ely*, and County of *Cambridge*; and alſo in
"the Pariſhes of *Somerſham* and *Pidley with Fenton*, in the County of *Huntingdon*;" *ſo far as the ſame*
'*relates to the Fen Lands and Low Grounds lying in the Pariſhes of* Sutton, Mepal, Witcham, Chatteris,
'*and a Place called* Byal fen, *in the* Iſle of Ely, in the ſaid Act deſcribed; [*ſpecifying the Offence, and the*
'*Time and Place when and where the ſame was committed, as the Caſe ſhall be*].
'Given under my Hand and Seal, the Day and Year firſt above written.'

Saving Clauſe to the Corporation of Bedford Level.

XXVI. Provided always, and be it enacted by the Authority aforeſaid, That this Act, or any Thing herein mentioned, ſhall not extend, or be conſtrued to extend, to impower the ſaid Commiſſioners, or any of them, to have, uſe, or exerciſe any Power or Authority over, or to intermeddle with any of the Sewers, Drains, or Works already made, or hereafter to be made, by the Governor, Bailiffs, and Commonalty of *The Company of Conſervators of the Great Level of the Fens called* Bedford Level, by virtue of an Act of Parliament made in the fifteenth Year of the Reign of King *Charles* the Second, intituled, *An Act for ſettling the draining of the Fens called* Bedford Level, or by virtue of any other Act or Statute whatſoever; or to invalidate, leſſen, diminiſh, alter, or take away any of the Rights, Powers, and Authorities veſted in the ſaid Governor, Bailiffs, and Commonalty, or the ſaid Governor, Bailiffs, and Conſervators; but that all Rights, Powers, and Authorities whatſoever, which by virtue of the ſaid Act, or any other Act or Statute whatſoever, are now veſted in the ſaid Governor, Bailiffs, and Commonalty, or the ſaid Governor, Bailiffs, and Conſervators, or any of them, ſhall for ever hereafter remain, continue, and be in the ſaid Governor, Bailiffs, and Commonalty, and in the ſaid Governor, Bailiffs, and Conſervators, and every of them, as fully and amply, to all Intents and Purpoſes, as if this Act had never been made.

Limitation of Actions.

XXVII. And it is hereby further enacted by the Authority aforeſaid, That if any Action, Suit, or Information, ſhall be commenced or proſecuted againſt any Perſon or Perſons for any Thing done or to be done in purſuance of this or the former Act, or in Execution of any the Powers and Authorities hereby or thereby given, every ſuch Action, Suit, or Information, ſhall be commenced or proſecuted within ſix Calendar Months next after the Fact committed, and not afterwards; and ſhall be laid or brought in the Court of Seſſions of Pleas of the ſaid *Iſle of Ely*, or in the County of *Cambridge*, and not elſewhere; and the Defendant or Defendants, in ſuch Action or Suit, ſhall and may plead the General Iſſue, Not Guilty; and if in Replevin, may juſtify and avow, by virtue of this Act, or the former Act, as Perſons acting by the Authority of Commiſſioners of Sewers are enabled to do, and give this or the former Act, and the ſpecial Matter in Evidence, without ſpecially pleading the ſame (other than as aforeſaid), at any Trial to be thereupon had; and that the Fact alledged to have been done was done in purſuance and by the Authority of this or the former Act: And if the ſame ſhall appear to be ſo done, or if any ſuch Action or Suit ſhall be brought after the Time before limited for bringing the ſame, or ſhall be brought in any other County or Place, then the Jury ſhall find for the Defendant or Defendants, Avowant or Avowants; or if the Plaintiff or Plaintiffs ſhall become nonſuit, or forbear a Proſecution, or diſcontinue his, her, or their Suit or Suits, or if any Judgment ſhall be given againſt him, her, or them, upon Demurrer or otherwiſe; then, in any of the ſaid Caſes, the Defendant or Defendants, Avowant or Avowants,

General Iſſue.

Avowants, ſhall recover Treble Coſts, for which he, ſhe, or they, ſhall have like Remedy as where Coſts by Law are awarded. Treble Coſts.

XXVIII. And be it further enacted and declared by the Authority aforeſaid, That this Act ſhall be deemed a Public Act; and all Judges, or Juſtices, or other Perſons, are hereby required to take Notice thereof as ſuch, without ſpecially pleading the ſame. Public Act.

## CAP. LXVI.

An Act for eſtabliſhing a Nightly Watch within the Hamlet of *Mile-end Old Town*, in the Pariſh of *Saint Dunſtan Stepney*, otherwiſe *Stebonheath*, in the County of *Middleſex*.

## CAP. LXVII.

An Act for varying and enlarging the Powers of an Act made in the twelfth Year of the Reign of his preſent Majeſty, *for making a navigable Cut or Canal from the River* Dee, *within the Liberties of the City of* Cheſter, *to or near* Middlewich *and* Nantwich, *in the County of* Cheſter.

## CAP. LXVIII.

An Act for rebuilding the Bridge over the River *Severn*, at *Maiſmore*, near the City of *Glouceſter*; for raiſing, widening, and ſecuring *Over's Cauſeway*, leading from the ſaid City towards *Maiſmore* aforeſaid; and for enforcing the proper paving and cleanſing of the ſeveral Streets within the ſaid City, and for removing Nuiſances and Annoyances therefrom, and preventing the like for the future.

'WHEREAS a Bridge was, about ſixty-ſix Years ago, built with Brick and Stone acroſs the River *Severn*, in the Pariſh of *Maiſmore*, and near the City of *Glouceſter*, and in the Turnpike Road leading to the City of *Worceſter*, by the Inhabitants of the ſaid Pariſh of *Maiſmore*, by a Fine of two hundred Pounds ſet on them at a General Quarter Seſſions of the Peace held for the County of *Glouceſter*, in *Eaſter* Seſſions, one thouſand ſeven hundred and nine, on their pleading Guilty to an Indictment found againſt them for not repairing their Bridge called *Maiſmore-bridge*, and the Highways in the ſaid Pariſh, and by a voluntary Gift from the County of *Glouceſter* by Order of the ſaid Seſſions, and alſo by other Subſcriptions; which ſaid Bridge, ſince the Time of building, has been of public Utility; but the ſaid Bridge not being built ſufficiently ſtrong, has for a conſiderable Time been in a ruinous Condition, and was lately totally deſtroyed by means of the Equinoctial Tides and great Floods: And whereas, in order to prevent the Communication between the ſaid Cities, and many Parts of the Counties of *Glouceſter*, *Worceſter*, and other Counties and Places, from being totally ſtopped, a temporary Bridge has been built of Wood by certain Perſons at their own private Expence: And whereas it is neceſſary for the public Convenience, that a ſubſtantial and ſafe Bridge ſhould be built in the Room of the former Bridge ſo deſtroyed as aforeſaid:' May it therefore pleaſe your Majeſty that it may be enacted, *&c.*

"Truſtees appointed for building a Bridge acroſs the *Severn*. When Truſtees die, or refuſe to act, new "ones to be choſen. Qualification of Truſtees. Penalty on acting if not qualified. Meetings of Truſ- "tees appointed. In default of a ſufficient Number, the Clerk to adjourn. Truſtees to pay their own "Charges, *&c.* Orders to be made at Meetings only, *&c.* A Bridge to be built of Stone, *&c.* acroſs "the River *Severn*, at *Maiſmore*, near the City of *Glouceſter*. Materials of the old Bridge veſted in the "Truſtees, who are impowered to contract with the Proprietors of the Wooden Bridge; but if they re- "fuſe to ſell the Bridge, *&c.* Truſtees may cauſe it to be taken down, and a new temporary Bridge to be "built. Perſons damaging the Bridges, to forfeit treble the Value of the Damage. Truſtees may erect "Toll-houſes, *&c.* and take the following Tolls: For every Horſe, Mare, Gelding, Ox, Mule, or Aſs, "drawing any Carriage, Three-pence: For every Horſe, Mare, Gelding, Mule, or Aſs, laden or un- "laden, and not drawing, one Penny: For every Drove of Oxen, or Neat Cattle, Ten-pence *per* Score; "and ſo in proportion for any greater or leſs Number: For every Drove of Calves, Sheep, Hogs, or "Lambs, Five-pence *per* Score. Tolls veſted in the Truſtees, *&c.* and may be levied by Diſtreſs. In- "habitants of *Maiſmore*, &c. not to pay Toll going to their Meadows. Inhabitants of *Glouceſter*, *Maiſ- "more*, &c. to pay Toll but once a Day. Truſtees may vary the Tolls. If the Bridges ſhall, by Ac- "cident, become impaſſable, an occaſional Ferry may be ſet up. Truſtees may provide a Ferry till the "temporary Bridge ſhall be paſſable, *&c.* Truſtees may borrow 5000 *l.* and aſſign the Tolls as a Secu- "rity. Securities, *&c.* to be entered in a Book. Aſſignments not exceeding 50 *l.* may be transferred by "Indorſement only. Commiſſioners may appoint Officers, and pay their Salaries. Officers to account. "Officers refuſing to account, or to pay the Balance, it may be levied by Diſtreſs. On Failure of Diſ- "treſs, *&c.* the Party to be committed. Perſons deſtroying Toll-gates, *&c.* to be adjudged guilty of "Felony. Actions on Behalf of the Truſtees to be brought in the Name of the Clerk, who is to be re- "imburſed all Charges. Perſons aſſaulting or threatening Collectors, *&c.* to forfeit not exceeding 40 *s.* "nor leſs than 10 *s.* When Bridge built, and the Money borrowed repaid, Tolls to ceaſe. Certain "Meadows near the former Bridge to be let, and the Rents applied towards building, *&c.* *Maiſmore- "bridge*. Proviſo. Truſtees of an Act 9 *Geo.* III. to cauſe *Over's Cauſeway* to be widened, *&c.* Perſons "liable to Repair of the Cauſeway, to remain ſo. Truſtees may borrow 1,200 *l.* Truſtees may take "Gravel, Sand, *&c.* from *The Town-ham*. Perſons injuring the Cauſeway, *&c.* to forfeit not more than "5 *l.* nor leſs than 20 *s.* On *Sept.* 22, yearly, three Perſons to be choſen out of each Pariſh in *Glouceſter*,

" at the Veſtry. Qualification of the Perſons to be choſen, and of the Veſtry-men. Juſtices to hold a " Special Seſſions annually; at the firſt whereof to order a Plan for paving the four principal Streets. " Juſtices to give Notice to the Pariſh Officers to deliver in Liſts of Perſons choſe in Veſtry; out of which " Liſts they are to appoint Surveyors for the reſpective Pariſhes. Pariſh Officers, for neglecting their " Duty, ſhall forfeit 5 *l.*; and Perſons for not executing the Office of Surveyor, 10 *l.* Duty of Surveyors. " Penalty on Neglect. Proviſo. Streets to be paved as the Surveyors direct. On Refuſal of Owners, " *&c.* to pave, the Surveyor may cauſe it to be done, and levy the Expences by Diſtreſs. Proviſo. Te- " nants may deduct the Expences of paving out of their Rents. Covenants between Landlord and Tenant " not to be vacated. Surveyors to give Notice to Inhabitants to alter Spouts, Signs, and Penthouſes, *&c.* " If Owners, *&c.* neglect fourteen Days after Notice, Surveyors may cauſe the ſame to be done, and " recover the Expence from the ſaid Owners, *&c.* Penalty on Perſons cauſing Annoyances, *&c.* Steps, " *&c.* projecting into the Footways to be altered as the Surveyors ſhall direct. Clauſe to enable the " Mayor and Burgeſſes, and the Dean and Chapter, to ſell or exchange Lands, *&c.* Footways to be " ſwept every *Saturday*. The Street Soil to be the Property of the Surveyors. Streets to be ſwept twice " in every Week. Surveyors to keep Accounts of Money raiſed and expended by them. Juſtices to " order a Rate to be made. Rate may be levied by Diſtreſs. Penalty on Overſeers refuſing to make or " collect the Rate. Juſtices may provide a Place to lay Soil in. Penalty on driving any Wheelbarrow, " *&c.* on Foot-pavements. Penalty on cauſing other Nuiſances. Cattle not to be killed, *&c.* in the " Streets. Swine or Cattle ſtanding for Sale, or found wandering, to be ſecured. Penalty. Penalty on " ſifting Aſhes, *&c.* in the Streets. Hoards to be allowed under certain Reſtrictions. Limited Time for " emptying Boghouſes, *&c.* No Carriages to be left in the Streets, on Forfeiture of 10 *s.* Width of " Wheels of City Carts, *&c.* Bow-windows, *&c.* to be taken down. Penalty on Perſons throwing " Filth into the *Severn*, &c. Recompence to be made for Damages done to or by Water-pipes. Penalty " on Perſons aſſaulting Pariſh Surveyors, *&c.* Expences of this Act how to be paid. Perſons aggrieved " may appeal to the Quarter Seſſions, whoſe Determination ſhall be final. If the Mayor, *&c.* of *Glou-* " *ceſter* are intereſted, then the Appeal ſhall be made to the Quarter Seſſions for the County. Penalties " and Forfeitures how to be recovered. Commiſſioners may reward Informers. Application of Penalties. " Diſtreſs not to be deemed unlawful for want of Form, *&c.* Plaintiff not to recover, if Tender of " Amends hath been made. Proceedings not to be quaſhed for want of Form, or removed by *Certiorari*. " Writings to be without Stamps. Perſons liable to repair Pavements, to continue ſo. This Act not to " extend to the Precincts of the Cathedral. The Rights of the Corporation of *Glouceſter*, &c. reſerved. " Limitation of Actions. General Iſſue. Treble Coſts. Public Act."

## CAP. LXIX.

An Act for making and maintaining a Navigable Cut or Canal from the River *Trent*, in the Lordſhips of *Sawley* and *Long Eaton*, in the County of *Derby*, to or near *Langley-bridge*, in the Counties of *Derby* and *Nottingham*.

' WHEREAS the making a Cut or Canal, for the Navigation of Boats, Barges, and other Veſ- ' ſels, from the River *Trent*, at the Place where the ſame joins or communicates with the Lord- ' ſhips of *Sawley* and *Long Eaton*, in the County of *Derby*, through Part of the ſame Lordſhips, and alſo ' through Part of the ſeveral Lordſhips of *Sandy-acre*, *Stanton*, *Little Hallam*, *Ilkeſtone*, *Shipley*, and *Eaſt-* ' *wood*, to or near *Langley-bridge*, in the Counties of *Derby* and *Nottingham*, will render the Carriage of ' Coal, Lime, Limeſtone, Timber, Lead, and all Kinds of Merchandiſe, to ſeveral Parts of the Counties ' of *Nottingham*, *Derby*, and *Leiceſter*, much cheaper and eaſier than at preſent; which will be of great ' Advantage to the Trade and Manufactures of the ſaid Counties, and alſo to other Parts of the King- ' dom, and will be of public Utility: And whereas the ſeveral Perſons herein-after named are deſirous, at ' their own proper Coſts and Charges, to make and maintain the ſaid Cut or Canal; but cannot effect the ' ſame without the Aid and Authority of Parliament:' May it therefore pleaſe your Majeſty that it may ' be enacted, *&c.*

" Names of Proprietors, who are incorporated. Company of Proprietors impowered to make a navi- " gable Canal from the *Trent* to *Langley-bridge*; and to build Bridges, Sluices, Reſervoirs, *&c.*; and to " dig Gravel, *&c.* in any Grounds contiguous to the Canal; and to make Towing-paths, *&c.* making " Satisfaction for Damages to Owners of Mills, Lands, *&c.* Proprietors impowered to cut through two " ſmall Gardens. The Map and Book of Reference to be authenticated and copied, and to be admitted " as Evidence. Canal to be made purſuant to Plan and Book of Reference. Names of Land-owners not " being in Book of Reference, to be no Obſtruction in making the Canal. Lands may be entered for " making Surveys, *&c.* Breadths of the Canal and Towing-paths. Watering-places for Cattle to be " preſerved. Company to make Drains, *&c.* for conveying Water from adjoining Lands. Bodies Po- " litic, *&c.* impowered to ſell and convey Lands, *&c.* Agreements, Conveyances, *&c.* to be inrolled. " Copyhold Rights to be preſerved. Commiſſioners appointed: Their Powers. If Parties refuſe to ſub- " mit to the Determination of Commiſſioners, *&c.* a Jury to be impannelled. Jurors may be challenged. " Witneſſes to be examined on Oath. Verdict of the Jury, *&c.* to be final. Value of Lands, and Da- " mages ſuſtained, to be diſtinguiſhed. In caſe Proprietors refuſe to accept the Recompence offered, the " Company may nevertheleſs uſe the Lands, *&c.*; but the Proprietors may apply to the Commiſſioners, " or to a Jury, for Satisfaction. Penalty on Sheriff, Jurors, *&c.* for Neglect of Duty. How Expences " of Juries ſhall be paid. Perſons requeſting a Jury, to enter into Bond to proſecute, *&c.* Commiſ-

" ſioners

" ſioners not to take Notice of any Complaint, till Application has been made to the Proprietors, &c. " How Perſons giving falſe Evidence ſhall be puniſhed. Upon the Payment or Tender of Monies aſſeſſed, " Premiſes to be veſted in the Company, &c. Verdicts, &c. ſhall be recorded, and allowed to be good " Evidence. After Payment of Sums aſſeſſed, and Entry of Verdicts, &c. Mills, Lands, &c. purchaſed, " to be veſted in the Company. Purchaſe-money due to Corporations, &c. to be laid out in the Purchaſe " of Eſtates ſubject to the ſame Uſes, &c.; and, till ſuch Purchaſes ſhall be made, to be put out at In- " tereſt. The Commiſſioners to ſettle the Proportions of Money to be allowed to Tenants. In Default " of Payment of Money for Damages, the Rates to be liable; or it may be recovered at Law. If Da- " mages, &c. are not paid out of the Tolls, they may be levied by Diſtreſs of the Company's Goods. " If yearly Rents are not regularly paid, how they may be recovered. Perſons deſtroying the Works " guilty of Felony. Penalty on Perſons obſtructing the Works. Lands, &c. purchaſed by the Com- " pany veſted in them. Money ſubſcribed, &c. and Effects for carrying on the Navigation, veſted in the " Company. Company may raiſe 15,400 *l.* amongſt themſelves. Application thereof. The Subſcrip- " tion-money to be divided into 154 Shares; which ſhall be deemed perſonal Eſtate. Every Subſcriber " of an 154th Share to be a Proprietor. Proprietors to have a Vote for each Share, not exceeding ſeven. " Proprietors may raiſe amongſt themſelves, &c. if neceſſary, 7,700 *l.* more; or borrow the ſame, and " aſſign over the Navigation, &c. as a Security. Form of Aſſignment No Preference of one Aſſignee " before another. Aſſignments to be entered, and may be transferred. Form of Transfer. Transfers to " be entered, &c. Intereſt to be paid for Money borrowed before Works are finiſhed. No Perſon to act " as a Proprietor who has not one whole Share. Aſſignments to be conſidered as real Securities. No " Aſſignee deemed a Proprietor. Intereſt to be paid yearly. How to be recovered. General Aſſemblies " of Proprietors to be held annually. A Committee to be choſen, and Officers. Committee to be under " Controul of the General Aſſembly, and to be appointed annually. Meetings of Proprietors may be " called upon Emergencies. General Aſſemblies to conſiſt of fifty Shares. Proprietors not meeting, to " forfeit 5 *s.* for each Share. General Aſſemblies may audit and ſettle Accounts. General Aſſembly, or " Committee, may make Calls, &c. Proprietors to pay Money called for. If the firſt Call is not paid, " Company may ſue for the ſame. Penalty on neglecting to anſwer future Calls. No Share to be for- " feited, till Declaration thereof at a General Aſſembly. Power in General Aſſemblies to make Bye- " laws, and to impoſe Fines on Offenders. When Subſcribers die, before Shares completed, Executors, " &c. may complete the ſame. How to proceed when there is a Deficiency of Aſſets, &c. How Shares " may be diſpoſed of. Shares may be transferred. Form of Transfer. Shares not to be ſold after any " Call made, till it is completed. Books to be kept for entering the Proceedings of the Company. Com- " miſſioners Accounts and Orders to be entered by the Clerk; which ſhall be admitted as Evidence. " Books to be locked up. Commiſſioners Clerk may be removed. Company impowered to take Ton- " nage:—For every Quarter of Wheat, Rye, Beans, or Peaſe, 6 *d.*: For every Quarter of Malt, 4 *d.*: " For every Quarter of Barley, or other Grain not before enumerated, 5 *d.*; and ſo in Proportion for any " greater or leſs Quantities: For every Ton of Coal and Coke, 1 *s.* 6 *d.*: For every Ton of Slate, 6 *d.*: " For every Ton of Goods, Wares, and Merchandiſe whatſoever, not before ſpecified, except Gravel, " Stone, and other Materials to be uſed for the making Roads, 2 *s.*: And for every Ton of Lime or Lime- " ſtones, 1 *d. per* Mile; and ſo in Proportion for any greater or leſs Quantity or Weight: And one hun- " dred and twenty Pounds Weight Avoirdupoiſe ſhall be deemed one hundred Weight. Coals, &c. from " *Hallam Collieries*, if any Cut ſhall be made from thence, to pay 9 *d per* Ton, and Merchandiſe, &c. 1 *s.* " Rates to be fixed at the firſt General Aſſembly, and may be afterwards altered. Proviſo. How the " Rates may be recovered. Duties exempted from the Payment of Taxes. Maſters of Veſſels to give " juſt Accounts of their Lading. On Neglect, to forfeit 5 *l.* In caſe of Difference concerning the " Weight of Goods, Veſſels to be detained, and Goods weighed, &c. Canal, &c. to be free, on Pay- " ment of the Rates. The Company to provide Gates, Stiles, Bridges, &c. In caſe the Works are " damaged by Floods, the Company may enter on adjoining Lands, and dig Stones, &c. to repair the " ſame; making Recompence for Damages. Coals, &c found in digging the Canal, to be taken away " by Land-owners. Proprietors of Mines may cut Drains to diſcharge the Water, &c. Reſtrictions on " draining and working of Mines. Mines may be worked, in certain Caſes, beyond the Limits before " preſcribed. Company's Agents may enter Lands or Coal-pits, to view the Works, &c Owners of " Coal-mines lying under the Canals, &c. deſirous of working, to give Notice to the Company. If " Company reſtrain the Owners from working the ſaid Mines, they ſhall pay them the Value thereof. " Diſputes to be ſettled by the Commiſſioners, &c. Owners of Mines may make Cuts through their " own Lands, &c. Company to take a Leaſe for 99 Years of the Rev. Mr. *Chambers*'s Corn-mill; or " to purchaſe the ſame. If Parties diſagree, a Jury to be ſummoned, &c. Lords of Manors, &c. may " make Wharfs, or erect Warehouſes, &c. on their own Lands. Rates of Wharfage. Owners to cauſe " their Names to be painted on the Outſides of Veſſels, and to cauſe Veſſels to be meaſured. Owners, " for Neglect, to forfeit 5 *l.* Boat-maſter or Owner made anſwerable for all Damage done by the Crew. " Proper Places to be made for Boats to turn and lie in for other Boats to paſs by. Regulations to be " obſerved in paſſing the Locks, on Penalty of 5 *l.* Commiſſioners to regulate the mooring of Veſſels. " Proviſo. Penalty on cauſing Obſtructions by Veſſels. Veſſels ſunk in the Canal to be immediately " weighed. Perſons floating Timber, or overloading Veſſels, &c. to forfeit 5 *l.* Commiſſioners not to " act where intereſted. Perſons throwing Ballaſt into the Canal, to forfeit 5 *l.* Canal not to be under " the Power of Commiſſioners of Sewers. Perſons on Board having Nets or Guns, not being qualified, " to forfeit 40 *s.*; and the Maſter, &c. permitting the ſame, to forfeit 5 *l.* When Commiſſioners die, " or refuſe to act, new ones to be choſen. Qualification of Commiſſioners. Perſons acting, not being " qualified, to forfeit 50 *l.* each. Commiſſioners to be ſworn. The Oath. Commiſſioners who are Juſ- " tices may act as ſuch. Commiſſioners not to hold Places of Profit, &c. How ſpecial Meetings of the

" Commiſſioners ſhall be appointed. Three Commiſſioners may call Meetings on Requeſt made. Four-
" teen Days Notice to be given of Meetings. Where the Commiſſioners Meetings ſhall be held. Rights
" of Lords of Manors, *&c.* to Mines and Quarries preſerved. Clauſe for preſerving Rights to Fiſheries.
" Land-owners impowered to uſe Pleaſure-boats on the Canal. If Lands not uſed for four Years, to be re-
" conveyed. If Company refuſe to reconvey the Lands for a valuable Conſideration, they ſhall revert to
" the original Proprietors. Writings not liable to Stamp-duties. Proceedings not to be quaſhed for want
" of Form. Canal to be meaſured, and Mile-ſtones ſet up. Penalties and Forfeitures how to be re-
" covered and applied. How Juſtices to proceed for Conviction of Offenders. Form of Conviction.
" Diſtreſs not to be deemed unlawful for want of Form. Proviſo. Perſons aggrieved may appeal to the
" Quarter Seſſions, who are to determine the Matter in a ſummary Way. Company may pay off Mort-
" gages on Land uſed for the Canal. Mortgagees to acknowledge the Receipt thereof, on the Back of
" their Mortgages. Limitation of Actions. General Iſſue. Treble Coſts. Public Act."

## CAP. LXX.

An Act for dividing and incloſing the Open Common Fields, Meadows, Dales, and Common Fen, within the Pariſh of *Billinghay*, in the County of *Lincoln*; and for draining and preſerving the ſaid Dales and Common Fen, and alſo certain incloſed Low Lands thereto adjoining in the ſaid Pariſh.

## CAP. LXXI.

An Act to enable the Feoffees and Truſtees of an Eſtate in the County of *Middleſex*, given by *Lawrence Sheriff*, for the founding and maintaining a School and Alms-houſes at *Rugby*, in the County of *Warwick*, to ſell Part of the ſaid Eſtate, or to grant Leaſes thereof, or of any Part thereof, and to effectuate the other Purpoſes therein mentioned.

THE

# STATUTES at Large, &c.

## Anno Regni GEORGII III. Decimo Octavo.

'AT the Parliament begun and holden at *Weſtminſter*, the twenty-ninth Day of *November*, *Anno Domini* one thouſand ſeven hundred and ſeventy-four, in the fifteenth Year of the Reign of our Sovereign Lord *GEORGE* the Third, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, *&c.*

'And from thence continued, by ſeveral Prorogations, to the twentieth Day of *November*, one thouſand ſeven hundred and ſeventy-ſeven; being the fourth Seſſion of the fourteenth Parliament of *Great Britain*.'

### CAP. I.

An Act for continuing an Act, made in the laſt Seſſion of Parliament, intituled, *An Act to impower his Majeſty to ſecure and detain Perſons charged with, or ſuſpected of, the Crime of High Treaſon, committed in any of his Majeſty's Colonies or Plantations in* America, *or on the High Seas, or the Crime of Piracy.* [*Further continued till* Jan. 1, 1779.]

### CAP. II.

An Act for granting an Aid to his Majeſty by a Land Tax, to be raiſed in *Great Britain*, for the Service of the Year one thouſand ſeven hundred and ſeventy-eight. 4 *s.*

### CAP. III.

An Act for continuing and granting to his Majeſty certain Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year one thouſand ſeven hundred and ſeventy-eight.

### CAP. IV.

An Act for puniſhing Mutiny and Deſertion; and for the better Payment of the Army and their Quarters.

### CAP. V.

An Act for the Regulation of his Majeſty's Marine Forces while on Shore.

### CAP. VI.

An Act for the better Supply of Mariners and Seamen to ſerve in his Majeſty's Ships of War, and on Board Merchant Ships and other Trading Ships and Veſſels.

Preamble.

'FOR the better Supply of Mariners and Seamen to ſerve in his Majeſty's Ships of War, and on Board Merchant Ships, and other Trading Ships and Veſſels;' be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That, from and after the paſſing of this Act, until the twenty-fifth Day of *March*, one thouſand ſeven hundred and ſeventy-nine, and no longer (except in reſpect to ſuch Merchant Ships, and other Trading Ships or Veſſels, which ſhall be on their Voyage before the ſaid twenty-fifth Day of *March*, one thouſand ſeven hundred and ſeventy-nine, who ſhall be, and are hereby allowed the Liberty and Benefit of returning home navigated in the Manner as herein-after is provided), it ſhall and may be lawful for any Merchant Ship, or other Trading Ship or Veſſel, to be navigated by Foreign Seamen or Mariners, not being Natives of *Great Britain*, or of any of the Colonies or Plantations thereto belonging, or his Majeſty's natural or naturalized Subjects, ſo as the Number of ſuch Foreign Seamen or Mariners do not exceed Three-fourths of the Mariners at any one Time employed to navigate ſuch Merchant Ship, or other Trading Ship or Veſſel, and that One-fourth

From the paſſing of this Act till March 25, 1779, Merchant Ships, &c. may be navigated by Three-fourths Foreign Seamen.

fourth at leaſt of the Mariners or Seamen ſo employed, be at all Times Natives, or his Majeſty's naturalized Subjects of *Great Britain* (ſudden Death and Hazard and Caſualties of War, and the Seas, ſaved and excepted), one Act of Parliament, made in the twelfth Year of the Reign of his late Majeſty King *Charles* the Second (intituled, *An Act for the encouraging and increaſing of Shipping and Navigation*), or any other Statute or Law to the contrary notwithſtanding.

This Act not to reſtrain any Royal Proclamation to be made purſuant to an Act 13 Geo. II.

II. Provided always, That nothing in this Act contained ſhall extend to take away or reſtrain the Effect of any ſuch Royal Proclamation, as his Majeſty, his Heirs and Succeſſors, are impowered to make by virtue of an Act, paſſed in the thirteenth Year of his late Majeſty's Reign (intituled, *An Act for the better Supply of Mariners and Seamen, to ſerve in his Majeſty's Ships of War, and on Board Merchant Ships and other Trading Ships and Privateers*).

## CAP. VII.

### An Act for repairing the Highways and Bridges in the County of *Wigton*.

Preamble.

'WHEREAS the Powers granted by Law in *Scotland* relative to Highways and Bridges, and the 'Services and Work, and Monies, which are thereby authoriſed to be exacted and levied, have 'been found by Experience inſufficient to amend, keep in Repair, and make the Roads and Bridges 'neceſſary within the County of *Wigton*, and that other and further Powers are requiſite to be given to 'the Heritors and Juſtices of the Peace of the ſaid County, effectually to carry the Intention of the ſaid 'Laws into Execution; and as this cannot be obtained without the Aid of Parliament;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That every Perſon who is at preſent, or hereafter ſhall be, in his own Right, or in the Right of his Wife, in the actual Poſſeſſion and Enjoyment, as Proprietor or Life-renter, of Lands lying within the ſaid County of *Wigton*, as valued in the Tax-roll or Valuation Books for the ſaid County, to the Extent of one hundred Pounds *Scots per Annum*; and all and every the eldeſt Sons of ſuch Perſons, being Heirs of ſaid Property, and alſo the Sheriff-depute of the ſaid County for the Time being, and the chief reſiding Magiſtrate of every Royal Borough within the ſaid County, during his Magiſtracy only, ſhall be, and they are hereby nominated and appointed Truſtees and Commiſſioners for making, repairing, widening and keeping in Repair, the Highways, Roads, and Bridges within the ſaid County, and for executing all other the Powers by this Act to them given and granted.

Truſtees.

Penalty on acting if not qualified.

II. Provided always, That if any Perſon not qualified as aforeſaid ſhall preſume to act as a Truſtee, every ſuch Perſon ſhall, for ſuch acting, forfeit the Sum of ten Pounds Sterling, beſides the Expence of Proſecution; to be recovered by Complaint in a ſummary Way, at the Suit of any Heritor within the ſaid County, before the Juſtices of the Peace at their Quarter Seſſions, or before the Sheriff-depute of the ſaid County, or his Subſtitute, which Penalty ſhall be paid to the Truſtees aforeſaid, to be by them applied for repairing the ſaid Roads; and in caſe any ſuch Complaint ſhall be made, the Proof of Qualification ſhall lie upon the Defendant.

Diviſion of the County into two Diſtricts.

'III. And, for the more eaſy and effectual Execution of this Act, and of the Powers herein-after 'granted,' be it enacted by the Authority aforeſaid, That the ſaid County be divided into two Diſtricts; one Diſtrict to conſiſt of the ſeveral Pariſhes within the ſaid County in the Preſbytery of *Wigton*, and the other Diſtrict to conſiſt of the other Pariſhes within the ſaid County in the Preſbytery of *Stranraer*; and

Meetings of Truſtees.

the aforeſaid Truſtees or Commiſſioners ſhall hold their firſt Meeting in the Town-hall of *Wigton*, the ſecond *Tueſday* of *June* next at Mid-day, in order to concert and give the propereſt Inſtructions for carrying this Act into Execution; and thereafter the ſaid Truſtees or Commiſſioners, within the Diſtrict in which their Lands reſpectively do lie, or any five or more of them, ſhall annually hold a Meeting at *Wigton* the firſt *Tueſday* of *October*, and at *Stranraer* the firſt *Friday* of *October*, at Mid-day, declaring five

Five Truſtees may adjourn, &c.

Truſtees by this Act to be a Quorum, with Power to them, or the Majority of thoſe preſent, at ſaid fixed (or other Diſtrict) Meetings, to adjourn to ſuch other Times and Places within each Diſtrict reſpectively as they may judge proper, and with Power alſo to chooſe a Preſes and Clerk, and to make ſuch Appointments and give ſuch Directions as to them the Truſtees for each Diſtrict ſeparately ſhall ſeem proper; and the ſaid Truſtees or Commiſſioners ſhall have Power to act in any one of the ſaid Diſtricts, whether reſiding therein or not, provided they have the Qualification therein required by this Act; and the ſaid Truſtees ſhall at all their different Meetings pay and defray their own Expences.

Proviſo relating to Adjournments.

IV. Provided always, That where the Number preſent at the ſaid fixed Diſtrict Meetings, or other Meetings called or appointed by Adjournment, ſhall not amount to five Truſtees, and that three Truſtees preſent ſhall think fit to adjourn the Meeting, then, and in that Caſe, ten Days previous Notice of the Day and Purpoſe of the adjourned Meeting (which ſhall be to the ſame Place) ſhall be given in Manner herein-after mentioned: And provided alſo, that any three Truſtees may, at any Time, call a Diſtrict Meeting upon ten Days Notice thereof, and of the Purpoſe and Buſineſs of ſuch Meeting, and the Clerk ſhall, in ſuch Caſes, always intimate by circular Letters, to the Truſtees reſident in the Diſtrict for which the Meeting is called, the Day and Purpoſe of ſuch Meeting.

Truſtees in each Diſtrict to be furniſhed with the Valuation of each Pariſh; and ſhall make up exact Liſts of the Valuation of every Poſſeſſion of Land;

V. And be it further enacted by the Authority aforeſaid, That the ſaid Truſtees, or any five or more of them, at their ſaid firſt Meeting, the ſecond *Tueſday* of *June*, one thouſand ſeven hundred and ſeventy-eight, or at any ſubſequent Diſtrict Meetings, ſhall have Power, and they are hereby required to call for Copies or Extracts of the Tax Roll, or Valuation Liſt of the Lands, in the ſeveral Pariſhes within each of the ſaid two Diſtricts, and which Copies and Extracts, duly atteſted, the Collector of the Land Tax in the ſaid County is hereby directed to furniſh them with; and therefrom the ſaid Truſtees ſhall make, for the ſole Uſe and Purpoſe of this Act, exact Liſts of the valued Rent of every Perſon's Poſſeſſion in

every

every Pariſh within the ſaid two Diſtricts ſeverally, whether the ſame be occupied by the Owners, or by Tenants; and in caſe two or more Poſſeſſions ſhall ſtand valued *in cumulo*, or together, the ſaid Truſtees ſhall call the Proprietor, or his Factor, to give in a Diviſion of ſaid *Cumulo* Valuation, proportional among the different Poſſeſſions, which State ſhall be ſubject to the Reviſal of the Meeting; or in caſe of Neglect, they ſhall by an Inquiry into the Proportion that the different Poſſeſſions bear to each other, divide the total Valuation of the Whole, ſo valued *in cumulo*, proportionably among the Parts, and thereby aſcertain and fix the Compoſition in Money for Statute Services and Labour, to be required from every Occupier of Land, as herein-after mentioned: And alſo exact Liſts ſhall be made up of all Perſons keeping Horſes for Hire or Labour, and the Number of Horſes kept by each Perſon: And likewiſe exact Liſts ſhall be made up of all Perſons whatever chargeable with Statute Labour, as herein-after mentioned: And the ſaid Liſts ſhall be made for every Pariſh reſpectively, within the two Diſtricts aforeſaid, and ſhall be from Time to Time reviſed and altered as a Change of Perſons and Circumſtances may require: And alſo the ſaid Truſtees may and ſhall appoint fit Perſons to be their Clerks, Collectors, Caſhiers, or other Officers, during their Pleaſure, with reaſonable Allowances for their Care and Pains, ſuch Allowances for the whole Officers not exceeding five *per Centum* of the whole Money levied; and ſuch Collectors and Caſhiers ſhall find Security for their good Behaviour and faithful accounting, and ſhall account every ſix Months, or oftener, if required by any five Truſtees upon Oath before two Juſtices of the Peace of the ſaid County: And in caſe any ſuch Collector, or Caſhier, ſhall, after ten Days Notice given him for that Purpoſe, under the Hands of any five or more Truſtees, refuſe to give in ſuch Account or Accounts, and to ſwear to the Truth thereof, or ſhall refuſe to pay the Balance due thereon to the Perſon or Perſons appointed by the ſaid Truſtees to receive the ſame, then, and in ſuch Caſe, it ſhall and may be lawful for any two Juſtices of the Peace for the ſaid County or Diſtrict to commit the Offender to the County Gaol, there to remain until ſuch Account ſhall be fully paid and ſatisfied, or until he ſhall be liberated therefrom in due Courſe of Law.

and of Perſons keeping Horſes for Hire or Labour, &c.

Truſtees to appoint Officers.

Penalty on Defaulters.

VI. And be it enacted by the Authority aforeſaid, That the ſaid Truſtees for each of the reſpective Diſtricts ſhall enter their Proceedings, and an exact Account of the Money received by virtue of this Act, and of the Application of it, in a Book to be kept by their Clerk, which all Heritors of the ſaid County ſhall have Liberty to inſpect *gratis*.

Proceedings to be entered in a Book.

VII. And be it further enacted by the Authority aforeſaid, That all and every Perſon or Perſons, who by Law are chargeable towards repairing and amending the ſaid Roads by Statute Service, ſhall ſtill remain chargeable in ſo far as to be compelled by the Truſtees or Commiſſioners to pay a Converſion in Money, as is by this Act declared.

Thoſe liable in Statute Service, to pay Converſion Money.

VIII. And be it further enacted by the Authority aforeſaid, That all Perſons in the actual Poſſeſſion of their own Lands, are and ſhall be deemed chargeable in the ſame Manner as Tenants who occupy Lands, and that all Carters and Carriers, and other Perſons keeping Horſes for Hire or Labour, ſhall pay a Compoſition for themſelves, and for ſuch labouring Horſe or Horſes as ſhall be employed by them reſpectively, as herein-after mentioned; and that all Houſeholders, Cottagers, Labourers, and Tradeſmen, and their Servants and Journeymen (Apprentices only excepted), ſhall pay a Compoſition in Lieu thereof, as by this Act is herein-after directed.

What Perſons are chargeable therewith.

IX. Provided, That no Servants hired by the Year, or Half-year, nor Cottars who work as Servants by the Year, and whoſe Maſters ſhall be ſubjected to pay a Compoſition for the Land wherein ſuch Servants and Cottars reſide, or other labouring People hired by the Tenant or Proprietor by the Year, ſhall be liable in any Compoſition in place of Statute Service.

Proviſo.

'X. And whereas it hath generally been found that a reaſonable Compoſition in Money, in place of 'Labour, is more uſeful and effectual for the Purpoſe of repairing the Roads, as well as more eaſy and 'convenient for the Perſons liable by Law in Statute Services, than their being called out and obliged to 'perform the actual Service required by the Laws now in Force relative to Highways;' be it therefore enacted by the Authority aforeſaid, That all and every Perſon chargeable to ſuch Statute Services, ſhall hereafter, in Lieu thereof, pay ſuch a Converſion in Money or Compoſition for the ſame, as ſhall be fixed by the Truſtees of each Diſtrict at their ſaid Annual Meetings reſpectively, not exceeding the Rates following; (that is to ſay) All Occupiers of Land, whether Heritors or Tenants, ſhall be liable to pay yearly a Compoſition in Money for the Lands occupied by them reſpectively, by the valued Rent of ſuch Land, not exceeding fifteen Shillings Sterling for each one hundred Pounds *Scots* of valued Rent; but the Tenant in Lands now let for Paſture only, ſhall be entitled to a Deduction from his Rent of the Compoſition Money paid by him for his Poſſeſſion of the ſaid Paſture Lands, which the Heritor or Landlord ſhall allow, and be burthened with: And all Carters, Carriers, and other Perſons keeping Horſes for Hire or Labour, ſhall, by way of Compoſition for Statute Service, pay at the Rate to be fixed as aforeſaid, not exceeding Ten-pence Sterling *per* Day for each Horſe, and Five-pence Sterling for each Man *per* Day. Provided always, That ſo far as the ſaid Carters, Carriers, and other Perſons keeping Horſes for Hire or Labour, ſhall rent any Lands and be aſſeſſed in the Quality of Tenants for the Lands occupied by them reſpectively, they ſhall be entitled to a Deduction out of ſuch Aſſeſſment to the Extent of the Rate or Compoſition to which they are hereby made ſubject in reſpect of their Horſes, and the Compoſition to be demanded and exacted from Houſeholders: And all the before-mentioned Perſons in the ſame Claſs chargeable with Statute Services, ſhall be at the Rate to be fixed as aforeſaid, not exceeding Five-pence Sterling *per* Day for each of the ſix Days Labour: And the Whole of the aforeſaid Sums ſhall be paid, by equal Moieties, on or before the twenty-fifth Day of *June* and the twenty-fifth Day of *December* yearly, to a Collector or Collectors to be appointed by the ſaid Truſtees, and who are to keep an exact Account of the Money ſo collected, and ſhall be allowed a ſuitable Gratification for their Trouble.

The Statute Labour of the County to be converted into Money.

Proviſo.

XI. And alſo be it enacted by the Authority aforeſaid, That the Collector of the Land Tax, or Ceſs, of each Royal Borough in the ſaid County for the Time being, ſhall be annually bound to collect the

Converſion Money in Royal Boroughs to be

collected by the Collectors of the Land Tax;

Conversion Money of the Statute Work of the Inhabitants and others residing within such Royal Borough, in case he shall be desired or required so to do by the Trustees or Commissioners of the District, at their first annual or any after Meeting, and shall be bound to account for and pay unto the said Trustees, or any Person empowered by them, the Monies he shall so collect and receive, after Deduction of five Pounds *per Centum* of the Sums so collected to be allowed him for his Trouble; and that under the Penalty of five Pounds Sterling, to be paid by such Collector, to the Trustees or Commissioners of the District, for every such Offence in refusing or neglecting so to do, which Penalty shall be levied and recovered in Manner herein-after directed.

who shall be allowed 5 per Cent.

Exemption of indigent Persons.

XII. And be it further enacted, That it shall and may be lawful to and for a *Quorum* of the said Trustees to exempt and free from Payment of any Composition for Statute Work, all such Persons as shall appear to them to be in indigent Circumstances, and unable to pay for the same.

If Conversion be not duly paid, it may be levied by Distress.

XIII. And be it further enacted by the Authority aforesaid, That if any Person shall neglect or refuse, on or before the said respective Days, to pay the aforesaid Conversion when required, then it shall be lawful for the Sheriff depute, or any two or more of the said Justices of the Peace, to grant summary Warrants for poinding the Effects of the Defaulter for Payment of the converted Values before-mentioned, and One-third Part more, besides the Expence of Execution; which Warrants shall be granted, and the Sheriff and Justices aforesaid are hereby required to grant the same, upon an Application made by the Collector, and an Attestation signed by him, bearing that the Persons complained of had been deficient in paying the Conversion before-mentioned.

Persons aggrieved shall receive Treble Damages, &c.

XIV. Provided always, and it is hereby expressly provided and declared, That the Sheriff-depute, or the Justices of the Peace aforesaid, or any two or more of them, shall award Damages to the Treble Value to be paid to the Persons aggrieved by such Warrant or Warrants by the Collector, if they shall find a false and improper Accusation has occasioned the said Warrant and Distress: And in case the Collector shall fail to exact the aforesaid Conversions, he shall be liable, and, by Sentence of one or more of the said Judges, be subjected to pay Treble the Conversion Money so omitted to be exacted by him.

Every 100 l. Scots to pay 1 s. 10 d. Sterling towards building, &c. of Bridges,

'XV. And whereas it has been found by Experience, from the great Number of Roads and Bridges, 'and the daily Increase of Carriages, within the said County of *Wigton*, that the Sum of ten Shillings 'Scots upon each hundred Pounds *Scots* of valued Rent, authorised to be levied by the sixtieth Act of the 'second Parliament of King *Charles* the Second, has been insufficient for keeping the said Roads and 'Bridges in Repair, and for making such others as may be deemed necessary;' be it therefore further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Commissioners of Supply for the said County, or the Majority of those present at the Annual Meeting appointed by the Land Tax Act, or any other adjourned or General Meeting in Time coming, to assess the whole County to the Extent of twenty-two Shillings *Scots*, or one Shilling and Ten-pence Sterling, upon every one hundred Pounds *Scots* of valued Rent yearly, to be levied by the Collector of Supply at the same Time with the Land Tax of the said County, and applied towards building, making, repairing, and upholding the Bridges, and repairing the Roads, in the said County, where the Commissioners shall direct.

Trustees empowered to borrow on the Conversion Money of each Parish, not exceeding three Years Income; and to assign the Conversions as a Security.

'XVI. And, for the more speedy Reparation of the said High Roads within the said County, or any 'particular Parts of the same that may be deemed necessary,' be it further enacted by the Authority aforesaid, That it shall be lawful to and for the Trustees of each of the said Districts, at any General fixed Annual Meeting, two Thirds of the Heritors in the Parish requesting it, upon the Credit of the Conversions or Sums by this Act appointed to be paid for the Purposes aforesaid, to borrow any Sum or Sums of Money that from Time to Time shall be deemed necessary for repairing the said Highways (so as the same do not in all, at any one Time, exceed three Years gross Income of the Duties arising from the Parish for which the same is to be borrowed), and to assign the said Conversions and Sums so appointed to be paid, or any Part thereof, for such a Term of Years as shall be necessary to repay the Sum or Sums that shall be so borrowed, with Interest for the same till Repayment thereof; provided that such Sum or Sums so to be borrowed shall be expended within the particular Parish upon which the Assignment to the Conversion is granted; and that the Conversions or Funds of no other Parish, nor of the County at large, shall be liable for such Debt so borrowed by any particular Parish: And the said Trustees are hereby directed to enter Copies of all such Securities, and the Assignments thereof, in a Book or Books to be kept for that Purpose, declaring however that no Money shall be determined to be borrowed, or the Conversion Money fixed in any of the Districts heightened or lowered, unless that a Letter from three of the Trustees to the Clerk of the District, intimating that it is their Intention to apply to the General Annual Meeting for some of those Purposes, shall be lodged with him two Calendar Months previous to the said Meeting, upon which Letter the Clerk shall mark the Day he received it, and immediately write circular Letters to the Trustees of the District, intimating his having received such Letter, and the Purport of it.

Securities to be entered in a Book.

Trustees empowered to make Drains, Bridges, &c.

and to widen or straighten the Roads.

XVII. And be it further enacted by the Authority aforesaid, That the said Trustees or Commissioners in the respective Districts, or any five or more of them, shall, and they are hereby empowered to make or cause to be made the said Roads in the best Manner they may judge suitable, and to cut and make Drains through any Ground lying contiguous to the Roads, and to make and erect Arches and Bridges of Stones, Brick, or Timber, upon the said Roads, and to pull down any old Bridges that are useless and unnecessary by the Roads being turned about, or otherways, and apply the Materials to the building of new Arches, or for repairing the said Roads, as they shall see proper: And also, where they find any Part of the said Roads are not of sufficient Breadth, they are hereby empowered to widen and extend the same to a Breadth not exceeding ten Yards; and if they find it proper for shortening the Roads, or for making them more accessible and convenient, they shall, and they are hereby empowered to alter the Situation of the same accordingly.

XVIII. Provided,

11 Geo. III.

XVIII. Provided, That in all such Alterations and widening of Roads the said Trustees shall, in every Particular, follow the Method prescribed in the General Act of the eleventh of *George* the Third, for widening of Roads in *Scotland*, excepting as in so far varied or altered by this Act; and the said Trustees, or any such Person or Persons as they shall appoint, may dig, gather, take, and carry away, Gravel, Furze, Heath, Stones, or other such like Materials, out of the several Grounds of any Persons where such Materials may be found, not dug or raised by the Proprietor, or others authorised by him, for his or their own private Use, for repairing, amending, and making said Roads, or for building Arches and Bridges as aforesaid, and to open convenient Accesses for carrying off the said Materials, which Accesses, and the Places from which the said Materials are proposed to be taken, must be marked out by three Trustees, if so required by the Owner, or his or her Factor, or by the Occupier, paying reasonable Damages to the Owners or Occupiers of the Grounds respectively from which such Materials shall be taken, or over which the same may be carried: But if the Owner or Occupier shall not be satisfied with the Damages offered by the Trustees, Application may be made to the Sheriff to have the same ascertained by a Jury, in the same Manner as prescribed in the aforesaid Act of the eleventh of *George* the Third.

Trustees may take Materials out of private Grounds,

making Satisfaction for Damages.

XIX. And also, as an easy Access to Water carriage and to the Sea may tend much to the Improvement of Agriculture and Commerce, be it further enacted, That it shall be in the Power of the said Trustees, at their General Annual Meeting in each District, three Months previous Notice being given to the Proprietors, to order Roads to be made in the nearest and most convenient Direction from the great Roads, not only to the different Ports or Places mentioned in the Book of Rates within the said County, but also to the following Places; *viz.* at or near *Carty* upon the River *Cree in Bar*, the South-west Corner of *Maitland*, on the North Side of the River *Bladonoch*, at, contiguous to, or immediately below, the Port or Place now used for landing of Shells, Lime, or other Goods, *Port Erroch Bay*, the Foot of the *Burn of Killantrae* (now *Port William*), *Auckin Malgbay*, *Kilfillan Burnfoot*, *Pollantan Burn*, *Sand Head of Balgregan*, Isles of *Killezer*, *Balgounbay*, *Curghie-bay*, East and West *Tarberts*, *Clouyard-bay*, *Ardwelbay*, Part of *Spittall Portlong*, *Portmore*, *Clachan Burnfoot*, *Soleburn*, *Clayhole*, and *Innermessan*, the Proprietors being previously paid the Value, not only of the Ground taken up by such new Roads, and by the Fences that may be made along the Sides of the same, with the Expence of said Fences, and also of the Ground necessary for a Landing-place whereon to lay out Lime, Shells, Coals, or other Goods, with the Expence of fencing off the same; and which Ground for a Landing-place shall not exceed one Acre; but also the Proprietors or Occupiers being paid all Damages arising from the said new Roads and Ports: And for ascertaining and fixing the Value and Damages aforesaid, the same Mode is hereby required to be followed that is prescribed by the Act of the eleventh of *George* the Third, for determining the Value and Damage arising from breadthening Roads to thirty Feet.

Roads may be made to the Sea-ports, &c.

on paying Damages.

XX. Provided always, That in altering, widening, or making the Roads aforesaid, or in digging or taking away the aforesaid Materials, nothing shall be done that may any way prejudice any House or Building, or any Garden, Orchard, or planted Walk, or any Avenue to any House, or any Piece or Parcel of inclosed Ground which, before the first Day of *November*, one thousand seven hundred and seventy-seven, has been set apart and used as a Plantation for Trees.

Houses, Gardens, &c. not to be prejudiced.

XXI. And be it also enacted by the Authority aforesaid, That where any Ditches have or shall in Time coming be made along the Side of any of the Highways or Roads in the said County, by the Proprietors or Occupiers of the Ground, then they shall be bound to keep those Ditches properly scoured, and not allow Water to stagnate therein; and in case of their failing so to do, after ten Days Notice previously given, the Overseers of the said Roads, being so ordered by any Trustee, may and are hereby authorised to order them to be cleansed, opened, and scoured, at the Cost and Expence of the Occupiers or Possessors of the Ground through which these Ditches are made; and upon their refusing Payment of the Expence thereby incurred, it shall and may be lawful for the Justices of the Peace, or any two or more of them, the Sheriff-depute or his Substitutes, to levy such Expence by Distress and Sale in the same Manner as is directed for levying the Composition Money aforesaid: And where any Passage for Cattle or Carriages across any Roads, for the Conveniency of the Occupier of the Ground through which it passes, shall be made, the Occupier shall always cover the Drains along the Sides of the Roads with sufficient Stones, in such a Manner as that the Course of the Water in the Drains may not be interrupted, and the Road thereby prejudiced; and also, if any Occupier of Land shall conduct any Water across the Road for the meliorating of his Fields, or other Purposes, he shall be obliged to carry the same across the Road in a covered Drain, so deep and so sufficiently constructed as that the Water may never break out and prejudice said Road.

Proprietors of Ditches to cleanse them, &c.

Drains to be covered.

'XXII. And, for preventing Annoyances in all or any of the said Roads,' be it enacted, That every Person, in plowing any Field contiguous to any of the Roads, shall always make Head-ridges along the Side of the said Road, which in whole or together shall be twenty-four Feet in Breadth at least; and that no Person shall lay, or cause to be laid, any Timber, Stones, Lime, Dung, Soil, Compost, Ashes, Rubbish, or other Matter, upon any of the said Roads, or in the Trenches or Drains along the Sides of the same, excepting Materials for inclosing of Grounds adjoining to the said Roads, which nevertheless shall be so laid down as not to interrupt a free and easy Passage for two Carriages; nor in making any covered or arched Passage or Drain for Water across any Road, shall a safe and easy Passage along one Half of the Road be any way obstructed, either by breaking the Road or laying down Materials, but the said covered Drain or Passage shall be made across one Half of the Road, and completely finished before the other Half shall be opened, and the Whole shall, if practicable, be completed in the Course of one Day, or the open Part and the Materials for executing it so well fenced off, that Passengers in the Dark may suffer no Injury; which Precautions and Manner of executing covered Drains as aforesaid, shall be strictly observed by all Contractors or others employed in making or repairing of the said Roads: And all and every Person

No Annoyances to be laid on the Roads.

Directions for making Drains.

Penalty on Offenders.

Person so offending shall not only forfeit the Materials so laid down, but also the Sum of ten Shillings Sterling, to be levied and recovered in Manner herein-after directed, one Half thereof to be paid to the Informer, the other Half to be applied for making or repairing the said Roads.

Penalty on dragging Timber, &c. on the Roads.

XXIII. And be it also enacted by the Authority aforesaid, That if any Person or Persons shall haul or draw, or cause to be drawn or hauled, upon any Part of the said Roads, any Tree, Log, or Piece of Timber, or any Stone, Iron, or other Thing whatsoever, otherwise than upon a Wheel-carriage, or shall suffer any Tree, or other Matter whatsoever, which shall be conveyed upon a Wheel-carriage, to drag upon any Part of the said Roads, every such Person shall, for every such Offence, forfeit the Sum of ten Shillings Sterling, to be recovered and levied in Manner herein-after directed.

Roads to be measured, and Mile-stones erected.

XXIV. And be it enacted and declared by the Authority aforesaid, That the said Trustees, at their General Annual Meetings in the respective Districts, may cause any of the said Roads to be measured, and Stones or Posts to be erected on the Side thereof, denoting the Distance at each Mile, or at such other Distances as they may judge convenient; and also to order or cause to be erected Guide-posts upon such Parts of the Roads where the same are crossed or joined by other Roads, as they shall judge proper: And if any Person or Persons shall break down, destroy, or deface any such Mile-stones or Guide-posts set up by Order of the Trustees, or shall break down the Cape Stones on the Ledges or Parapet Walls on the Sides of any of the Bridges on the Roads, or turn any Stream of Water upon any Part of the said Roads, unless a sufficient covered or arched Drain or Passage shall have been previously made, as herein directed, or shall be aiding and assisting to any of these Offences, or rescue or attempt to rescue any Person apprehended for having been guilty of any of them, every Person so offending in any of the Premises, and being thereof lawfully convicted by the Oath of one or more credible Witness or Witnesses, before the Sheriff-depute of the County, or before two or more Justices of the Peace for the County, shall not only be condemned to pay the Whole of the Damages and Expences sustained, but also a Penalty not exceeding five Pounds, nor less than twenty Shillings Sterling; and for a second Offence shall, besides paying the Damages and Expences, pay a Penalty not exceeding ten Pounds, nor less than two Pounds Sterling.

Penalty on defacing them, or breaking down the Parapet Walls of Bridges, &c.

District Meetings may appoint Committees for executing particular Parts.

XXV. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, at their General Meetings of the said several Districts, to fix and ascertain the particular Roads in every Parish to be repaired, and to proportion and appropriate the Money levied in the Parish, to each of the said Roads, and to appoint Committees of their own Number, for overseeing, directing, and carrying on the making or Reparation of such of the Roads and Bridges as shall be committed to their Charge.

Conversion Money to be applied within the Parish, in the first place.

XXVI. Provided always, and it is hereby expressly provided and declared, That the Conversion Money collected for Statute Labour in each Parish shall be applied, in the first place, in making and repairing the Roads therein, and afterwards, in the next place, shall be applicable to the Roads leading from that Parish through the adjoining Parishes, and thereafter only to such other Roads in the District, as, in either of these two Cases, a Majority of the Trustees in such Parish shall approve of: And the said Trustees of any of the said Districts, at their Annual General Meeting aforesaid, may, after the Roads in one Parish, and from it, are completed, diminish and let down the Conversion Money aforesaid in such Parish, to such Rates as they may judge sufficient for keeping the said Roads in constant good Repair, and for making or repairing others that may appear necessary. Provided always, Any Debt previously contracted by such Parish, shall be fully extinguished.

Penalties and Forfeitures how to be recovered and applied.

XXVII. And be it further enacted by the Authority aforesaid, That all Forfeitures and Penalties inflicted or authorized to be imposed in relation to any Matter or Thing in this Act contained, the Manner of levying and recovering whereof is not otherwise particularly directed, shall, upon Proof of the Offence, before two or more of the Justices of the Peace, or the Sheriff-depute of the same County, either by the Confession of the Party, or other legal Evidence, be levied by Distress and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant under the Hand or Hands of such Justices (which Warrant is hereby authorized and required to be granted, and Oaths to be administered, *gratis)*; such Sale being always made by public Auction to the highest Offerer at such Places as shall be directed in the same Warrant, within three Days after such Distress shall have been made, and the Overplus Money arising from such Sale (after such Penalties are recovered, and the Charges thereof deducted) shall be returned on Demand to the Owner or Owners of such Goods and Chattels; and all Penalties and Forfeitures shall be immediately paid to the said Trustees or their Collectors for the Time being, and shall be laid out and applied in repairing of such of the Roads upon, or in respect whereof, such Penalties or Forfeitures shall be incurred: And in case sufficient Distress cannot be found, or such Forfeitures and Penalties shall not forthwith be paid, it shall be lawful for any two Justices of the Peace, or the Sheriff-depute of the said County, together with one other Justice, and they are hereby authorised and required, by Warrant under his or their Hand or Hands, to cause such Offender or Offenders to be committed to the House of Correction or Common Gaol of the County or Place where the Offence shall be committed, there to remain for any Time not exceeding three Calendar Months, unless such Penalties and Forfeitures, and all reasonable Charges, shall be sooner paid and satisfied.

Persons aggrieved may appeal to the Quarter Sessions;

XXVIII. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall consider himself aggrieved by any Order, Procedure, Sentence or Judgment, with respect to any of the Matters or Things by this Act referred to the Determination of the said Trustees, Justices of the Peace, or the Sheriff-depute and his Substitutes, it shall and may be lawful to and for such Person or Persons to appeal or apply for Redress to the Justices of the Peace for the said County in their then next Quarter Sessions (giving fourteen Days previous Notice to the Parties interested or complained of); but in case there should not be fourteen Days to the next Quarter Sessions, then such Person or Persons shall be at

Liberty to appeal to the Juſtices at their next ſubſequent Quarter Seſſions, who are hereby authoriſed and empowered to hear and determine the Matters in Diſpute, and whoſe Judgment therein ſhall be final and concluſive. whoſe Judgment ſhall be final.

XXIX. Provided always, That it ſhall be no Objection to any Perſon acting as a Juſtice of the Peace in any Matter or Thing relative to this Act, that he is thereby appointed a Truſtee, excepting when a Complaint ſhall be againſt him perſonally, and in that Caſe he ſhall not ſit or act as a Juſtice of the Peace. Truſtees may act as Juſtices.

XXX. And be it further enacted by the Authority aforeſaid, That all Actions or Complaints for all and every the Penalties or Forfeitures impoſed by this Act, or for any Wrong done, or Injury ſuffered in any Matter relative thereto, or in conſequence of any of the Powers by this Act given and granted, ſhall be commenced within the Space of ſix Calendar Months after the Penalty or Forfeiture is incurred, or Wrong done, or Injury ſuffered, and not afterwards. Limitation of Actions.

XXXI. And be it enacted by the Authority aforeſaid, That the Expence of paſſing this Act, as ſettled and allowed at the firſt Meeting of the ſaid Truſtees appointed to put this Act into Execution, ſhall be defrayed and levied by a Tax upon the Heritors or Land-owners within the ſaid County of *Wigton*, according to the Valuation of their reſpective Lands, and to be collected by the Collector of the Land Tax, or any other Perſon appointed by the General Meeting of the Truſtees aforeſaid for the ſaid County. And it is eſpecially provided and declared, that no Truſtees ſhall hold any Place of Profit under this Act. Expences of this Act to be paid by the Land-owners.

XXXII. And be it further enacted by the Authority aforeſaid, That this Act ſhall be deemed a public Act; and all Judges and Juſtices, and others, are hereby required judicially to take Notice thereof as ſuch, without the ſame being ſpecially pleaded. Public Act.

## CAP. VIII.

### An Act to enable his Majeſty to licenſe a Theatre in the City of *Briſtol*.

'WHEREAS a licenſed Theatre or Playhouſe is deſired in the City of *Briſtol*:' May it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That ſo much of an Act of Parliament, made in the tenth Year of his late Majeſty's Reign (intituled, *An Act to explain and amend ſo much of an Act, made in the twelfth Year of the Reign of Queen* Anne, *intituled*, "An Act for reducing the "Laws relating to Rogues, Vagabonds, Sturdy Beggars, and Vagrants, into one Act of Parliament; "and for the more effectual puniſhing ſuch Rogues, Vagabonds, Sturdy Beggars, and Vagrants, and "ſending them whither they ought to be ſent;" *as relates to common Players of Interludes)*, whereby all Perſons are diſcharged to repreſent any Entertainment of the Stage whatever, in virtue of Letters Patent from his Majeſty, or by Licence of the Lord Chamberlain of his Majeſty's Houſehold for the Time being, except within the Liberties of *Weſtminſter*, or where his Majeſty is reſiding for the Time being; be, and the ſame is hereby repealed, with reſpect to the ſaid City of *Briſtol*; and that it ſhall and may be lawful for his Majeſty, his Heirs and Succeſſors, to grant Letters Patent for eſtabliſhing a Theatre or Playhouſe within the ſaid City of *Briſtol*, which ſhall be entitled to all the Privileges, and ſubjected to all the Regulations, to which any Theatre or Playhouſe in *Great Britain* is entitled and ſubjected. Preamble. His Majeſty empowered to grant Letters Patent for eſtabliſhing a Theatre at Briſtol.

## CAP. IX.

An Act for taking down the Pariſh Church of *Lilford*, being a Vicarage united to the Rectory of *Achurch*, in the County of *Northampton*; and for repairing the Pariſh Church of *Achurch* aforeſaid; and for other Purpoſes therein mentioned.

## CAP. X.

An Act to continue and enlarge the Term and Powers of an Act, made in the thirtieth Year of the Reign of King *George* the Second, *for building a Bridge over the River* Lea, *at or near a Place called* Jeremy's Ferry; *and for making, repairing, and widening Roads from thence into the Great Roads at* Snareſbrook, *in the County of* Eſſex, *and at* Clapton, *in the County of* Middleſex.

## CAP. XI.

An Act for repealing an Act, paſſed in the fourteenth Year of his preſent Majeſty's Reign, intituled, *An Act for the better regulating the Government of the Province of the* Maſſachuſets Bay *in* New England.

'WHEREAS the Province of the *Maſſachuſets Bay* had for many Years been governed under a Charter, granted by their late Majeſties King *William* and Queen *Mary:* And whereas an Act, paſſed in the fourteenth Year of his preſent Majeſty's Reign, intituled, *An Act for the better regulating the Government of the Province of the* Maſſachuſets Bay *in* New England, has been found to create great Uneaſineſſes in the Minds of the Inhabitants of the ſaid Province, and has occaſioned Jealouſies and Apprehenſions of Danger to their Liberties and Rights in ſeveral others of the Colonies and Plantations in *North America:* For quieting and extinguiſhing ſuch Uneaſineſſes and Apprehenſions,' be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, Preamble. Act 14 Geo. III. recited,

and repealed.

poral, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That, from and after the paſſing of this Act, the ſaid Act, of the fourteenth Year of the Reign of his preſent Majeſty, be, and the ſame is hereby repealed.

## CAP. XII.

An Act for removing all Doubts and Apprehenſions concerning Taxation by the Parliament of *Great Britain* in any of the Colonies, Provinces, and Plantations in *North America* and the *Weſt Indies*; and for repealing ſo much of an Act, made in the ſeventh Year of the Reign of his preſent Majeſty, as impoſes a Duty on Tea imported from *Great Britain* into any Colony or Plantation in *America*, or relates thereto.

Preamble.

'WHEREAS Taxation by the Parliament of *Great Britain*, for the Purpoſe of raiſing a Revenue in his Majeſty's Colonies, Provinces, and Plantations in *North America*, has been found by Experience to occaſion great Uneaſineſſes and Diſorders among his Majeſty's faithful Subjects, who may nevertheleſs be diſpoſed to acknowledge the Juſtice of contributing to the common Defence of the Empire, provided ſuch Contribution ſhould be raiſed under the Authority of the General Court, or General Aſſembly, of each reſpective Colony, Province, or Plantation: And whereas, in order as well to remove the ſaid Uneaſineſſes, and to quiet the Minds of his Majeſty's Subjects who may be diſpoſed to return to their Allegiance, as to reſtore the Peace and Welfare of all his Majeſty's Dominions, it is expedient to declare that the King and Parliament of *Great Britain* will not impoſe any Duty, Tax, or Aſſeſſment, for the Purpoſe of raiſing a Revenue in any of the Colonies, Provinces, or Plantations:' May it pleaſe your Majeſty that it may be declared and enacted; and it is hereby declared and enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That, from and after the paſſing of this Act, the King and Parliament of *Great Britain* will not impoſe any Duty, Tax, or Aſſeſſment whatever, payable in any of his Majeſty's Colonies, Provinces, and Plantations in *North America* or the *Weſt Indies*; except only ſuch Duties as it may be expedient to impoſe for the Regulation of Commerce; the net Produce of ſuch Duties to be always paid and applied to and for the Uſe of the Colony, Province, or Plantation, in which the ſame ſhall be reſpectively levied, in ſuch Manner as other Duties collected by the Authority of the reſpective General Courts, or General Aſſemblies, of ſuch Colonies, Provinces, or Plantations, are ordinarily paid and applied.

No Tax to be hereafter impoſed, by the King and Parliament of Great Britain, on any of the Colonies in North America or the Weſt Indies; except, &c.

So much of an Act 7 Geo. III. as impoſes a Duty on Tea imported from Great Britain into America, repealed.

II. And be it further enacted by the Authority aforeſaid, That, from and after the paſſing of this Act, ſo much of an Act, made in the ſeventh Year of his preſent Majeſty's Reign, intituled, *An Act for granting certain Duties in the* Britiſh *Colonies and Plantations in* America; *for allowing a Drawback of the Duties of Cuſtoms upon the Exportation from this Kingdom of Coffee and Cocoa Nuts of the Produce of the ſaid Colonies or Plantations*; *for diſcontinuing the Drawbacks payable on China Earthen Ware exported to* America; *and for more effectually preventing the clandeſtine running of Goods in the ſaid Colonies and Plantations*; as impoſes a Duty on Tea imported from *Great Britain* into any Colony or Plantation in *America*, or has Relation to the ſaid Duty, be, and the ſame is hereby repealed.

## CAP. XIII.

An Act to enable his Majeſty to appoint Commiſſioners with ſufficient Powers to treat, conſult, and agree upon the Means of quieting the Diſorders now ſubſiſting in certain of the Colonies, Plantations, and Provinces of *North America*.

Preamble.

'FOR the quieting and extinguiſhing of divers Jealouſies and Apprehenſions of Danger to their Liberties and Rights, which have alarmed many of his Majeſty's Subjects in the Colonies, Provinces, and Plantations of *New Hampſhire*, *Maſſachuſets Bay*, *Rhode Iſland*, *Connecticut*, *New York*, *New Jerſey*, *Penſylvania*, the Three Lower Counties on *Delaware*, *Maryland*, *Virginia*, *North Carolina*, *South Carolina*, and *Georgia*; and for a full Manifeſtation of the juſt and gracious Purpoſes of his Majeſty, and his Parliament, to maintain and ſecure all his Subjects in the clear and perfect Enjoyment of their Liberties and Rights;' be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That it ſhall and may be lawful for his Majeſty, from Time to Time, by Letters Patent under the Great Seal of *Great Britain*, to authoriſe and empower five able and ſufficient Perſons, or any three of them, to treat, conſult, and agree with any Body or Bodies Politic and Corporate, or with any Aſſembly or Aſſemblies of Men, or with any Perſon or Perſons whatſoever, of and concerning any Grievances, or Complaints of Grievances, exiſting, or ſuppoſed to exiſt, in the Government of any of the ſaid Colonies, Provinces, or Plantations reſpectively, or in the Laws and Statutes of this Realm reſpecting the ſame; and of or concerning any Aid or Contribution to be furniſhed by any of the ſaid Colonies, Provinces, or Plantations reſpectively, for the common Defence of this Realm, and the Dominions thereunto belonging; and of and concerning any other Regulations, Proviſions, Matters, and Things, neceſſary or convenient for the Honour of his Majeſty, and his Parliament, and for the common Good of all his Subjects.

His Majeſty empowered to appoint five Commiſſioners to treat with the Americans for Redreſs of Grievances, &c.

II. Provided alſo, and be it further enacted and declared, That no Regulation, Proviſion, Matter, or Thing, ſo propoſed, treated, conſulted, or agreed, ſhall have any other Force or Effect, or be carried further

The Regulations, &c. agreed on, not to be

further into Execution, than is herein-after mentioned and provided, until the same shall have been confirmed by Parliament. finally binding until confirmed by Parliament.

III. Provided also, and be it further enacted by the Authority aforesaid, That in order to facilitate the good Purposes of this Act, his Majesty may lawfully enable the said Commissioners, or any three of them, from Time to Time, to order and proclaim a Cessation of Hostilities, on the Part of his Majesty's Forces, by Sea or Land, for any Time, and under any Conditions or Restrictions; and such Order and Proclamation to revoke and annul in the same Manner and Form. Commissioners may order a Cessation of Hostilities by Sea or Land.

IV. And be it further enacted, That it shall and may be lawful for his Majesty, by such Letters Patent as aforesaid, to authorise and empower the said Commissioners, or any three of them, by Proclamation under their respective Hands and Seals, from Time to Time, to suspend the Operation and Effect of a certain Act of Parliament, made and passed in the sixteenth Year of the Reign of his present Majesty, for prohibiting all Trade and Intercourse with certain Colonies and Plantations therein named, and for the other Purposes therein also mentioned, or any of the Provisions or Restrictions therein contained; specifying in such Proclamation at what Times and Places respectively, and with what Exceptions and Restrictions, and under what Passes and Clearances, in Lieu of those heretofore directed by any Act or Acts of Parliaments for regulating the Trade of the Colonies or Plantations, the said Suspension shall take Effect; and the said Suspension and Proclamation, in the same Manner and Form, to annul and revoke. His Majesty may empower the Commissioners to suspend, by Proclamation, the Prohibitory Act of 16 Geo. III.;

V. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for his Majesty, by such Letters Patent as aforesaid, to authorise and empower the said Commissioners, or any three of them, to suspend, in any Places, and for any Times during the Continuance of this Act, the Operation and Effect of any Act or Acts of Parliament which have passed since the tenth Day of *February*, one thousand seven hundred and sixty-three, and which relate to any of his Majesty's said Colonies, Provinces, or Plantations in *North America*, so far as the same does relate to them; or the Operation and Effect of any Clause, or any Provision or Matter therein contained, so far as such Clauses, Provisions, or Matters, relate to any of the said Colonies, Provinces, or Plantations. or any other Act, or Part of an Act, relating to America, passed since Feb. 10, 1763.

VI. And it is hereby enacted by the Authority aforesaid, That it shall and may be lawful for his Majesty, by such Letters Patent as aforesaid, to authorise and empower the said Commissioners, or any three of them, and they are hereby authorised and empowered, to grant a Pardon or Pardons to any Number or Description of Persons within the said Colonies, Provinces, or Plantations. His Majesty may empower the Commissioners to grant Pardons;

'VII. And, that no Let or Hindrance may happen from the Vacancy of the Office of Governor and 'Commander in Chief in any of the said Colonies, Provinces, or Plantations respectively, or from the 'Absence of such Officer from his Government,' be it further enacted by the Authority aforesaid, That it shall and may be lawful for his Majesty, by such Letters Patent as aforesaid, to authorise and empower the said Commissioners, or any three of them, in any of the said Colonies, Provinces, or Plantations respectively, wherein his Majesty hath usually heretofore nominated and appointed a Governor, to nominate and appoint, from Time to Time, by any Instrument under their Hands and Seals, a proper Person to be the Governor and Commander in Chief in and for any such Colony, Province, or Plantation; to have, hold, and exercise the said Office of Governor and Commander in Chief in and for such Colony or Plantation respectively, with all such Powers and Authorities as any Governor of such Province heretofore appointed by his Majesty might or could have exercised, in as full and ample Manner and Form as if such Governor and Commander in Chief had been nominated and appointed by his Majesty's Letters Patent or Commission; and for that Purpose, if need be, to revoke, annul, and make void, any Commission or Letters Patent heretofore granted for appointing any such Governor and Commander in Chief. and to appoint Governors in those Provinces, &c. wherein his Majesty hath usually appointed them.

VIII. And be it further enacted, That this Act shall continue to be in Force until the first Day of *June*, one thousand seven hundred and seventy-nine. Continuance of this Act.

## CAP. XIV.

An Act for defraying the Charge of the Pay and Cloathing of the Militia in that Part of *Great Britain* called *England*, for one Year, beginning the twenty-fifth Day of *March*, one thousand seven hundred and seventy-eight; and for filling up Vacancies in the Militia, in the Cases therein mentioned.

" Where the Militia is or shall be raised, the Receiver-general of the County is to issue four Months Pay " in Advance, according to the Establishment of Pay here set down; with Half a Year's Salary to the " Regimental and Battalion Clerks; and the Allowances to the Clerks of the General and Subdivision " Meetings; and Pay for Cloathing of the Militia. Where Pay has not been issued, no Pay to be issued " till the Lord Lieutenant, or Deputies, shall have certified to the Treasury and Receivers-general the " Inrolment of Three-fifths of the Men and Officers. The Money is to be paid by the Receiver-general " to the Clerk of the Regiment or Battalion (except the Allowances to the Clerks of the Meetings), " upon producing the Warrant of his Appointment; and for Independant Companies to the respective " Captains, or to their Order; according to the Establishment laid down in the Militia Act of 2 *Geo.* III. " A second Payment is also to be made within three Months after the first, and a third within three " Months after the second. Receipts of the Persons to whom the Money shall be so paid to discharge the " Receivers-general. The Regimental and Battalion Clerks are to pay in Advance one Month's Pay to " the Adjutant; and two Months Pay to each Captain for the Serjeants and Drummers; and for the " Serjeant-major and Drum-major two Months Pay to be paid to the Commanding Officer of the Com- " pany to which they belong. Captains to distribute the Pay accordingly, and account for the same yearly " to the Clerk, or Receiver-general if an Independant Company, according to the Form specified in this " Act; and pay back the Surplus Monies in his Hands. On Discharge of Serjeants or Drummers as " unfit for Service, no Pay to be issued till others are appointed; nor any Payment made to such as are

" discharged by the Commanding Officer. The Clerks are likewise to pay, out of the Sums allowed for " contingent Expences, 1 *d. per* Man for Hospital Charges; and the Sums necessary for the Repair of " Arms, and Carriage thereof. Residue to be applied for the Benefit of the Regiment, *&c.* as the Field " Officers and Captains shall direct. Account of the said Sums to be made up yearly, *&c.* Money al- " lowed for contingent Expences of Independant Companies to be applied and accounted for by the Cap- " tains. Clerk to retain Money in his Hands for his own Salary. When the Lord Lieutenant or De- " puties shall have fixed the Days of Exercise, they are to certify the same to the Receiver-general, spe- " cifying the Number of Men, and Days they shall be absent from Home. Receiver-general to issue " thereupon Pay for Officers and Men to the Regimental Clerk, *&c.* Where there shall be Independant " Companies only, the Receiver-general is to issue Pay to the Captains, *&c.* according to the Rate here " set down. Clerks to pay over the Money to the respective Captains. Captains to make up their " Account according to the Form specified in this Act, which is to be signed by them, and countersigned " by the Commanding Officer, and delivered, with the Balance, to the Clerk, or Receiver-general. " Accounts allowed sufficient Vouchers. During the Time the Troops are embodied, and called out " into actual Service, and receive Pay as the King's other Forces, all Pay and Allowance from the Re- " ceivers-general is to cease. Receivers-general to pay the Allowances to Clerks of the General Meet- " ings, and to the Clerks of the Subdivision Meetings, upon producing Orders from the Lieutenant or " Deputy Lieutenants; which Orders to be a Discharge to Receivers-general. Regimental and Battalion " Clerk to give Security for paying and accounting for the Monies received by them; the Bonds to be " lodged with the Receivers-general, and put in Suit by them, on Non-performance of the Conditions; " and they are entitled thereupon to full Costs and Charges, and 5 *l. per Cent.* of the Money recovered; " the Residue to be accounted for to the Auditor. The Regimental and Battalion Clerks, and Captains " of Independant Companies, are to deliver in Accounts of their Receipts and Disbursements. Costs, " *&c.* where to be recovered. No Fee payable for any Warrant or Sum of Money issued in pursuance of " this Act. Officers on Half-pay serving in the Militia may receive the Subsistence-money payable to " Captains, Lieutenants, or Ensigns, they taking the Oath specified in this Act before a Justice. Re- " ceiver-general, upon receiving a Warrant from the Commanding Officer, certifying the Receipt of the " Cloathing, and an Order for Payment, is to pay the same accordingly. If any Regiment, *&c.* shall " cease, 3 *s. per Diem* is to be paid to the Adjutant from such Time to 25th *March*, 1779. When Per- " sons chosen by Lot to serve in the Militia are unfit for the Service, the Deputy Lieutenants and Justices " may order a fresh Ballot. Colonel, *&c.* may discharge such Militia Men who become unfit for Service " before the Expiration of their Term."

## CAP. XV.

### An Act for the Relief of the Captors of Prizes, with respect to the bringing and landing certain Prize Goods in this Kingdom.

Preamble.

Recital of 16 Geo. III. Cap. 5.

' WHEREAS several Ships and Vessels, with their Cargoes, have been taken, and condemned as ' Prize, in pursuance of, and under the Authority of an Act made in the sixteenth Year of the ' Reign of his present Majesty (intituled, *An Act to prohibit all Trade and Intercourse with the Colonies of* ' New Hampshire, Massachusets Bay, Rhode Island, Connecticut, New York, New Jersey, Pensyl- ' vania, *the Three Lower Counties on* Delaware, Maryland, Virginia, North Carolina, South Carolina, ' *and* Georgia, *during the Continuance of the present Rebellion within the said Colonies respectively; for repeal- ing an Act, made in the fourteenth Year of the Reign of his present Majesty*, " to discontinue the landing " and discharging, lading or shipping, of Goods, Wares, and Merchandise, at the Town, and within " the Harbour of *Boston*, in the Province of *Massachusets Bay*;" *and also two Acts, made in the last Session* ' *of Parliament, for restraining the Trade and Commerce of the Colonies in the said Acts respectively mentioned;* ' *and to enable any Person or Persons, appointed and authorised by his Majesty to grant Pardons, to issue Pro- ' clamations, in the Cases and for the Purposes therein mentioned):* And whereas Part of the Cargoes of such ' Ships and Vessels, which is now secured in the Warehouses at several Ports in this Kingdom, not being ' Goods of the Growth, Produce, or Manufacture of any *British American* Colony or Plantation, or of ' any other Place or Country under the Dominion of his Majesty, are subject, by the Laws now in Force, ' to the Payment of high Duties upon being imported into and used in this Kingdom; which Duties, in ' some Instances, being equal to the Value of the Goods, will not only be a Discouragement to the Cap- ' tors and Importers thereof, but will put them under the Necessity to send such Goods, for the future, ' directly to foreign Markets, to the Loss of his Majesty's Revenue, and the Prejudice of the Trade of ' this Kingdom:' For Remedy whereof, may it please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spi- ritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That any Goods, not being the Growth, Produce, or Manufacture, of any *British American* Co- lony or Plantation, or any other Place or Country under the Dominion of his Majesty, that have been, or any Goods or Merchandises whatsoever which shall hereafter be taken during the Continuance of the said recited Act, and which have been or shall be brought into *Great Britain* by any of his Majesty's Ships of War, or by any private or other Ship or Vessel having Commission from the Lord High Admiral of *Great Britain*, or the Commissioners for executing the Office of Lord High Admiral of *Great Britain* for the Time being, for that Purpose, shall and may, upon Condemnation thereof as lawful Prize, be landed in any Port within this Kingdom, and secured under the King's Locks, in Warehouses provided at the sole Expence of the Captors, with the Privity and Approbation, and under the Care and Inspection, of the Commissioners, or other principal Officers, for collecting and managing the respective Duties of Customs

All Goods, not being the Growth, &c. of British America, or other his Majesty's Dominions, that have been taken, or shall be during the Continuance of the recited Act, and brought into Great Britain by any Ship properly commissioned, to be secured under the King's Locks in Warehouses, at the Expence of the Captors.

Customs and Excise to which such Goods are liable; and upon Admission of any such Goods into such Warehouses, there shall be paid by the Captors, or their Agents, the following Duties only, which shall not be afterwards drawn back or repaid upon the Exportation of the same Goods; that is to say, For all such Goods (except Wines and Vinegar, and such Goods as are herein-after enumerated) taken, as aforesaid, by any of his Majesty's Ships of War, the Half of the Old Subsidy, granted by the Act of Tonnage and Poundage, passed in the twelfth Year of the Reign of King *Charles* the Second; and the Whole of the further Subsidy of Poundage, granted by an Act passed in the twenty-first Year of the Reign of his late Majesty King *George* the Second, being what is commonly called *The Subsidy One thousand seven hundred and forty-seven*; and for the like Goods, if taken by any private or other Ship having Commission as aforesaid, the Half of the Old Subsidy, and no more; which Duties shall be collected, paid, and applied, in the same Manner, and to the same Purposes, whereunto they are by Law appropriated, subject nevertheless to the customary and legal Discounts and Abatements, and Allowances for Damage: And for every Ton of such Wine and Vinegar, taken as aforesaid, either by his Majesty's Ships of War, or Ships having Commissions as aforesaid, the Sum of three Pounds, and so after the same Rate for any greater or lesser Quantity, to be paid into the Receipt of his Majesty's Exchequer, as Part of the Duties arising by an Act, passed in the eighteenth Year of the Reign of his late Majesty King *George* the Second (intituled, *An Act for granting to his Majesty several additional Duties upon all Wines imported into* Great Britain; *and for raising a certain Sum of Money by Annuities, and a Lottery, in Manner therein mentioned, to be charged on the said additional Duties)*.

Duties to be paid when the Goods are warehoused.

II. And be it further enacted by the Authority aforesaid, That the Half of the Old Subsidy, granted by the said Act of the twelfth of *Charles* the Second, and the Whole of the further Subsidy of Poundage, granted by the said Act of the twenty-first Year of the Reign of his said late Majesty, which is directed by this Act to be paid for such Prize Goods taken by his Majesty's Ships of War; and the Half of the Old Subsidy, granted by the said Act of the twelfth of *Charles* the Second, which is directed by this Act to be paid for such Prize Goods taken by private or other Ships having Commissions as aforesaid, shall be payable *ad valorem*, and no otherwise, upon the Oath of the Captors, or their Agents, upon the following Goods; that is to say, Upon all Sorts of Woollen, Worsted, Thread, Cotton, Linen, and Silk Manufactures, Medicinal Drugs, and Hats, Handkerchiefs, Checks, Knives, Nails, and all Kind of Hard-ware, notwithstanding the same may have been rated in the Book of Rates of the twelfth Year of the Reign of King *Charles* the Second, or the Additional Book of Rates of the eleventh Year of the Reign of his late Majesty King *George* the First; and that the said Duties *ad valorem* respectively, on the Goods before enumerated, shall be levied and collected by the same Rules and Regulations, and under the same Penalties and Forfeitures, as are directed and prescribed in or by any Act or Acts of Parliament now in Force with respect to any Goods paying Duty *ad valorem*.

Duties on certain enumerated Goods to be paid *ad valorem*.

III. Provided always, That no Duties or Customs whatsoever shall be demanded or taken for any Prize Goods, consisting of any Military or Ship Stores, or any Goods which, by any Law now in Force, may be imported into this Kingdom Duty-free; any Thing in this or any other Act contained to the contrary notwithstanding.

Certain Goods not liable to any Duty.

IV. And it is hereby further enacted by the Authority aforesaid, That any Prize Goods which shall be received into any Warehouse in pursuance of this Act, or which are now remaining in any Warehouse in this Kingdom, where they have been secured under the King's Locks, by the Permission of the Commissioners of the Customs, shall and may, upon Payment of the respective Duties before directed by this Act, be exported at any Time directly from them, either by the Captors or their Agents, or by any other Person or Persons, without paying any further Duty of Customs or Excise for the same; the Person or Persons exporting the same giving sufficient Security, in double the Value of the Goods, before the Delivery thereof out of the Warehouse, that the same shall be really and truly exported, and not brought back again, or relanded, in any Part of *Great Britain*, or the Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, or the Islands of *Faro* or *Ferro*; which Security the Customer or Collector of the Port from whence the same are intended to be exported, is hereby required and authorised to take in his Majesty's Name, and to his Majesty's Use.

Goods lodged in any Warehouse, as aforesaid, may, on Payment of the before-mentioned Duties, be exported, giving sufficient Security, &c.

V. Provided always, and it is hereby further enacted by the Authority aforesaid, That if any Goods shall be taken out of any Warehouse wherein they are secured as aforesaid, to be consumed in this Kingdom, the Person or Persons so taking out the same shall first pay up the Remainder of the Duties which would have been due and payable to his Majesty thereon, if the same had been regularly imported by Way of Merchandise into this Kingdom; and such Goods shall, in all other Respects, be liable to the same Restrictions and Regulations to which they would have been subject if this Act had not been made.

Proviso, relating to Goods taken out of Warehouses for Home Consumption.

VI. Provided nevertheless, That nothing in this Act shall extend, or be construed to extend, to charge any Wine with the before-mentioned Duty of three Pounds *per* Ton, which shall, at the Time of landing the same, be damaged, corrupt, or unmerchantable, and which shall be given up by the Captors, or their Agents, to the Officers of the Customs, to be publickly sold, in order to be distilled into Brandy, or to be made into Vinegar, in the Manner directed by an Act passed in the twelfth Year of the Reign of his late Majesty King *George* the First (intituled, *An Act for the Improvement of his Majesty's Revenues of Customs, Excise, and Inland Duties)*.

Unmerchantable Wine not liable to Duty.

## CAP. XVI.

### An Act for allowing the Exportation of certain Quantities of Wheat-flour, Biſcuit, and Peaſe, to *Newfoundland*, *Nova Scotia*, *Bay Chaleur*, and *Labrador*.

Preamble. Acts 13 Geo. III. 14 Geo. III. and 16 Geo. III. recited.

'WHEREAS by an Act, made in the thirteenth Year of his preſent Majeſty's Reign (intituled, *An Act to regulate the Importation and Exportation of Corn*), whenever the Prices of certain Species of *Britiſh* Corn or Grain exceed the Prices therein limited, the Exportation thereof from this Kingdom is prohibited, under certain Penalties in the ſaid Act mentioned, except in particular Caſes allowed by that and ſeveral ſubſequent Acts of Parliament: And whereas certain Quantities of Biſcuit and Peaſe, allowed to be exported to the Iſland of *Newfoundland*, for the Benefit of the *Britiſh* Fiſhery there, by two Acts, the one made in the fourteenth Year of the Reign of his preſent Majeſty (intituled, *An Act to allow the Importation of a limited Quantity of Biſcuit and Peaſe to the Iſland of* Newfoundland, *for the Benefit of the* Britiſh *Fiſhery there*); and the other made in the ſixteenth Year of the Reign of his preſent Majeſty (intituled, *An Act for allowing the Exportation of certain Quantities of Wheat and other Articles to his Majeſty's Sugar Colonies in* America, *and to the Iſland of* Saint Helena, *and to the other Settlements belonging to the United Company of Merchants of* England *trading to the* Eaſt Indies, *and of Biſcuit and Peaſe to* Newfoundland, Nova Scotia, Bay Chaleur, *and* Labrador; *and for indemnifying all Perſons with reſpect to adviſing or carrying into Execution his Majeſty's Orders of Council already made for allowing the Exportation of Wheat and other Articles*); have been found inſufficient for the Uſe of the *Britiſh* Subjects carrying on the Fiſhery at the ſaid Iſland of *Newfoundland*, *Nova Scotia*, *Bay Chaleur*, and *Labrador*;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That, from and after the paſſing of this Act, it ſhall and may be lawful to ſhip and export Wheat-flour, Bread, Biſcuit, and Peaſe, out of and from the ſeveral Ports in this Kingdom herein-after mentioned, to the ſeveral Places herein-after named, for the Benefit of the *Britiſh* Fiſhery carried on in thoſe Parts, ſo as the ſame do not exceed the ſeveral Quantities reſpectively limited to thoſe Places in any one Year, any thing in the ſaid recited Acts, or either of them, to the contrary notwithſtanding; (that is to ſay),

Certain Quantities of Wheat-flour, &c. allowed to be exported to Newfoundland, &c. for the Benefit of the Fiſhery, from the Ports herein-after mentioned.

From the Port of *London*.

To the Iſland of *Newfoundland*, four hundred Quarters of Wheat-flour, two hundred and fifty Tons of Biſcuit, and two hundred Quarters of Peaſe.

To *Nova Scotia*, three hundred Quarters of Wheat-flour, two hundred Tons of Biſcuit, and three hundred Quarters of Peaſe.

To *Bay Chaleur*, five hundred Quarters of Wheat-flour, two hundred Tons of Biſcuit, and two hundred Quarters of Peaſe.

To *Labrador*, two hundred Quarters of Wheat-flour, two hundred Tons of Biſcuit, and two hundred Quarters of Peaſe.

From the Port of *Briſtol*.

To *Newfoundland*, three hundred Quarters of Wheat-flour, three hundred Tons of Biſcuit, and two hundred Quarters of Peaſe.

To *Nova Scotia*, two hundred Quarters of Wheat-flour, two hundred Tons of Biſcuit, and two hundred Quarters of Peaſe.

To *Bay Chaleur*, two hundred Quarters of Wheat-flour, one hundred and fifty Tons of Biſcuit, and two hundred Quarters of Peaſe.

To *Labrador*, two hundred Quarters of Wheat-flour, one hundred and fifty Tons of Biſcuit, and two hundred Quarters of Peaſe.

From the Port of *Poole*.

To *Newfoundland*, two thouſand five hundred Quarters of Wheat-flour, one thouſand one hundred Tons of Biſcuit, and one thouſand Quarters of Peaſe.

To *Nova Scotia*, two hundred Quarters of Wheat-flour, one hundred Tons of Biſcuit, and one hundred Quarters of Peaſe.

To *Bay Chaleur*, three hundred Quarters of Wheat-flour, one hundred Tons of Biſcuit, and one hundred Quarters of Peaſe.

To *Labrador*, two hundred Qnarters of Wheat-flour, one hundred Tons of Biſcuit, and one hundred Quarters of Peaſe.

From the Port of *Dartmouth*.

To *Newfoundland*, one thouſand five hundred Quarters of Wheat-flour, five hundred Tons of Biſcuit, and five hundred Quarters of Peaſe.

To *Nova Scotia*, three hundred Quarters of Wheat-flour, one hundred and fifty Tons of Biſcuit, and one hundred and fifty Quarters of Peaſe.

To *Bay Chaleur*, three hundred Quarters of Wheat-flour, two hundred Tons of Biſcuit, and one hundred and fifty Quarters of Peaſe.

To *Labrador*, three hundred and fifty Quarters of Wheat-flour, one hundred and fifty Tons of Biſcuit, and one hundred and fifty Quarters of Peaſe.

From

From the Ports of *Topsham* and *Tingmouth*, within the Port of *Exeter*, not exceeding in the Whole from both Places.

To *Newfoundland*, one thousand five hundred Quarters of Wheat-flour, five hundred Tons of Biſcuit, and ſix hundred Quarters of Peaſe.

To *Nova Scotia*, three hundred Quarters of Wheat-flour, two hundred Tons of Biſcuit, and two hundred Quarters of Peaſe.

To *Bay Chaleur*, three hundred Quarters of Wheat-flour, two hundred Tons of Biſcuit, and two hundred Quarters of Peaſe.

To *Labrador*, three hundred Quarters of Wheat-flour, two hundred Tons of Biſcuit, and two hundred Quarters of Peaſe.

From the Port of *Barnſtaple*. To *Newfoundland*, four hundred Quarters of Wheat-flour, one hundred and fifty Tons of Biſcuit, and one hundred and fifty Quarters of Peaſe.

From the Port of *Liverpool*. To *Newfoundland*, three hundred Quarters of Wheat-flour, one hundred and fifty Tons of Biſcuit, and one hundred and fifty Quarters of Peaſe.

From the Port of *Weymouth*. To *Newfoundland*, two hundred Quarters of Wheat-flour, ſixty Tons of Biſcuit, and one hundred and twenty Quarters of Peaſe.

From the Port of *Cheſter*. To *Newfoundland*, three hundred Quarters of Wheat-flour, one hundred Tons of Biſcuit, and one hundred and twenty Quarters of Peaſe.

II. Provided always, and it is hereby further enacted by the Authority aforeſaid, That the ſaid Articles exported as aforeſaid, in purſuance of this Act, ſhall be ſubject to the like Securities, at the reſpective Ports from whence they are exported, that the ſame ſhall not be landed or ſold in any Parts whatſoever other than the reſpective Places for which the ſame ſhall be entered and declared for Exportation, and in all other Reſpects not altered by this Act ſhall be liable to ſuch and the like Rules, Reſtrictions, and Regulations; and the Perſons granting or making any falſe Certificate, or counterfeiting, eraſing, or falſifying any Certificate, or knowingly publiſhing ſuch Certificate ſo counterfeited, eraſed, or falſified, ſhall be ſubject to the ſame Diſabilities, Penalties, and Forfeitures, as are reſpectively preſcribed and directed by the ſaid recited Act, made in the fourteenth Year of his Majeſty's Reign; which Penalties and Forfeitures ſhall and may be ſued for, proſecuted, and recovered, and applied, in the Manner directed by that Act.

The ſaid Articles to be ſubject to the like Securities, &c. on Exportation, as directed by the recited Act 14 Geo. III.

## CAP. XVII.

### An Act for building an additional Jail, and alſo a Priſon and Houſe of Correction, within the County of *Cornwall*; and for other Purpoſes therein mentioned.

Preamble.

'WHEREAS the common Jail of the County of *Cornwall* for Criminals is within the Caſtle of *Launceſton* in the ſaid County, which is at preſent in a very decayed Condition, and being ſituated near the Eaſtern Extremity of the County, the Eaſe and Convenience of the Inhabitants would be beſt ſuited by an additional Jail for Criminals being provided nearer the Centre of the ſaid County; and the Borough of *Bodmin* in the ſaid County, being, from its Situation, and the Advantages of healthy Air, a good Soil, and Plenty of pure and wholeſome Water, eſteemed the propereſt Place for the Erection of ſuch additional or new Jail; the Mayor and Burgeſſes of the ſaid Borough have, in order to forward the Deſign of erecting the ſame, agreed to give up a Piece or Parcel of Ground lying within the ſaid Borough, being Part of the Poſſeſſions of the Corporation, and commonly called or known by the Name of *Berrycoombe*, otherwiſe *Burcom*, as and for the Site of the ſaid intended Jail, being very convenient and proper to be uſed for that Purpoſe, without receiving any pecuniary or other Conſideration for the ſame: And whereas the ſaid Jail within the Caſtle of *Launceſton* aforeſaid has been hitherto kept in Repair by and out of the Revenues of the Duke of *Cornwall* for the Time being, and his Majeſty, being diſpoſed to promote the Convenience and Security of his Subjects in the ſaid County, hath been moſt graciouſly pleaſed to order a certain Sum of Money to be advanced and paid out of the aforeſaid Revenues, to be applied as well for putting the ſaid laſt-mentioned Jail into immediate Repair, as towards erecting the ſaid intended new Jail; upon Condition, that the Duke of *Cornwall* for the Time being may be for ever freed and diſcharged, not only from all Contributions to the future Repairs of the ſaid Jail within the Caſtle of *Launceſton* aforeſaid, but alſo from all Charges and Expences which may attend the erecting and finiſhing of the ſaid intended new Jail, or the future Repairs thereof; which ſaid Sum has been accordingly paid to and accepted by his Majeſty's Juſtices of the Peace of and for the ſaid County, in their General or Quarter Seſſions aſſembled, upon the Conditions aforeſaid: And whereas, beſides the ſaid preſent and intended Jails for Criminals, a Ward or Priſon for the ſecure keeping of Debtors, and alſo a Houſe of Correction for certain Offenders, are greatly wanted in the ſaid County, there being at preſent no public Building for either of thoſe Purpoſes; and, as the ſame may be moſt conveniently united to the ſaid intended Jail for Criminals, it has been propoſed, that the intended Building within the Borough of *Bodmin* aforeſaid ſhall conſiſt as well of a Jail for Criminals, as of a Ward or Priſon for Debtors, and a Houſe of Correction; but foraſmuch as the erecting, completing and finiſhing of the ſaid intended Jail, Priſon, and Houſe of Correction, will neceſſarily require a conſiderable Sum of Money, beyond what has been already advanced by his Majeſty's Order as aforeſaid, and no Money can or may be raiſed or collected for that Purpoſe without the Aid and Authority of Parliament:' Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled,

A Piece of Ground within the Borough of Bodmin veſted in the Juſtices of the County of Cornwall; who are to build a new Jail, &c. thereon.

and by the Authority of the ſame, That the ſaid Piece or Parcel of Ground, ſituate, lying, and being within the Borough of *Bodmin* aforeſaid, Part of the Poſſeſſions of the Mayor and Burgeſſes of the ſaid Borough, and commonly called or known by the Name of *Berrycoombe*, otherwiſe *Burcom*, with the Appurtenances, ſhall, from and after the paſſing of this preſent Act, be ſettled upon and veſted in, and the ſame is hereby thenceforth ſettled upon and veſted in his Majeſty's Juſtices of the Peace of and for the ſaid County of *Cornwall* for the Time being.

II. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Juſtices to cauſe to be built, erected, perfected, and finiſhed, upon the ſaid Piece or Parcel of Ground hereby veſted in them as aforeſaid, a ſtrong, proper, and convenient Jail for the Confinement of Criminals, and alſo a Ward or Priſon for the ſecure keeping of Debtors, and likewiſe a Houſe of Correction for the confining of certain Offenders to be kept to hard Labour, or otherwiſe, as by Law they may be ſubject, together with proper Places for the Reſidence of the Jailer, Turnkey, and Maſter or Keeper of the Houſe of Correction reſpectively; and alſo ſuch other Buildings and Conveniencies as ſhall, by the ſaid Juſtices, to be aſſembled in their General or Quarter Seſſions, or the major Part of them, be from Time to Time adjudged requiſite or proper for rendering the ſaid intended Jail, Priſon, and Houſe of Correction, more ſecure and commodious, and beſt calculated to anſwer the reſpective Purpoſes for which the ſame are to be erected.

Jail, &c. to be public.

III. And be it further enacted, That the ſaid intended Jail, Priſon, and Houſe of Correction, when and as ſoon as the ſame ſhall reſpectively be built and finiſhed, ſhall and are hereby declared to be a public and common Jail, Priſon, and Houſe of Correction, for the ſaid County; and that as well the ſaid intended Jail, and the ſaid other Jail within the Caſtle of *Launceſton* aforeſaid, as the ſaid Houſe of Correction, and the Buildings thereto reſpectively belonging, ſhall, from Time to Time, be maintained, ſupported, and repaired, by ſuch Ways and Means, and in ſuch Manner, as other Jails and Houſes of Correction in this Kingdom are by Law directed to be ſupported and maintained, any Thing in this Act contained to the contrary thereof in any wiſe notwithſtanding: And that the Sheriff of the ſaid County for the Time being ſhall have the keeping of the ſaid intended Jail and Priſon, and ſhall have Power, when the ſame are reſpectively made fit for the Reception of Priſoners, to remove thither ſuch or ſo many of the Criminals and Debtors then in his Cuſtody, as he ſhall think neceſſary or proper; which Removal ſhall not be deemed or taken to be an Eſcape: And that the ſaid intended Houſe of Correction ſhall belong to and be under the Care and Management of the Juſtices of the ſaid County for the Time being, to be by them applied to ſuch Uſes and Purpoſes as Houſes of Correction in general are by Law applicable to.

Sheriff to have the keeping of the Jail and Priſon,

and Juſtices of the Houſe of Correction.

Debtors Priſon to be maintained by the Sheriff.

IV. And be it further enacted, That the ſaid intended Ward or Priſon for Debtors, with the Buildings thereto belonging, ſhall from Time to Time, and at all Times after the ſame ſhall be erected and completed as aforeſaid, be maintained, ſupported, and kept in Repair, by and at the Expence of the Sheriff of the ſaid County for the Time being; and that in caſe of any Default or Want of Repairs of the ſaid Priſon at the Time of the immediate Sheriff for the Time being delivering over the Priſoners, then in his Cuſtody, to his Succeſſor, ſuch Succeſſor ſhall have and be intitled to his Remedy or Action at Law againſt his Predeceſſor, for Recovery of ſuch Damages as ſhall be an adequate Satisfaction for ſuch Want of Repairs, together with his full Coſts of Suit.

Contracts for building the Jail, &c. confirmed.

V. And be it further enacted, That all ſuch Contracts and Agreements as the ſaid Juſtices have already entered into, or ſhall or may hereafter enter into, for the repairing the ſaid Jail in the ſaid Caſtle of *Launceſton*, and alſo for erecting, completing, and perfecting the ſaid intended new Jail, Priſon, Houſe of Correction, and other Buildings, with any Perſon or Perſons whomſoever, ſhall be, and the ſame are hereby ratified, confirmed, and eſtabliſhed, to and for all Intents and Purpoſes whatſoever.

'VI. And whereas it will be neceſſary, when the ſaid intended new Jail, Priſon, and Houſe of Correction, are finiſhed and perfected, that a certain Stream of Water ſhould be carried and conveyed thereto, from a Place, within the ſaid Borough of *Bodmin*, called *Fairwaſh*, through, over, and along certain Lands and Grounds lying between that Place and the ſaid Parcel of Ground called *Berrycoombe*, otherwiſe *Burcom*, the Property of divers Perſons, for the Purpoſe of ſupplying the ſaid intended Jail, Priſon, and Houſe of Correction, with Water; and the Owners of the ſaid Lands having agreed that the ſaid Stream may be ſo conveyed over the ſame for that Purpoſe, on having a reaſonable Satisfaction made to them for ſuch Permiſſion;' be it therefore further enacted, That it ſhall and may be lawful to and for the ſaid Juſtices, in their General or Quarter Seſſions aſſembled, or the major Part of them, to contract and agree with the ſeveral Owners or Proprietors of, or other Perſons intereſted in, the ſaid Lands or Grounds through and over which the ſaid Stream of Water is intended to be carried, from the ſaid Place called *Fairwaſh*, to the ſaid new Jail, Priſon, and Houſe of Correction, for ſupplying the ſame with Water as aforeſaid, for the Purchaſe of ſo much and ſuch Part of the ſaid Lands as ſhall appear neceſſary to be taken and uſed for that Purpoſe, or for the Liberty or Permiſſion of carrying ſuch Stream of Water through and over the ſame: And that it ſhall and may be lawful to and for all and every or any Perſon or Perſons, who are or ſhall or may be ſeiſed or poſſeſſed of, intereſted in, or intitled to, the ſaid Lands and Grounds; and alſo for all Huſbands, Guardians, and Truſtees, Committees, Executors and Adminiſtrators, and all other Truſtees, as well for themſelves, as for and on Behalf of their *Ceſtuique* Truſts, whether Infants or Iſſue unborn, Lunatics, Idiots, Femes-covert, or other Perſons whomſoever, and to and for all Femes-covert ſeiſed or intereſted in their own Right, and to and for all and every other Perſon and Perſons whomſoever, ſeiſed, poſſeſſed, intereſted, or intitled, of, in, or to the ſaid Lands and Grounds, or any Part thereof, under any Manner of Right or Title whatſoever, to enter into Contract with the ſaid Juſtices, in their General or Quarter Seſſions aſſembled, or the major Part of them, for the Sale of ſo much and ſuch Part or Parts of the ſaid Lands and Grounds as ſhall be thought neceſſary, or be required by them, for the conveying of the aforeſaid Stream of Water to the ſaid intended Jail, Priſon, and Houſe of Correction, through and over the ſaid Lands and Grounds as aforeſaid, or otherwiſe for the Liberty

Juſtices may contract for Land, for the Purpoſe of bringing Water to the Jail.

Guardians, Truſtees, &c. empowered to ſell.

Liberty or Permiſſion of conveying the ſaid Stream through and over the ſame: And that in caſe the ſaid Juſtices, and Owners of, or Perſons intereſted in, the ſaid Lands and Grounds, cannot agree upon a Sum to be paid for ſuch Part thereof, or Liberty therein, as ſhall be neceſſary or be required for the Purpoſes aforeſaid reſpectively, then the ſaid Juſtices ſhall cauſe the Value thereof reſpectively to be inquired after and aſcertained by a Jury of twelve indifferent Men of the ſaid County; and in order thereto, the ſaid Juſtices, or the major Part of them, to be aſſembled in their General or Quarter Seſſions, are hereby authoriſed and required, from Time to Time, as there ſhall be Occaſion, to ſummon and call before ſuch Jury, and examine upon Oath, all and every ſuch Perſon or Perſons as ſhall be thought neceſſary or proper to be examined concerning the Premiſes (which Oath any two or more of the ſaid Juſtices are hereby empowered to adminiſter); and ſuch Juſtices ſhall, by ordering a View or otherwiſe, uſe all lawful Ways and Means as well for their own, as for the ſaid Jury's Information in the Premiſes; and after the ſaid Jury ſhall have enquired after, and aſſeſſed ſuch Value and Recompence, the ſaid Juſtices ſhall thereupon adjudge the Sum or Sums of Money ſo aſſeſſed to be paid to the Parties according to the Verdict of the Jury; which Verdict ſhall be final, binding, and concluſive to all Intents and Purpoſes whatſoever. And, for ſummoning and returning ſuch Jury, the ſaid Juſtices, or the major Part of them, ſo to be aſſembled as aforeſaid, is and are hereby empowered to iſſue their Warrant or Warrants to the Sheriff of the ſaid County, commanding him to impannel, ſummon, and return an indifferent Jury of twenty-four Men of the ſaid County (not any of them being in the Commiſſion of the Peace for the ſaid County of *Cornwall*), to appear before the ſaid Juſtices at ſuch Time and Place as in ſuch Warrant or Warrants ſhall be appointed; and the ſaid Sheriff, or his Deputy, is hereby required to impannel, ſummon, and return ſuch Jury accordingly; and out of the Perſons ſo impannelled, ſummoned, and returned, or ſuch of them as ſhall appear upon ſuch Summons, the ſaid Juſtices ſhall and are hereby empowered and required to ſwear or cauſe to be ſworn twelve Men, who ſhall be the Jury for the aforeſaid Purpoſe; and in Default of a ſufficient Number of Jurymen, the ſaid Sheriff, or his Deputy, ſhall return other honeſt and indifferent Men of the ſaid County (not being in the Commiſſion of the Peace for the ſaid County), either of the Byſtanders or ſuch others as can ſpeedily be procured to attend that Service, to the Number of twelve; and all Perſons concerned ſhall have their lawful Challenges againſt any of the ſaid Jurymen when they come to be ſworn, but ſhall not challenge the Array: And the ſaid Juſtices ſhall have Power, from Time to Time, to impoſe any reaſonable Fine or Fines on the ſaid Sheriff, or his Deputy, or their or either of their Bailiffs or Agents, making Default in the Premiſes; and on any of the Perſons who ſhall be ſummoned and returned on ſuch Jury, and ſhall not appear, or ſhall refuſe to be ſworn thereon, or, being ſo ſworn, ſhall refuſe to give, or not giving, their Verdict, or otherwiſe wilfully neglecting their Duty therein, contrary to the true Intent and Meaning of this Act; and on any Perſon who, being required to give Evidence before the ſaid Jury, ſhall refuſe or neglect to appear, or appearing, ſhall refuſe to be ſworn, examined, or give Evidence: Which Fine or Fines ſhall not exceed the Sum of ten Pounds upon any one Perſon for any one Offence, and ſhall be recovered by Diſtreſs and Sale of the Offender's Goods and Chattels, by Warrant or Warrants under the Hands and Seals of any two or more of ſuch Juſtices, and ſhall be applied towards the Purpoſes of this Act.

*If Parties cannot agree, Jury to ſettle Recompence.*

*Witneſſes may be examined on Oath.*

*Verdict of Jury to be final. Manner of ſummoning the Jury, &c.*

*Jurors may be challenged.*

*Juſtices may fine Sheriff, &c. making Default.*

VII. And be it further enacted, That upon Payment of the Sum or Sums of Money which ſhall be agreed upon between the contracting Parties, as the Purchaſe or Conſideration Money of ſo much and ſuch Part or Parts of the aforeſaid Lands and Grounds as ſhall be neceſſary, or be required to be taken and uſed for the Purpoſe aforeſaid, or of ſuch Liberty in, through, and over the ſame, as may be contracted for in Lieu thereof, or otherwiſe upon Payment of the Sum or Sums of Money which ſhall or may be ſettled and aſſeſſed by the ſaid Jury as a ſufficient Value, Recompence, and Satisfaction of or for ſuch Land or Liberty reſpectively, as aforeſaid, or upon Tender of ſuch Sum or Sums reſpectively to the reſpective Perſons intitled to receive the ſame under the Deſcriptions aforeſaid or otherwiſe, or their reſpective Agents; or in caſe of Want of Opportunity to tender, or of Refuſal to accept the ſame, that then, upon leaving the ſame in the Hands of the Clerk of the Peace for the ſaid County, for their reſpective Uſe, it ſhall and may be lawful to and for the ſaid Juſtices, their Surveyors, Workmen, or Agents, to enter into and take Poſſeſſion of ſo much and ſuch Land as ſhall be found neceſſary or requiſite for the Purpoſe aforeſaid; and that the Quantity of Ground ſo wanted, or the Liberty or Permiſſion of conveying the before-mentioned Stream of Water through and over the ſaid Lands and Grounds reſpectively, if the ſame ſhall alone have been contracted for, ſhall be, and is hereby veſted in the Juſtices of the ſaid County for the Time being.

*On Payment of Purchaſe-Money, Land, &c. to be veſted in the Juſtices.*

VIII. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Juſtices, and they are hereby authoriſed and required, when and as ſoon as ſuch Land ſhall be veſted in them as aforeſaid, to make ſuch Cut, Channel, or Watercourſe, and alſo to erect, fix, place or ſet up, all ſuch Works and other Things in, through, over and upon the ſaid Land, as ſhall appear neceſſary, requiſite, proper or convenient for carrying and conveying a Stream of Water from the aforeſaid Place called *Fairwaſh*, to the ſaid intended Jail, Priſon, and Houſe of Correction, for better ſupplying the ſame with Water, as aforeſaid, without any Hindrance or Interruption of, from, or by any Perſon or Perſons whomſoever; and alſo that it ſhall and may be lawful to and for the ſaid Juſtices, their Surveyors, Workmen, or Agents, in like Manner, from Time to Time, as often as there ſhall be Occaſion, to enter into and upon the aforeſaid Lands and Grounds, or any Part or Parts thereof, for the Purpoſe of cleanſing, ſcouring, repairing, or amending, the ſaid Cut, Channel, Watercourſe, Works, and other Things, or any of them, or any Part thereof.

*Juſtices to make a Watercourſe, &c. from Fairwaſh to the intended Jail, &c.*

'IX. And, for raiſing Money for the erecting, completing, and finiſhing of ſuch intended Jail, Priſon, 'Houſe of Correction, and other Buildings as aforeſaid, and for the ſeveral other Purpoſes intended by 'this Act, over and above the Sum ſo advanced by his Majeſty's Order, as herein-before mentioned,' be it enacted, That it ſhall and may be lawful to and for the ſaid Juſtices, or the major Part of them, at their next General or Quarter Seſſions to be held after the paſſing of this Act, or at any ſubſequent General or Quarter-

*Juſtices may raiſe 6000 l. for the Purpoſes of this Act.*

Quarter Seſſions, to conclude and agree upon and aſſeſs ſuch Sum or Sums of Money as they ſhall, from Time to Time, find neceſſary for the Purpoſes of this Act, but not exceeding in the Whole the Sum of ſix thouſand Pounds; and the ſame ſhall be rated and aſſeſſed in ſuch and the ſame Manner, and according to ſuch and the ſame Proportions, upon every Town, Pariſh, Hamlet, or Place, within the Limits of the ſaid C.., nty, and upon the Boroughs, Towns-corporate, and all other Precincts and Liberties within the ſame; and ſhall be collected, received, levied and paid, and be accounted for, by the Perſons making ſuch Collections, in ſuch Manner, and by ſuch Ways and Means, with Power of levying and enforcing the Collection and Payment thereof, and for puniſhing all Perſons whoſe Duty it ſhall be to collect or account for the ſame, and ſhall make Default therein, as the County Rates have been uſually, or can or may, by an Act made in the twelfth Year of his late Majeſty King *George* the Second, intituled, *An Act for the more eaſy aſſeſſing, collecting, and levying of County Rates*, or by any other Act or Acts of Parliament, be aſſeſſed, collected, received, levied, paid, and accounted for within the ſaid County; and ſuch Aſſeſſments, when received, ſhall be, from Time to Time, paid by the Treaſurers or Vice-treaſurer of the ſaid County, to the ſaid Juſtices ſo aſſembled as aforeſaid, or to ſuch Perſon or Perſons as they, in their ſaid General or Quarter Seſſions aſſembled, or the major Part of them, ſhall, by their Order, appoint to receive the ſame; and that the Receipt of ſuch Juſtices, or of the Perſon or Perſons to be ſo appointed, ſhall be a full and ſufficient Diſcharge to the ſaid Treaſurers and Vice-treaſurer for the Payment of ſuch Monies.

How to be aſſeſſed.

Rates to be made.

X. And be it further enacted, That the ſeveral and reſpective Pariſh Officers, or other Perſons, who ſhall pay or be liable to pay the Rates or Aſſeſſments which ſhall be made in purſuance and for the Purpoſes of this Act, upon any Pariſh, Town, Borough, Liberty, or Place, and alſo all ſuch Pariſh Officers and Perſons upon whom any ſuch Rate or Aſſeſſment ſhall be levied, ſhall and may, from Time to Time, after Notice ſhall be given of the Amount of the Rate or Aſſeſſment upon ſuch Town, Pariſh, or Place, either before or after the ſame ſhall have been actually paid by, or levied upon ſuch Officers or Perſons, rate and levy ſuch Monies, by a ſeparate and diſtinct Rate and Aſſeſſment, upon every ſuch reſpective Town, Pariſh, Borough, Liberty, or Place, in ſuch Manner and Proportion, and with ſuch Powers for Recovery thereof, as any other County Rate can or may be aſſeſſed or levied.

Magiſtrates of Boroughs, &c. to make Aſſeſſments therein.

'XI. And whereas there are ſeveral Boroughs, Towns-corporate, Liberties, and other diſtinct Juriſ-'dictions within the ſaid County, in which the Juſtices acting in the Commiſſion of the Peace for the ſaid 'County have no Power or Authority;' be it therefore enacted, That the Mayors, Juſtices, or other Magiſtrates acting in and for ſuch Boroughs, Towns-corporate, Liberties, and other diſtinct Juriſdictions, ſhall, and are hereby authoriſed and required to rate and aſſeſs a Sum or Sums of Money, in the ſame Proportion as the County in general ſhall be rated and aſſeſſed; and in like Manner, when collected and received, ſhall pay the ſame to the ſaid Treaſurer, who ſhall account for ſuch Money to the ſaid Juſtices, in the ſame Manner as for the Money received in and for the County at large; and that nothing in this Act contained ſhall be conſtrued to give the Juſtices for the County any Power or Authority in the ſaid Boroughs, Towns-corporate, Liberties, or other diſtinct Juriſdictions, which they had not before the paſſing of this Act.

Juſtices may borrow Money;

'XII. And foraſmuch as the Money to be raiſed by the Authority and for the Purpoſes of this Act may not 'be thought proper to be collected ſo ſpeedily as the ſame may be wanted, ſince thereby ſome of the Perſons, 'liable to anſwer the ſame, would be ſubject to Inconveniencies,' be it therefore enacted, That the ſaid Juſtices may, and they are hereby authoriſed, when aſſembled in their General or Quarter Seſſions, from Time to Time, as it ſhall to them, or the major Part of them, ſeem neceſſary or expedient, to raiſe Money upon the beſt Terms the ſame can be procured at Intereſt, for the carrying this Act into Execution; and for that End to treat and agree with any Perſon or Perſons for the Loan of any Sum or Sums of Money, which they ſhall find neceſſary to be raiſed and applied for that Purpoſe: And that it ſhall and may be lawful for the ſaid Juſtices, in their ſaid General or Quarter Seſſions, or the major Part of them, by their Order to confirm and eſtabliſh any ſuch Agreement, ſo made as aforeſaid; and thereupon ſuch Agreement, ſo eſtabliſhed by ſuch Order, and a Copy thereof, without Stamps, under the Seal of the Court of Quarter Seſſions, and ſigned by the Clerk of the Peace of the ſaid County, ſhall be, and the ſame is hereby declared to be effectual for ſecuring to the Perſon or Perſons ſo advancing any Sum or Sums of Money, his, her, or their Executors, Adminiſtrators, or Aſſigns, ſuch Sum and Sums, with ſuch Intereſt as in and by any ſuch Agreement ſhall be for that Purpoſe ſtipulated; and that the ſaid Juſtices, in their ſaid General or Quarter Seſſions, or the major Part of them, ſhall, and they are hereby authoriſed and required, when and as any ſuch principal Sum or Sums of Money, ſo advanced as aforeſaid, ſhall, by the Terms of any ſuch Agreement, become payable, by their Order to direct the ſame principal Sum or Sums of Money to be paid to the Perſon or Perſons who ſhall be intitled to receive the ſame, together with ſuch Intereſt as ſhall be then due thereupon, by the Treaſurers or Vice-treaſurer of the ſaid County, out of the County Stock, which Stock is hereby declared at all Times to be ſubject and liable thereto, until full Payment and Satisfaction of the ſaid principal Money and Intereſt.

which ſhall be paid out of the County Stock.

Application of the Money to be raiſed, &c.

XIII. And be it further enacted, That all ſuch Charges and Expences as ſhall have been ſuſtained or expended in or about the procuring and obtaining of this Act, ſhall, in the firſt Place, be ſatisfied and paid by and out of ſuch Money as ſhall be raiſed in purſuance thereof, and has been advanced by his Majeſty's Order, for repairing the ſaid Jail, in the ſaid Caſtle of *Launceſton*, and alſo towards erecting the ſaid intended Jail as aforeſaid; and that after Payment thereof, and of the Charges and Expences of erecting, completing, and finiſhing the ſaid intended Jail, Priſon, and Houſe of Correction, and other Buildings, and all Debts incurred thereby, and alſo of all other Monies to be paid in purſuance and for the Purpoſes of this Act, the Reſidue or Surplus (if any) of the Money ſo to be raiſed and levied by virtue thereof, and already advanced by his Majeſty's Order, as laſt aforeſaid, ſhall, by Order of the ſaid Juſtices, in their General or Quarter Seſſions aſſembled, be paid into the publick Stock of the ſaid County, and ſhall be deemed and

and taken to be, and be paid and applied as Part of the common County Stock, to and for such Uses, and in such Manner, as the same Stock can or may be applied.

Treasurer to pay Expences of the Act, if not paid within six Months.

XIV. Provided always, and be it further enacted, That in case all the Charges and Expences of obtaining and passing this Act shall not be fully paid and satisfied within Six Calendar Months next after the passing thereof, the Treasurers or Vice-treasurer of the said County shall, and is and are hereby required, within One Month next after the Expiration of the said Six Months, to pay and discharge all such Charges and Expences, or so much thereof as shall be then remaining unsatisfied; and the said Justices shall and are hereby authorised and required to allow what they or he shall so pay in the Treasurer's or Vice-treasurer's Accounts.

Accounts to be made out annually;

XV. And be it enacted, That some Time in the Month of *October* in every Year, a fair and just Account shall be made out of all the Money received and paid by virtue and in pursuance of this Act, and when, and to whom, and for what Purposes the same was paid, laid out, or expended; a Copy or Duplicate of which Account, signed by the said Justices, so assembled as aforesaid, or the major Part of them, shall be deposited with the Clerk of the Peace of the said County for the Time being, to be kept among the Records of the Sessions of the Peace; which Clerk shall, from Time to Time, permit any Person or Persons, rated or assessed under or by virtue of this Act, to inspect the same, at all seasonable Times, on Payment of Sixpence for each Inspection, and shall, upon Demand, forthwith give one or more Copy or Copies of the said Account, or any Part thereof, to every or any such Person, he or she paying for such Copy or Copies after the Rate of one Shilling for every hundred Words, and so in Proportion for a less Number.

which may be inspected, &c.

The Duke of Cornwall exempted from contributing towards the building the new Jail, or repairing thereof, &c.

XVI. Provided always, and be it further enacted, That, from and immediately after the passing of this Act, his Royal Highness the Duke of *Cornwall*, and his Successors, and his and their Revenues, Estates, and Possessions, shall be, and thenceforth for ever remain, freed, acquitted, exonerated, exempted, and discharged, of and from the Payment of all and every or any Sum and Sums of Money, for or on Account of the Repairs as well of the said Jail within the Castle of *Launceston* aforesaid, as of the said intended Jail for Criminals at *Bodmin*, and of and from all Claims and Demands on Account thereof; and that nothing in this Act contained shall extend, or be construed to extend, to charge or make liable any Honours, Manors, Lordships, Messuages, Lands, Tithes, Rents, or Hereditaments, situate, lying, and being, or arising in or within the said County of *Cornwall*, Part of the Possessions of the Duchy of *Cornwall*, with or to the Payment of any Money for or towards the Erection or Repairs of the said intended Jail; but that the same, and every Part thereof, shall henceforth for ever be and remain wholly exempt and discharged of and from the Payment thereof, and of and from all other Money which shall or may at any Time hereafter be raised, levied, contributed, or collected, for the building or Repairs of the said two Jails respectively, or otherwise on Account thereof (save and except all such Honours, Manors, Lordships, Messuages, Lands, Tithes, Rents, or Hereditaments, situate, lying, and being, or arising in or within the said County of *Cornwall*, Part of the Possessions of the said Duchy, as are or shall from Time to Time be held by any Person or Persons, as Tenants, by Copy of Court Roll, or by or under any Lease or Leases for Life or Lives, or any Term or Terms of Years, either absolute, or determinable upon the dropping of any Life or Lives; which same Honours, Manors, Lordships, Messuages, Lands, Tithes, Rents, and Hereditaments, during such Time and so long as they shall be so held, shall and may be rated and charged, by virtue and under the Powers of this Act, in the same Manner as any other Estates, Lands, or Hereditaments, in the same County, not being Part of such Possessions, can or may be rated or charged).

but not his Tenants by Copy of Court Roll, &c.

This Act not to affect the Rights of the Duke of Cornwall in and to the Castle of Launceston.

XVII. Provided also, and be it enacted, That nothing herein contained shall extend to diminish or affect the Right and Title of the Duke of *Cornwall* for the Time being to the said Castle of *Launceston*, or his Power or Authority in appointing the Officers thereof, or the Custody or Power over any Criminals or other Prisoners therein confined, or which may at any Time be committed to the said Castle; but that all such Rights, Powers, and Authorities shall remain in as full and ample a Manner to the said Duke of *Cornwall* for the Time being, his Officers and Servants, as if this Act had not been made; the repairing and keeping in Repair the Prison within the said Castle, in Manner hereby provided for, only excepted.

Persons aggrieved may appeal to the Quarter Sessions.

XVIII. Provided always, and be it further enacted, That all or any Person or Persons who shall apprehend himself or themselves overcharged, or otherwise aggrieved by any Assessment or other Proceeding under or by virtue of this Act, may appeal to the Justices of the Peace for the said County, at their next General or Quarter Sessions after Demand of the Money assessed, or after such other Act done, who shall and may make such Order thereupon as to them, or the major Part of them then and there present, shall seem meet.

Limitation of Actions.

XIX. And be it further enacted, That every Action or Suit to be commenced against any Person or Persons for any Thing done in pursuance or by virtue of this Act, shall be brought and commenced within Six Calendar Months next after the Fact committed, and not afterwards, and shall be laid and brought in the County of *Cornwall*, and not elsewhere; and the Defendant or Defendants in such Action or Suit shall and may plead the General Issue, and give this Act, and the special Matter in Evidence, at any Trial to be had thereupon: And if the Plaintiff or Plaintiffs shall become nonsuit, or discontinue such Action or Suit, or if, upon Demurrer, Judgement shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover Treble Costs, and have such Remedy for the same as any other Defendant or Defendants can or may have for Costs in any other Case by Law.

General Issue.

Treble Costs.

Public Act.

XX. And be it further enacted, That this Act shall be deemed and taken to be a public Act; and all Judges, Justices, and other Persons, shall take Notice thereof as such without specially pleading the same.

## CAP. XVIII.

An Act to explain an Act, passed in the Seventh Year of the Reign of his late Majesty King *George* the Second, intituled, *An Act for the more effectual preventing the forging the Acceptance of Bills of Exchange; or the Numbers or principal Sums of accountable Receipts for Notes, Bills, or other Securities for Payment of Money; or Warrants or Orders for Payment of Money or Delivery of Goods.*

Preamble.

Act 7 Geo. II. recited.

'WHEREAS Doubts have arisen whether the Punishment inflicted by an Act of Parliament, made and passed in the Seventh Year of the Reign of his late Majesty King *George* the Second (intituled, *An Act for the more effectual preventing the forging the Acceptance of Bills of Exchange; or the Numbers or principal Sums of accountable Receipts for Notes, Bills, or other Securities for Payment of Money; or Warrants or Orders for Payment of Money or Delivery of Goods*), on Persons guilty of the several Species of Forgery therein mentioned, extends to such Forgeries when committed with an Intention to defraud any Corporation;' be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That if any Person, from and after the twenty-fifth Day of *March*, one thousand seven hundred and seventy-eight, shall falsely make, alter, forge, or counterfeit, or cause or procure to be falsely made, altered, forged, or counterfeited, or willingly act or assist in the false making, altering, forging, or counterfeiting, any Acceptance of any Bill of Exchange, or the Number or principal Sum of any accountable Receipt for any Note, Bill, or other Security for Payment of Money, or any Warrant or Order for Payment of Money or Delivery of Goods, with Intention to defraud any Corporation whatsoever; or shall utter or publish as true any false, altered, forged, or counterfeited Acceptance of any Bill of Exchange, or accountable Receipt for any Note, Bill, or other Security for Payment of Money, or Warrant or Order for Payment of Money or Delivery of Goods, with Intention to defraud any Corporation whatsoever, knowing the same to be false, altered, forged, or counterfeited; every such Person, being thereof lawfully convicted, shall be deemed guilty of Felony, and shall suffer Death as a Felon without Benefit of Clergy.

Persons convicted of forging an Acceptance of Bills of Exchange, or Receipt for Payment of Money, &c. with Intent to defraud any Corporation, shall suffer Death as Felons.

## CAP. XIX.

An Act for the Payment of Costs to Parties, on Complaints determined before Justices of the Peace out of Sessions; for the Payment of the Charges of Constables in certain Cases; and for the more effectual Payment of Charges to Witnesses and Prosecutors of any Larceny, or other Felony.

Preamble.

'WHEREAS, by the Laws now in being, his Majesty's Justices of the Peace are not sufficiently authorised, on Complaints that come before them out of Sessions, to award Costs against either the Person or Persons complaining, or the Person or Persons against whom any Complaint is made, as to Justice may appertain:' May it please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That where any Complaint shall be made before any of his Majesty's Justices of the Peace for any County, Riding, Division, City, Town Corporate, Franchise, or Liberty, and any Warrant or Summons shall issue in Consequence of such Complaint, that then it shall and may be lawful to and for any Justice or Justices of the Peace, who shall have heard and determined the Matter of the said Complaint, to award such Costs to be paid by either of the Parties, and in Manner and Form as to him or them shall seem fit, to the Party injured: And in case any Person, so ordered by the said Justice or Justices of the Peace to pay such Sums of Money as aforesaid, shall not forthwith pay down or give Security for the same to the Satisfaction of the Justice or Justices, it shall and may be lawful for the said Justice or Justices, by Warrant under his Hand and Seal, or their Hands and Seals, to levy the said Sum or Sums by Distress and Sale of the Goods and Chattels of such Person so refusing or neglecting; and where Goods and Chattels of such Person cannot be found, to commit such Person to the House of Correction, for the County, Riding, Division, City, Town Corporate, Franchise, or Liberty, wherein such Person shall reside, there to be kept to hard Labour for any Time not exceeding one Month, nor less than ten Days, or until such Sum or Sums of Money, together with the Expences attending the Commitment of such Person to such House of Correction, be first paid.

Justices, out of Session, impowered to award Costs on Determination of Complaints brought before them.

On Refusal of Party to pay, &c. the same may be levied by Distress.

II. Provided nevertheless, That upon the Conviction of any Person or Persons upon any penal Statute or Statutes, where the Penalty or Penalties shall amount to or exceed the Sum of five Pounds, the said Costs shall be deducted by the said Justice or Justices, according to his or their Discretion, out of the said Penalty or Penalties, so that the said Deduction shall not exceed one fifth Part of the said Penalty or Penalties; and the Remainder of the said Penalty or Penalties shall be paid to, or divided among, the Person or Persons who would have been entitled to the whole of the Penalty or Penalties in case this Act had not been made.

If the Penalty on any Conviction shall amount to 5 l. the Costs shall be deducted thereout, &c.

III. And be it further enacted by the Authority aforesaid, That the several Forms to this Act annexed shall and may in the respective Cases be used and observed.

The Forms annexed to this Act to be used.

'IV. And whereas Constables, Headboroughs, and Tithing-men, are or may be at great Charge in doing the Business of their Parish, Township, or Place, and in many Cases are not sufficiently indemni-

'fied

'fied by the Laws;' be it therefore enacted by the Authority aforesaid, That every Constable, Headborough, or Tithingman, shall every three Months, and within fourteen Days after he shall go out of such Office, deliver to the Overseers of the Poor of the said Parish, Township, or Place, for the Time being, a just Account in Writing, fairly entered in a Book to be kept for that Purpose, and signed by him, of all Sums so by him expended on Account of the said Parish, Township, or Place, in all Cases not hitherto provided for by the Laws heretofore made, or by this Act, and also of all Sums received by him on the Account of the said Parish, Township, or Place; and the said Overseers of the Poor, or their Successors, shall, within the next fourteen Days after the said Account or Accounts shall be so delivered, lay the same before the Inhabitants of the said Parish, Township, or Place; and in case the said Account or Accounts be approved of by the Majority of such Inhabitants, the Overseers of the Poor of the said Parish, Township, or Place, for the Time being, are hereby authorised and required to pay out of the Poor Rates, made or to be made, for such Parish, Township, or Place, such Sum or Sums of Money as shall appear to be due on the said Account or Accounts; but in case the said Account or Accounts, or any Part thereof, shall be disallowed, then the said Overseers of the Poor for the Time being shall then deliver back to the said Constable, Headborough, or Tithingman, such Book of Accounts; and it shall and may be lawful to and for the said Constable, Headborough, or Tithingman, then to produce the said Book before any one or more of his Majesty's Justices of the Peace in and for the County, Riding, Division, City, Town Corporate, Franchise, or Liberty, wherein such Parish or Township shall be situate, giving reasonable Notice thereof to the Overseers of the Poor of the said Parish, Township, or Place, for the Time being; which said Justice or Justices is and are hereby authorised to examine the same, and to hear and determine any Objection or Objections that shall be made to the said Accounts, and to settle the Sum which to him or them shall appear due on the said Account, and to enter the same in the said Account, and to sign his or their Name or Names thereto; and the Overseers of the Poor of the said Parish, Township, or Place, for the Time being, are hereby authorised and required to pay the said Sum, out of the Money which shall come to their Hands by virtue of any Rate or Assessment made or to be made for the Relief of the Poor.

Constables, &c. shall, every three Months, deliver to the Overseers an Account of Money by them expended or received on Account of their respective Parishes.

If any such Account shall be disallowed, a Justice may settle the same;

V. Provided nevertheless, That in case the Overseer or Overseers of the Poor of the said Parish, Township, or Place, for the Time being, shall find that the said Parish, Township, or Place, is aggrieved by any Neglect, Act, or Thing done, or omitted, by the said Constable, Headborough, or Tithingman, or by any of his Majesty's Justices of the Peace, or shall have any material Objection to such Account, or any Part thereof, or to such Determination as aforesaid, it shall and may be lawful for such Overseer or Overseers, in any of the Cases aforesaid, giving reasonable Notice to the said Justice, Constable, Headborough, or Tithingman, to appeal to the next General or Quarter Sessions of the Peace for the County, Riding, Division, City, Town Corporate, Franchise, or Liberty, where such Parish, Township, or Place lies; and the Justices of the Peace there assembled are hereby authorised and required to receive such Appeal, and to hear and finally determine the same; but if it shall appear to the said Justices, that reasonable Notice was not given, then they shall adjourn the said Appeal to the next Quarter Sessions, and then and there finally hear and determine the same; and the said Justices may award and order, to the Party for whom such Appeal shall be determined, reasonable Costs, in the same Manner that they are empowered to do in Case of Appeals concerning the Settlement of poor Persons, by an Act made in the eighth and ninth Years of King *William* the Third, intituled, *An Act for supplying some Defects in the Laws for the Relief of the Poor of this Kingdom.*

Appeal may be made from the Justice's Determination, &c. to the Quarter Sessions,

who may award Cos

VI. Provided always, That in all Corporations or Liberties which have not four Justices of the Peace, it shall and may be lawful for the Overseer or Overseers of the Poor of the Parish, Township, or Place, for the Time being, where an Appeal is given by this Act, to appeal, if he or they shall think fit, to the next General or Quarter Sessions of the Peace for the County, Riding, or Division, wherein such Corporation or Liberty is situate.

Proviso relating to Corporations, &c.

'VII. And whereas, by an Act passed in the twenty-fifth Year of his late Majesty King *George* the 'Second, intituled, *An Act for the better preventing Thefts and Robberies, and for regulating Places of public 'Entertainment, and punishing Persons keeping disorderly Houses*; it was recited, That whereas many Persons 'are deterred from prosecuting Persons guilty of Felony, upon account of the Expence attending such Pro-'secutions, which is a Cause of the Encouragement of Thefts; and it was therein, among other Things, 'enacted, That it should and might be in the Power of the Court before whom any Person has been tried 'and convicted of any Grand or Petit Larceny, or other Felony, at the Prayer of the Prosecutor, and on 'Consideration of his Circumstances, to order the Treasurer of the County in which the Offence shall have 'been committed, to pay unto such Prosecutor such Sum of Money as to the said Court shall seem reason-'able, not exceeding the Expences which it shall appear to the Court the Prosecutor was put unto in carry-'ing on such Prosecution, making him a reasonable Allowance for his Time and Trouble therein; which 'Order the Clerk of Assize, or Clerk of the Peace, respectively, was thereby directed and required forthwith 'to make out, and deliver unto such Prosecutor, upon being paid for the same the Sum of one Shilling, 'and no more: And whereas, by an Act, passed in the twenty-seventh Year of his late Majesty King 'George the Second, reciting, That the Expence, as well as Loss of Time, in attending Courts of Justice, 'is a Discouragement to the poorer Sort to appear as Witnesses against Offenders, who thereby escape the 'public Justice, and the Punishment due to their Crimes; it was enacted, That when any poor Person 'shall appear on Recognizance in any Court, to give Evidence against another accused of any Grand or 'Petit Larceny, or other Felony, it should and might be in the Power of the Court, at the Prayer and on 'the Oath of such Person, and on Consideration of his Circumstances, in open Court to pay unto such 'Person such Sum of Money as to the said Court shall seem reasonable, for his Time, Trouble, and Ex-'pence; which Order the proper Officer of such Court is required to make out and deliver to such Person, 'upon being paid for the same the Sum of Sixpence, and no more: And whereas the said recited Acts of 'the twenty-fifth and twenty-seventh Years of his late Majesty King *George* the Second, have been a great

Recital of an Act 25 Geo. II. for preventing Thefts and Robberies, &c.

and of an Act 27 Geo. II. for allowing the Expences of poor Witnesses in Cases of Felony.

'Encouragement towards bringing Offenders to Juſtice, in all ſuch Caſes as are within the Purview of the 'ſaid Statutes; but nevertheleſs it has been found by Experience, that the ſaid herein-before recited Sta- 'tute of the twenty-ſeventh Year of his ſaid late Majeſty, with regard to Perſons appearing on Recogni- 'zance in any Court to give Evidence as aforeſaid, extends only to poor Perſons, ſuch Court alſo con- 'ſidering their Circumſtances; and alſo does not extend to Perſons appearing on Subpœna to give Evidence: 'And whereas the ſaid Act of the twenty-fifth Year of his ſaid late Majeſty, with regard to Proſecutors, 'directs the Court to conſider the Circumſtances of ſuch Proſecutor, and alſo gives him Relief only where 'the Offender is convicted: And whereas it is juſt and reaſonable, and may tend in future to the Preven- 'tion of Crimes, or to the due Proſecution of all Offenders againſt the Laws, that every Proſecutor to 'Conviction, and every Perſon ſo appearing on Recognizance or Subpœna to give Evidence, ſhould be 'allowed his reaſonable Expences, and alſo, in caſe he be poor, a reaſonable Satisfaction for his Trouble 'and Loſs of Time; and that ſuch Allowance ſhould be made to Proſecutors as aforeſaid, even though the 'Perſon ſo accuſed be acquitted, provided it ſhall appear to ſuch Court, before whom the ſaid Priſoner 'ſhall have been tried, that there was a reaſonable Ground of Proſecution,' and that the Proſecutor hath '*bona fide* proſecuted;' be it further enacted by the Authority aforeſaid, That, from and after the paſſing of this Act, it ſhall and may be in the Power of the Court before whom any Perſon has been tried and convicted of any Grand or Petit Larceny, or other Felony, or before whom any Perſon has been tried and acquitted of any Grand or Petit Larceny, or other Felony, in caſe it ſhall appear to the ſaid Court that there was a reaſonable Ground of Proſecution, and that the ſaid Proſecutor hath *bona fide* proſecuted, to order, upon Prayer of the ſaid Proſecutor, the Treaſurer of the County, Riding, or Diviſion, in which the Offence ſhall have been committed, or ſhall have been ſuppoſed to have been committed, to pay unto ſuch Proſecutor ſuch Sum of Money as to the ſaid Court ſhall ſeem reaſonable, not exceeding the Expences which it ſhall appear to the Court the Proſecutor was *bona fide* put unto in carrying on ſuch Proſecution, making, in caſe the ſaid Proſecutor ſhall appear to the Court to be in poor Circumſtances, a reaſonable Allowance to ſuch Proſecutor for Trouble and Loſs of Time; which Order the Clerk of Aſſize, or Clerk of the Peace, reſpectively, is hereby directed and required forthwith to make out and deliver unto ſuch Proſecutor, upon being paid for the ſame the Sum of one Shilling, and no more; and the Treaſurer of the ſaid County, Riding, or Diviſion, is hereby authoriſed and required, upon Sight of ſuch Order, forthwith to pay to ſuch Proſecutor, or other Perſon authoriſed to receive the ſame, ſuch Sum of Money as aforeſaid, and ſhall be allowed the ſame in his Accounts.

The Court before whom any Perſon is tried for Felony, may order the Treaſurer of the County, &c. to pay the Proſecutor his Expences, and an Allowance for Loſs of Time:

VIII. And be it further enacted by the Authority aforeſaid, That it ſhall and may be in the Power of the Court, where any Perſon ſhall appear, on Recognizance or Subpœna, to give Evidence as to any Grand or Petit Larceny or other Felony, whether any Bill of Indictment be preferred or not to any Grand Jury, provided the ſaid Perſon ſhall, in the Opinion of the ſaid Court, *bona fide* have attended the ſaid Court in Obedience to ſuch Recognizance or Subpœna, to order the Treaſurer of the County, Riding, or Diviſion, in which the Offence ſhall have been committed, or ſhall have been ſuppoſed to have been committed, to pay unto ſuch Perſon ſuch Sum of Money as to the ſaid Court ſhall ſeem reaſonable, not exceeding the Expences which it ſhall appear to the ſaid Court the ſaid Perſon was *bona fide* put unto by reaſon of the ſaid Recognizance and Subpœna, making, in caſe the ſaid Perſon ſhall appear to the Court to be in poor Circumſtances, a reaſonable Allowance to ſuch Perſon for Trouble and Loſs of Time; which Order the Clerk of Aſſize, or Clerk of the Peace, reſpectively, is hereby directed and required forthwith to make out and deliver to ſuch Perſon, upon being paid for the ſame the Sum of Sixpence, and no more; and the Treaſurer of the ſaid County, Riding, or Diviſion, is hereby authoriſed and required, upon Sight of ſuch Order, forthwith to pay to ſuch Perſon, or other Perſon authoriſed to receive the ſame, ſuch Sum of Money as aforeſaid, and ſhall be allowed the ſame in his Accounts.

And Perſons appearing in Court, on Recognizance or Subpœna, to give Evidence, ſhall in like Manner be allowed their Expences, &c.

IX. Provided nevertheleſs, and be it further enacted, That it ſhall and may be lawful for his Majeſty's Juſtices of the Peace, in and for any County, Riding, Diviſion, City, Town Corporate, Franchiſe, or Liberty, in Quarter Seſſions aſſembled, to lay down or alter, from Time to Time, ſuch Rules and Regulations, as to any Coſts or Charges thereafter to be allowed to any Perſon whatſoever, by virtue of any Part of this Act, for the better carrying the Intent of any Part of this Act into Execution, and for the preventing any unneceſſary Expence, as to them ſhall ſeem moſt juſt and reaſonable; which Rules and Regulations, having received the Approbation and Signature of one or more of his Majeſty's Judges of Oyer and Terminer, or General Gaol Delivery, at the Aſſizes for the County wherein ſuch Rules and Regulations ſhall have been made, ſhall be binding, and not otherwiſe, on all Perſons whatſoever; and no Perſon whatſoever ſhall be allowed any greater Sum of Money, by virtue of this Act, than according to the ſaid Rules and Regulations ſo approved of as aforeſaid, any Thing herein contained to the contrary thereof in anywiſe notwithſtanding.

The Quarter Seſſions to make Regulations for allowing the before-mentioned Expences; which are to be approved of by one of the Judges at the Aſſizes, &c.

X. And be it further enacted by the Authority aforeſaid, That if any Action or Suit ſhall be commenced againſt any Perſon or Perſons for any Thing done in purſuance of this Act; that then, and in every ſuch Caſe, the Action or Suit ſhall be brought within ſix Calendar Months next after the Fact committed; and the Defendant or Defendants in ſuch Action or Suit may plead the General Iſſue, and give this Act and the Special Matter in Evidence, at any Trial to be had thereupon, and that the ſame was done in purſuance and by the Authority of this Act: And if it ſhall appear ſo to have been done, the Jury ſhall find for the Defendant or Defendants; and if the Plaintiff ſhall be nonſuit, or diſcontinue his Action after the Defendant or Defendants ſhall have appeared, or if Judgment ſhall be given, upon any Verdict or Demurrer, againſt the Plaintiff, the Defendant and Defendants ſhall and may recover Treble Coſts, and have the like Remedy for the ſame as the Defendant or Defendants hath or have in other Caſes by Law.

Limitation of Actions.

General Iſſue.

Treble Coſts.

I. *Form of awarding Costs.*

*County or Borough, &c. to wit.* } ‘I one (*or*, we and being two) of his Majesty's Justices of the Peace in and for the aforesaid, in pursuance of an Act, made in the eighteenth Year of his Majesty King *George* the Third, intituled, *An Act for the Payment of Costs to Parties, on Complaints determined before Justices of the Peace out of Sessions; for the Payment of the Charges of Constables in certain Cases; and for the more effectual Payment of Charges to Witnesses and Prosecutors of any Larceny, or other Felony*; on the Complaint of [*here state the Names of the Parties, and the Offence generally, and the Date*] against for which said Complaint was heard and determined by on the Day of do award the following Costs to be paid by *videlicet*; [*here state the Costs.*]

‘Given under Hand and Seal (*or* Hands and Seals) this Day of in the Year of our Lord

II. *Form of Warrant of Distress and Sale.*

to wit. } *To the Constable of for in and to all other his Majesty's Constables in and aforesaid.*

‘WHEREAS of his Majesty's Justices of the Peace in and for the aforesaid, in pursuance of an Act, made in the eighteenth Year of his Majesty King *George* the Third, intituled, *An Act for the Payment of Costs to Parties, on Complaints determined before Justices of the Peace out of Sessions; for the Payment of the Charges of Constables in certain Cases; and for the more effectual Payment of Charges to Witnesses and Prosecutors of any Larceny, or other Felony*; have awarded, on the of now last past, on the Complaint of against for the following Costs to be paid by *videlicet*; [*here state the Sum*]: And whereas the said being ordered by the said Justice (*or* Justices) to pay such Sum (*or* Sums) as aforesaid, hath not paid down or given Security for the same, to the Satisfaction of the said Justice (*or* Justices); These are therefore to command you, and each and every of you, to levy the said Sum of by Distress and Sale of the Goods and Chattels of the said and do hereby order and direct the Goods and Chattels so to be distrained to be sold and disposed of within Days, unless the said Sum of for which such Distress shall be made, together with the reasonable Charges of taking and keeping such Distress, shall be sooner paid; and you are hereby also commanded to certify unto what you shall have done by virtue of this Warrant.

‘Given under Hand and Seal (*or* Hands and Seals) at the Day of in the Year of our Lord

III. *Constable's Return thereon, for Want of Distress.*

*to wit.* } ‘I Constable of do hereby certify to Justice (*or* Justices) of the Peace of that I have made diligent Search for, but do not know, nor can find any Goods and Chattels of by Distress and Sale whereof I may levy the Sum pursuant to Warrant for that Purpose, dated the Day of

‘Given under my Hand, this Day of in

IV. *Commitment thereupon to the House of Correction.*

to wit. } *To the Constable of at and also to the Keeper of the House of Correction*

‘WHEREAS, in pursuance of an Act, made in the eighteenth Year of his Majesty King *George* the Third, intituled, *An Act for the Payment of Costs to Parties, on Complaints determined before Justices of the Peace out of Sessions; for the Payment of the Charges of Constables in certain Cases; and for the more effectual Payment of Charges to Witnesses and Prosecutors of any Larceny, or other Felony*; of his Majesty's Justices of the Peace, in and for the said did issue Warrant of Distress and Sale, directed to of Constable of the said of ordering the said Constable to levy the said Sum of of the Goods and Chattels of the said in Manner and Form as therein is mentioned: And whereas it appears to by the Return of Constable of dated the Day of that he hath made diligent Search, but doth not know of, nor can find any Goods and Chattels of the said by Distress and Sale whereof the said Sum of may be levied, pursuant to the said Warrant: These are therefore to command you, the said Constable of to apprehend the said and convey the said to the said House of Correction at and to deliver the said there to the said Keeper of the said House of Correction; And these are also to command you, the said

‘Keeper

'Keeper of the said House of Correction, to receive the said into the said House of 'Correction, and there to keep to hard Labour for the Space of from the Date 'hereof, or until such Sum of together with the Expences attending the Com- 'mitment of the said to the said House of Correction, be first paid, or until the 'said be discharged by due Course of Law.

'Given under Hand and Seal (*or* Hands and Seals) at the Day of

## CAP. XX.

An Act for further continuing the Duties granted by three Acts, made in the fifth and twenty-fifth Years of his late Majesty King *George* the Second, and in the third Year of his present Majesty's Reign, for enlarging the Pier and Harbour of *Scarborough*, in the County of *York*.

Preamble; reciting Acts 5 Geo. II.

'WHEREAS, by an Act, made in the fifth Year of the Reign of his late Majesty King *George* the 'Second, intituled, *An Act to enlarge the Pier and Harbour of* Scarborough, *in the County of* York, 'there was given and granted a Duty of one Halfpenny for every Chaldron of Coals laden on Board any 'Vessel at or in the Port of *Newcastle upon Tyne*, or at *Sunderland*, or any other Port or Place reputed a 'Member of the said Port of *Newcastle upon Tyne*, to be payable until the twenty-fourth Day of *June*, one 'thousand seven hundred and sixty-three; and also several other Duties, in the said Act mentioned, upon 'certain Goods, Wares, and Merchandize, landed in, or shipped off from, the said Port of *Scarborough*, 'which were to have Continuance until the twenty-fourth Day of *June*, one thousand seven hundred and 'eighty-three; all which Duties the said Act directed to be paid to the Bailiffs and Burgesses of *Scarbo-* 'rough, to be applied for the Purpose of enlarging, extending, improving, and repairing the said Pier and 'Harbour; and to be collected, recovered, managed, and disposed of, by such Ways and Means, and 'under such Regulations, Directions, Restrictions, Penalties, and Provisoes, as are therein mentioned:

25 Geo. II.,

'And whereas, by an Act made in the twenty-fifth Year of the Reign of his said late Majesty, to explain, 'amend, and make more effectual, the said former Act, Provision was made for taking the Powers, cre- 'ated by the said former Act, out of the Hands of the said Bailiffs and Burgesses, and vesting the same in

and 3 Geo. III.

'Trustees named therein, and to be appointed in pursuance thereof; and several other Regulations were 'made for the Purpose of improving and better managing the said Harbour: And whereas, by an Act made 'in the third Year of his present Majesty's Reign, for continuing the Duties, and enlarging the Powers 'granted by the said two former Acts, it was enacted, That the aforesaid Duty upon Coals should be (save 'as therein-after mentioned) continued, from and after the Expiration thereof, for and during the further 'Term of twenty Years; and that the said Duty should and might be collected, recovered, managed, and 'disposed of, by such Ways and Means, and under such Regulations, Directions, Restrictions, Penalties, 'and Provisoes, and with such Powers and Authorities, during the said extended Term, as the same was, 'might, or could be then done or performed by virtue of the said former Acts, or either of them; and 'certain further Regulations were thereby made for the Purpose of improving and better managing and 'keeping in Repair the said Harbour: And whereas, in consequence of the said Acts, the said Harbour 'hath been greatly improved; and, for enlarging and making the same extensively useful, a new Pier was 'some Years ago begun, and is now carrying on at a very large annual Expence, which, when finished, 'will render the said Harbour more safe and commodious than it now is, and will be of the greatest Ad- 'vantage and Security to Trade, and of public Utility: But forasmuch as the said new Pier cannot be 'completed, and the other Works done, which from Time to Time must become necessary to keep the 'said Harbour in sufficient Repair for the future, unless the said Duties be continued for a further Term of 'Years:' May it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Duty on Coals (save as in the said last-recited Act is saved or mentioned) and also the said Duty upon Goods, Wares, and Merchandize, landed in, or shipped off from, the said Port of *Scarborough*, shall be, and the same are hereby declared to be continued, from and after the said twenty-fourth Day of *June*, one thousand seven hundred and eighty-three, for and during the further Term of twenty Years; and that so much and such Part of the aforesaid three several recited Acts, and all and singular the Powers and Authorities thereby respectively given, and all and every the Clauses, Provisoes, Matters, and Things, therein respectively contained, as is or are now in Force, shall, for collecting, levying, recovering, managing, disposing of, securing, and accounting for, the Duties hereby granted or continued, and the Duties which may be in Arrear under the said former Acts, or any of them, and for the managing, enlarging, improving, and repairing, the said Pier and Harbour, and to that End for levying and recovering the Penalties and Forfeitures mentioned in the said recited Acts, or any of them, and for other the Purposes of this Act, be continued, and be in full Force during the said extended Term, as fully and effectually, to all Intents and Purposes whatsoever, as if the same were particularly and at large repeated and re-enacted in the Body of this present Act.

The Duties granted by the recited Acts further continued for 20 Years.

II. And be it further enacted, That the Bailiffs for the Time being of the said Borough of *Scarborough* shall be, and are hereby declared to be, added to and joined with the Commissioners for putting the said former Acts and this Act in Execution, as fully, to all Intents and Purposes, as they could or might have done in case they had been appointed Commissioners by, or described in, and qualified according to, the Directions of the said Act of the twenty-fifth Year of his late Majesty King *George* the Second; and that such Parts of the said several Acts as authorise any five or more of the Commissioners to put the said Acts in Execution,

The Bailiffs of Scarborough to be Commissioners, and the Quorum enlarged.

Execution, ſhall be, and are hereby repealed; and that in future any Number of the ſaid Commiſſioners, not being leſs than ſeven of them, ſhall and may put the ſaid Acts in Execution, in ſuch and the ſame Manner as by the ſaid Acts, or any of them, any five or more Commiſſioners are impowered to do.

Accounts may be produced at either Michaelmas or Chriſtmas Seſſions.

'III. And whereas by the ſaid Act, paſſed in the twenty-fifth Year of the Reign of King *George* the 'Second, it is directed, That all Accounts, ſtated and ſigned by the Commiſſioners at their public Meet-'ings, ſhall, at every Quarter Seſſions to be holden for the North Riding of the County of *York* next after '*Chriſtmas*, be produced to his Majeſty's Juſtices of the Peace then and there preſent, for their Inſpection 'and Allowance: And whereas it ſometimes happens, that, from the Inclemency of the Seaſon, it is very 'inconvenient, and even dangerous, for the proper Officer to attend ſuch *Chriſtmas* Seſſions with the ſaid 'Accounts:' Be it therefore further enacted, That the ſaid Accounts ſhall and may be produced and allowed, either at the *Michaelmas* or *Chriſtmas* Seſſions, as ſhall be moſt convenient for the Treaſurer or other proper Officer; any Thing in the ſaid recited Act contained to the contrary thereof in anywiſe notwithſtanding.

Expences of this Act how to be paid.

IV. And be it further enacted, That the Charges and Expences in and about obtaining and paſſing this Act ſhall, as ſoon as the ſame can be conveniently done, be paid out of the Monies to ariſe by the ſaid former Acts or this Act.

Public Act.

V. And be it further enacted by the Authority aforeſaid, That this Act ſhall be deemed, adjudged, and taken to be a public Act; and ſhall be judicially taken Notice of as ſuch by all Judges, Juſtices, and other Perſons whatſoever, without ſpecially pleading the ſame.

## CAP. XXI.

An Act for the more effectually carrying into Execution the Powers contained in two ſeveral Acts of Parliament, the one made in the twelfth Year of his preſent Majeſty's Reign, *for making a navigable Cut or Canal from the River* Dee, *within the Liberties of the City of* Cheſter, *to or near* Middlewich, *and* Nantwich, *in the County of* Cheſter; and the other made in the ſeventeenth Year of his ſaid Majeſty's Reign, for varying and enlarging the Powers of the ſaid former Act.

## CAP. XXII.

An Act for raiſing a certain Sum of Money by way of Annuities, and for eſtabliſhing a Lottery.

" Preamble. 6,000,000 *l.* to be raiſed by Annuities, and 480,000 *l.* by a Lottery. Contributors to the " Sum of 6,000,000 *l.* to be intitled to an Annuity of 3 *l.* for every 100 *l.* contributed, and alſo an Annuity " of 2 *l.* 10 *s.* for thirty Years, which ſhall be charged upon a Fund to be eſtabliſhed this Seſſion, and col- " laterally upon the Sinking Fund. Contributors may have the Annuity of 2 *l.* 10 *s. per Cent.* for Life, " inſtead of for 30 Years, upon producing a proper Certificate to the Auditor of the Exchequer before *Dec.* " 22, 1778. Every Contributor of 500 *l.* ſhall, upon Payment of 40 *l.* more, be intitled to four Lottery " Tickets. Preamble; reciting that Books have been opened at the Bank, and Depoſits made, purſuant " to a Reſolution of the Houſe of Commons. All Perſons who have made Depoſits, purſuant to the afore- " ſaid Reſolution, are required to pay the Remainder of their Subſcriptions at certain Times ſpecified. " Subſcribers to the Annuities to be allowed Intereſt for all Monies paid in Advance. Subſcribers to the " Lottery, on paying in the Whole of their Subſcriptions, ſhall receive Tickets to the Amount thereof. " Subſcribers to the 6,000,000 *l.* intitled to an Annuity of 3 *l. per Cent.*; and alſo to an Annuity of 2 *l.* 10 *s.* " for 30 Years; both payable half-yearly. All Contributors who ſhall pay in the Whole of their Contri- " bution-money before *June* 30, 1778, may receive the Half Year's Annuity due *July* 5, 1778, on the " Annuity of 2 *l.* 10 *s.* when they receive the Half Year's Annuity due on the 3 *per Cent.*; otherwiſe they " ſhall not receive the ſaid Annuity until *January* 1779. Annuities to be payable and tranſferrable at the " Bank of *England*, &c. Caſhier of the Bank to give Receipts to Contributors for Money received; which " ſhall be aſſignable, &c. Directions for the Caſhier in relation to ſuch Receipts. Caſhier to give Secu- " rity, to the good Liking of the Commiſſioners of the Treaſury; and to pay all Monies received into the " Exchequer. Commiſſioners of the Treaſury empowered to apply the Money paid in by the Caſhier. A " Book to be provided in the Accountant-general's Office, in which Contributors Names ſhall be entered, " &c. After Contributors ſhall have paid their Subſcriptions, they will be intitled to receive the Annuities " granted by this Act; which ſhall be Tax-free. Subſcriptions paid in Part, and not completed, ſhall be " forfeited to the Public. As ſoon as Contributors have completed their Payments, the Sums ſubſcribed " ſhall, in the Books of the Bank, be placed to their Credit. Accountant-general, on Payment of 35 *l.* " *per Cent.* of their Contributions, before *Dec.* 18, 1778, to give Credit to the Contributors for the Annu- " ity of 2 *l.* 10 *s.* which ſhall be transferrable. Certain Rates appropriated for Payment of the Annuities " granted by this Act. Governor, &c. of the Bank to appoint a Chief Caſhier, and Accountant-general. " Monies to be iſſued at the Exchequer to the Chief Caſhier, for Payment of Annuities created by this " Act. Accountant-general to examine Receipts and Payments. Annuities to be deemed perſonal Eſtate. " Books to be kept by the Accountant-general, wherein ſhall be entered all Transfers of Sums advanced " on this Act. Method of transferring. The Annuities of 2 *l.* 10 *s. per Cent. per Ann.* ſhall be a ſeparate " Stock from the other Annuities. Perſons poſſeſſed of Stock may deviſe the ſame by Will, &c. Com- " miſſioners of the Treaſury to diſcharge all incidental Charges attending the Execution of this Act. The " 3 *per Cent.* Annuities granted by this Act ſhall be added to the Joint Stock of 3 *per Cent.* transferrable at " the Bank, &c. The Bank to continue a Company till Redemption of the Annuities. 480,000 *l.* to be " raiſed by a Lottery; the Prizes whereof to be paid out of any Supplies granted this Seſſion. Guardians, " having the Diſpoſal of Infants Money, may contribute to the Loan, &c. Contributors, for every 100 *l.*

" they

" they ſhall advance, to be intitled to an Annuity of 2 *l.* 10 *s.* *per Annum* for 30 Years, or for Life. Life " Annuities to be paid at the Exchequer half-yearly. Caſhiers of the Bank to give Certificates to Contri- " butors who chuſe Life Annuities, which may be aſſigned before *Dec.* 21, 1778. Caſhiers to tranſmit to " the Auditor of the Exchequer a Book containing the Names of the Contributors, *&c.* Contributors " ſhall deliver their Certificates to the Auditor, before *Dec.* 22, 1778, to be exchanged for Orders; and " name their Nominees. Auditor to cauſe Orders for Payment to be made out as ſoon as convenient, " which ſhall be ſigned by the Commiſſioners of the Treaſury. Books to be kept in the Offices of the Au- " ditor and Clerk of the Pells, containing the Names of the Contributors, *&c.* Part of the Money to " ariſe from the new Duties to be ſet apart for Payment of the Annuities on Lives. On Death of Nomi- " nees, Annuities to ceaſe. Life Annuities may be transferred. Transfer to be entered at the Exchequer. " When Contributors, *&c.* demand Payment of their Annuities in the Abſence of their Nominees, they " muſt produce Certificates of their being alive on the Day when the reſpective half-yearly Payments be- " come due. What Certificate neceſſary when the Nominee reſides in *England* or *Wales*. What Certifi- " cate neceſſary when the Nominee reſides in *Scotland* or *Ireland*; or in Parts beyond the Seas. Penalty " on Perſons receiving a half-yearly Payment for any Time after the Death of their Nominee. Contribu- " tors, within a Month after Notice of the Death of their Nominee, to certify the ſame to the Auditor of " the Exchequer, *&c.* on Penalty of 10 *l.* Annuities to be Tax-free. Commiſſioners of the Treaſury, on " receiving a proper Certificate from the Chief Baron, *&c.* of the Exchequer, may cauſe new Orders to be " made in Lieu of ſuch as ſhall be loſt, burnt, *&c.* or defaced, or incumbered with Aſſignments. Clauſe " for preventing Frauds relating to Standing Orders, *&c.* Offenders to ſuffer Death as Felons. No Fee " to be taken for receiving or paying Contribution-monies, or for any Transfer, *&c.* Penalty on Officers " of the Exchequer who ſhall demand any ſuch Fee, or miſapply the Monies, *&c.* Officers, in certain " Caſes, not to incur any Penalty for making wrong Payments. If the Fund to be eſtabliſhed for Payment " of the Annuities ſhould prove inſufficient, the Deficiency to be ſupplied out of the Sinking Fund; which " Monies ſhall be replaced out of the next Supplies. If the Fund ſhall be more than ſufficient to pay the " Annuities, the Surplus to be reſerved for the Diſpoſition of Parliament. Managers and Directors of the " Lottery to be appointed by the Treaſury. Method of the Lottery Books. Ticket. Managers to exa- " mine the Books with the Tickets, and deliver them to the Caſhiers of the Bank, taking a Receipt for the " ſame. Caſhiers to return the Books, with the undiſpoſed Tickets, with an Account of Monies paid in. " Undiſpoſed Tickets to be delivered into the Exchequer. Tickets of the middle Columns to be rolled up, " and faſtened with Thread or Silk; and cut off indentwiſe into a Box marked with the Letter *(A)*. Box " to be locked up, and ſealed. Books to be prepared with two Columns, on each of which 48,000 Tickets " are to be printed. The Number and Value of the Fortunate Tickets. 1000 *l.* to each Firſt-drawn " Ticket of the firſt ten Days, and 1000 *l.* to the Laſt-drawn. Tickets of the laſt-mentioned Book to be " rolled up and tied. Public Notice to be given of putting the Tickets into the Boxes. Lottery to begin " drawing on *Nov.* 16, 1778. Method to be obſerved in drawing, *&c.* Number of the Fortunate Tickets, " and the Sums to be printed. Diſputes to be adjuſted by the Managers. Penalty on forging Tickets, " *&c.* Felony. Offenders (not in Priſon) diſcovering Perſons guilty, to receive a Pardon, and 50 *l.* Re- " ward. Proviſo. Managers to be ſworn. The Oath. Caſhier may receive the Sums ſubſcribed before " receiving the Lottery Book; giving a Note for the ſame; which ſhall entitle the Bearer to a Ticket for " every 10 *l.* ſo paid. Contributors not making good their Payments within the Times limited, forfeit " their Depoſits with reſpect to the Lottery; and the Tickets for ſuch Sums to be delivered into the Exche- " quer. Commiſſioners of the Treaſury may reward the Managers, *&c.* as they ſhall think fit. Limita- " tion of the Sale of Chances, *&c.* Penalty. Office-keepers, *&c.* ſelling Shares in Tickets of which they " are not poſſeſſed, forfeit 500 *l.* and ſuffer three Months Impriſonment. After *April* 28, 1778, no Perſon " to keep a Lottery-office without a Licence. Each Licence to coſt 50 *l.*; and ſhall be granted under the " Hands and Seals of two Managers. Licence to ſet forth the Name of the Perſon taking out the ſame, " *&c.* and to continue in Force for one Year. Perſons keeping any Office contrary to this Act, to forfeit " 100 *l.* Produce of the Duty on Licences to be applied towards defraying the Expences of the Lottery. " No Perſon to ſell any Share of a Ticket leſs than a Sixteenth, on Penalty of 50 *l.* Penalty on Perſons " promiſing to pay any Money upon any Chance relating to the drawing of the Lottery, contrary to this " Act. No Buſineſs to be tranſacted at any Lottery-office after Eight in the Evening. Exception. Two " Juſtices may ſummon Offenders againſt this Act, and, on Proof of the Offence, convict them in Penal- " ties, *&c.* If Penalties are not immediately paid, they may be levied by Diſtreſs. On Failure of Diſ- " treſs, Offender to be committed. Any Perſon forging a Licence, ſhall forfeit 500 *l.* *&c.* Commiſſion- " ers of the Treaſury to eſtabliſh an Office in *London*, and to appoint a Perſon to conduct the Buſineſs " thereof; with whom all Tickets, before they are divided into Shares, ſhall be depoſited. All Shares to " be ſtamped by the Officer, who ſhall give a Receipt for every Ticket depoſited with him. Form of Re- " ceipt. All Tickets depoſited in the Office, to remain there three Days after drawing. The Numbers " of all Tickets depoſited in the Office to be entered in a Book, with the Names of the Owners, and the " Number of Shares into which they are divided. 2 *d.* for each Share to be paid to the Officer on depoſit- " ing Tickets in the Office; who ſhall therewith pay all Expences incident to the Office. Penalty on " ſelling any Share of a Ticket without a Stamp. Application thereof. Penalty on forging or altering " Receipts, or uttering the ſame with a fraudulent Intention. No Perſon ſhall keep any Office for the " Sale of Tickets, *&c.* in *Oxford* or *Cambridge*, on Penalty of 20 *l.* Offenders may be proſecuted in the " Vice-chancellor's Court. Forfeitures may be levied by Diſtreſs, *&c.* Proceeding not to be removed by " *Certiorari*, until ſufficient Surety is given to proſecute the ſame with Effect, *&c.* This Act not to pre- " judice the Privileges and Juriſdictions of the Mayor, *&c.* of *Oxford*. Offences committed in *Ireland* " againſt *Britiſh* Acts for preventing unlawful Lotteries, made puniſhable: Penalties may be ſued for in " *Dublin*. The 480,000 *l.* for the Payment of the Fortunate Tickets, to be charged on any Supplies " granted

" granted this Seſſion; and ſhall be paid to the Proprietors, without any Deduction, on *March* 1, 1779, " &c. Managers to give Notice of the Times for exchanging Tickets for Certificates. Certificates to be " numbered, &c. and ſigned, &c. No Fee to be taken for receiving or paying Contribution-monies, or " for any Receipts, &c. on Penalty of 20*l.* General Iſſue. Treble Coſts."

## CAP. XXIII.

An Act for appointing Commiſſioners to put in Execution an Act of this Seſſion of Parliament, intituled, *An Act for granting an Aid to his Majeſty by a Land Tax, to be raiſed in* Great Britain, *for the Service of the Year one thouſand ſeven hundred and ſeventy-eight*, together with thoſe named in two former Acts for appointing Commiſſioners of the Land Tax.

## CAP. XXIV.

An Act for allowing the Re-importation of unmanufactured Tobacco from Foreign Parts, although the ſame may have been ſold abroad; and the Importation of Tobacco the Growth and Product of the Iſland of *Dominica*, under certain Regulations and Reſtrictions.

Preamble.

'WHEREAS Tobacco, and other foreign Goods, exported from *Great Britain* to *Holland*, and other foreign Parts of *Europe*, are frequently returned from thence for Want of a Market abroad, and are permitted to be entered in this Kingdom, at the ſame Ports from whence they were ſo exported, upon the Proprietors proving the Identity of the Goods ſo returned, and that the Property has not been changed ſince the Exportation thereof: And whereas it is expedient to permit, for a limited Time, unmanufactured Tobacco ſo exported to be returned into any Port within this Kingdom, although the ſame may have been ſold abroad;' be it therefore enacted by the King's moſt excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That, from and after the thirteenth Day of *April*, one thouſand ſeven hundred and ſeventy-eight, and until the firſt Day of *March*, one thouſand ſeven hundred and ſeventy-nine, and from thence to the End of the then next Seſſion of Parliament, any unmanufactured Tobacco, which ſhall have been or may be exported from any Port in *Great Britain* to any foreign Parts in *Europe*, may be re-imported and returned by any Perſon or Perſons, in any Ship or Veſſel, into any Port in *Great Britain*, under the following Reſtrictions, whether ſuch Tobacco hath been ſold in foreign Parts after the Exportation thereof, or not, any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Unmanufactured Tobacco exported from Great Britain may be re-imported, during a limited Time:

II. Provided nevertheleſs, and it is hereby enacted by the Authority aforeſaid, That ſuch Tobacco ſhall be returned in the original Packages in which the ſame was exported from this Kingdom, and in no other, having alſo the ſame Marks and Numbers as were ſet on them by the Officers of his Majeſty's Cuſtoms at the Time of their original Importation into this Kingdom, excepting only in ſuch Caſes where, from Length of Time or Reparation of Caſks, ſome Part of the Marks and Numbers being obliterated, the remaining Part ſhall be ſatisfactory to the Commiſſioners or principal Officers of his Majeſty's Cuſtoms of the Ports to which ſuch Tobacco ſhall be returned; and the Importer or Owner of ſuch Tobacco ſhall make Proof on Oath, before the Collector and Comptroller, or other principal Officer of his Majeſty's Cuſtoms, at the Port where ſuch Tobacco ſhall be re-imported (which Oath, they are hereby authoriſed to adminiſter), that the Tobacco ſo returned is, to the beſt of their Knowledge and Belief, *Britiſh* Plantation Tobacco, and was originally exported from this Kingdom, having been bought for him or them, by his or their Agents, as ſuch; and ſuch Tobacco ſhall be liable to the ſame Duties as would have been due for the ſame upon the firſt Importation thereof into this Kingdom; which Duties ſhall not be afterwards drawn back or allowed upon the Re-exportation of ſuch Tobacco to any Parts beyond the Seas, except to *Ireland*; and ſuch Tobacco ſhall, in all other Reſpects not altered by this Act, be ſubject to the ſame Reſtrictions, Rules, and Regulations, Penalties and Forfeitures, as it would be ſubject and liable to if this Act had not been made.

Such Tobacco to be returned in the original Packages, with the ſame Marks and Numbers, &c.

and the Importer, &c. to make Oath that it is Britiſh Plantation Tobacco, and was exported from this Kingdom.

Duties to be paid for the ſame.

Preamble; reciting an Act 6 Geo. III.

'And whereas, by an Act made in the ſixth Year of the Reign of his preſent Majeſty (intituled, *An Act for opening and eſtabliſhing certain Ports in the Iſlands of* Jamaica *and* Dominica, *for the more free Importation and Exportation of certain Goods and Merchandizes; for granting certain Duties to defray the Expences of opening, maintaining, ſecuring, and improving, ſuch Ports; for aſcertaining the Duties to be paid upon the Importation of Goods from the ſaid Iſland of* Dominica *into this Kingdom; and for ſecuring the Duties upon Goods imported from the ſaid Iſland into any other* Britiſh *Colony)*, it is amongſt other Things enacted, That all Goods and Commodities of *American* Produce which ſhall be imported into *Great Britain* (except ſuch Quantities of Sugar and Rum as ſhall be imported by Certificate, as therein after is mentioned), ſhall be deemed and taken to be Goods and Commodities of the Growth, Produce, or Manufacture of foreign Colonies or Plantations, and ſhall be liable to the ſame Duties, Regulations, and Reſtrictions, Penalties and Forfeitures, in all Reſpects as the like Goods of the Growth, Produce, or Manufacture of any *French* Colony or Plantation would be liable to by Law: And whereas, in order to encourage the Growth of Tobacco in the ſaid Iſland of *Dominica*, it is expedient to permit the Importation of it from thence into this Kingdom, under the like Limitations and Reſtrictions as Sugar and Rum may, by the ſaid recited Act, be imported from thence;' be it therefore enacted by the Authority aforeſaid, That, from and after the paſſing of this Act, any Tobacco, being the Growth and Product of the ſaid Iſland of *Dominica*, may be imported from thence into *Great Britain*, under Certificate, in like Manner, and under ſuch Regulations and Reſtrictions, as Sugar and Rum, the Growth and Produce of the ſaid Iſland, are allowed,

Tobacco, the Product of Dominica, may be imported into Great Britain, under ſuch

Reſtrictions as Sugar and Rum are allowed by the above-recited Act; and ſhall be liable to the ſame Duties, &c. as Tobacco the Growth of the Britiſh Colonies in America.

allowed, by the ſaid recited Act of the ſixth Year of his Majeſty's Reign, to be imported into *Great Britain*; and ſuch Tobacco ſhall be liable to the ſame Duties, and in all other Reſpects ſubject to the like Rules, Regulations, Reſtrictions, Securities, Penalties, and Forfeitures, and entitled to the ſame Drawbacks and Allowances, as Tobacco, the Growth and Produce of the *Britiſh* Colonies or Plantations in *America*, are ſubject and liable to by Law, any Thing in the ſaid recited Act, or any other Act, to the contrary notwithſtanding.

Certain Tobacco lately imported to be included in this Act.

'III. And whereas a Parcel of Tobacco hath been lately imported into the Port of *London*, from the 'ſaid Iſland of *Dominica*, and is now ſecured under the joint Locks of his Majeſty and the Proprietor, in 'a Warehouſe in that Port; and it is reaſonable that the Importer of ſuch Tobacco ſhould receive the 'Benefit intended by this Act;' be it therefore further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the Commiſſioners of his Majeſty's Cuſtoms, or any four of them, to order the ſaid Tobacco to be delivered to the Importer thereof, upon Payment of the like Duties, under the like Rules and Regulations as Tobacco of the Growth of the *Britiſh* Colonies or Plantations in *America* is ſubject and liable to, provided it ſhall be made appear to them, by the Oath of the Importer, or otherwiſe, to their Satisfaction, that ſuch Tobacco was really and truly the Growth and Produce of the ſaid Iſland of *Dominica*.

## CAP. XXV.

An Act for allowing Corn, Grain, and Flour, imported into the Ports of *Portſmouth*, *Sandwich*, *Chicheſter*, and *Cheſter*, to be landed without Payment of the Duties, under the like Reſtrictions as Corn, Grain, and Flour, is allowed to be landed at the ſeveral Ports mentioned in an Act, made in the thirteenth Year of the Reign of his preſent Majeſty, intituled, *An Act to regulate the Importation and Exportation of Corn.*

Preamble; reciting Act 13 Geo. III.

'WHEREAS by an Act, made in the thirteenth Year of the Reign of his preſent Majeſty (in-'tituled, *An Act to regulate the Importation and Exportation of Corn*), it is enacted, That in caſe 'any Wheat, or Wheat Flour, Rye, Peaſe, Beans, Barley, Beer, Bigg, or Oats, ſhall be imported into 'any or either of the Ports in the ſaid Act particularly mentioned, at any Time when the Duties not re-'pealed by the ſaid Act ſhall be due and payable for ſuch Species of Corn, Grain, or Flour, reſpectively, 'the ſame, upon due Entry thereof, may be forthwith landed from on Board the Ship or Veſſel in which 'ſuch Species of Corn, Grain, or Flour, ſhall be ſo imported, in the Preſence of the proper Officer or 'Officers of the Cuſtoms, without Payment of the ſaid Duties, under certain Reſtrictions and Regulations 'in the ſaid Act mentioned and preſcribed: And whereas it is expedient that Corn, Grain, and Flour, 'imported into the Ports of *Portſmouth*, *Sandwich*, *Chicheſter*, and *Cheſter*, at any Time when the Duties 'not repealed by the ſaid Act ſhall be due and payable for ſuch Species of Corn, Grain, or Flour reſpec-'tively, ſhould in like Manner be landed without Payment of the ſaid Duties;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That in caſe any Wheat or Wheat Flour, Rye, Peaſe, Beans, Barley, Beer, Bigg, or Oats, ſhall be imported into the ſaid Ports of *Portſmouth*, *Sandwich*, *Chicheſter*, and *Cheſter*, at any Time when the Duties not repealed by the ſaid Act ſhall be due and payable for ſuch Species of Corn, Grain, or Flour reſpectively, the ſame, upon due Entry thereof, may be forthwith landed from on Board the Ship or Veſſel in which ſuch Species of Corn, Grain, or Flour, ſhall be ſo imported, in the Preſence of the proper Officer or Officers of the Cuſtoms, without Payment of the ſaid Duties; and ſuch Corn, Grain, and Flour, ſhall be ſubject and liable to be warehouſed, and to be delivered in the ſame Manner, and under and ſubject to the like Securities, Conditions, Regulations, and Reſtrictions, as Corn, Grain, and Flour, imported into any or either of the ſeveral Ports mentioned in the ſaid Act, are ſubject and liable to, as fully and effectually, to all Intents and Purpoſes, as if the ſaid Ports of *Portſmouth*, *Sandwich*, *Chicheſter*, and *Cheſter*, had been included in the ſaid Act, any Law, Cuſtom, or Uſage, to the contrary thereof in anywiſe notwithſtanding.

Wheat, Flour, &c. imported at Portſmouth, Sandwich, Chicheſter, or Cheſter, at any Time when the Duties not repealed by the recited Act are due, may, on due Entry thereof, be landed, without Payment of the ſaid Duties, &c.

## CAP. XXVI.

An Act for granting to his Majeſty certain Duties upon all inhabited Houſes within the Kingdom of *Great Britain*.

*Moſt Gracious Sovereign*,

Preamble.

'WE, your Majeſty's moſt dutiful and loyal Subjects, the Commons of *Great Britain*, in Parliament 'aſſembled, towards raiſing the neceſſary Supplies, which we have freely granted to your Majeſty 'in this Seſſion of Parliament, have reſolved to give and grant to your Majeſty the ſeveral new Rates and 'Duties herein-after mentioned;' and do therefore moſt humbly beſeech your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That, from and after the fifth Day of *July*, one thouſand ſeven hundred and ſeventy-eight, the ſeveral Duties upon Houſes with their Appurtenances herein-after mentioned, ſhall be charged, raiſed, levied, and paid unto his Majeſty, his Heirs and Succeſſors, by the Occupiers thereof reſpectively; (that is to ſay), Upon and for every Dwelling-houſe inhabited, together with the Houſehold Offices therewith occupied, which now are, or ſhall hereafter be, erected within the Kingdom of *Great Britain*, and

After July 5, 1778, the following new Duties to be paid by the Occupiers of Houſes in Great Britain; viz. for all Houſes worth 5 l. a

which are, or for the Time being ſhall be, worth the yearly Rent of five Pounds and upwards, and under the yearly Rent of fifty Pounds, the yearly Sum of Sixpence in the Pound; and upon and for every Dwelling-houſe inhabited, together with the Houſehold Offices therewith occupied, which now are, or hereafter ſhall be, erected within the Kingdom of *Great Britain*, and which are, or for the Time being ſhall be, worth the yearly Rent of fifty Pounds and upwards, the yearly Sum of one Shilling in the Pound, to be eſtimated and aſcertained in Manner herein-after expreſſed.

Year and under 50 l., 6 d. in the Pound; and for all worth 50 l. a Year and upwards, 1 s. in the Pound.

II. Provided nevertheleſs, and it is the true Intent and Meaning of this Act, that the ſaid ſeveral yearly Sums of Sixpence and one Shilling in the Pound, hereby reſpectively charged as aforeſaid, ſhall be paid over and above, and in Addition to, the reſpective Duties charged upon Houſes, by virtue of an Act, made in the ſixth Year of the Reign of his preſent Majeſty, intituled, *An Act for repealing the ſeveral Duties upon Houſes, Windows, and Lights; and for granting to his Majeſty other Duties upon Houſes, Windows, and Lights.*

The new Duties to be paid over and above thoſe charged on Houſes by the Act 6 Geo. III.

III. And be it further enacted by the Authority aforeſaid, That the ſaid ſeveral Duties by this Act granted as aforeſaid, ſhall, in that Part of *Great Britain* called *England*, and in *Wales*, be paid quarterly, on the four moſt uſual Days of Payment in the Year; (that is to ſay,) the fifth Day of *January*, the fifth Day of *April*, the fifth Day of *July*, and the tenth Day of *October*, in every Year, by equal Portions; the firſt Payment thereupon to be made on the tenth Day of *October* next: And in that Part of *Great Britain* called *Scotland*, on or before the twenty-ninth Day of *September* yearly, for the Half Year betwixt *Whitſunday* and *Martinmas-day*; and on or before the twenty-fifth Day of *March* yearly, for the Half Year betwixt *Martinmas-day* and *Whitſunday*.

The Duties, in England and Wales, to be paid quarterly;

and in Scotland half-yearly.

IV. And be it further enacted by the Authority aforeſaid, That the ſaid Duties granted by this Act, as aforeſaid, ſhall be charged only upon the Inhabitants or Occupiers for the Time being of the Houſes or Tenements hereby charged, his, her, or their reſpective Executors or Adminiſtrators, and not on the Landlord or Landlords who let or demiſed the ſame.

The Duties to be charged on the Occupiers, and not on the Landlords,

'V. And whereas ſeveral Manufactures, Trades, Occupations, and Callings, neceſſarily require Ware-'houſes and Buildings requiſite for carrying them on, by reaſon whereof the Perſons concerned therein 'are obliged to pay large Rents, or have laid out conſiderable Sums thereon, and it may be a great Hard-'ſhip upon ſuch Perſons to be rated to the full Extent of their reſpective Rents, or of the Value of the 'Premiſes above mentioned;' be it further enacted and declared, That ſuch Premiſes ſhall not be liable to the Duty impoſed by this Act, but the Aſſeſſment ſhall be made on the Dwelling-houſe only, with the Houſehold Offices belonging to it.

Warehouſes, &c. not liable to the new Duty;

VI. Provided always, and it is hereby enacted by the Authority aforeſaid, That no Duty ſhall be impoſed, aſſeſſed, or levied, by virtue of this Act, for or in reſpect of any Dwelling-houſe, Cottage, or Tenement, whereof the Occupier or Occupiers, by reaſon of his, her, or their Poverty only, is or are exempted from the actual Payment of uſual Taxes, Aſſeſſments, and Contributions, towards the Church and Poor.

nor poor Perſons who are not rated to Church and Poor.

VII. And be it further enacted by the Authority aforeſaid, That the Duties by this Act impoſed as aforeſaid ſhall be aſſeſſed, raiſed, levied, collected, and received, by Perſons to be appointed by the ſame Authority, and ſhall be paid into his Majeſty's Exchequer for the Purpoſes in this Act expreſſed, in ſuch and the like Form and Manner, and with ſuch Allowances, and under ſuch Penalties, Forfeitures, and Diſabilities, and according to ſuch Rules, Methods, and Directions, as are preſcribed or appointed for aſſeſſing, raiſing, levying, collecting, receiving, and paying, the Duties on Houſes and Windows or Lights, in and by an Act, made in the twentieth Year of the Reign of his late Majeſty, intituled, *An Act for repealing the ſeveral Rates and Duties upon Houſes, Windows, and Lights; and for granting to his Majeſty other Rates and Duties upon Houſes, Windows, or Lights; and for raiſing the Sum of four millions four hundred thouſand Pounds by Annuities, to be charged on the ſaid Rates or Duties*; and by another Act, made in the twentieth Year of the Reign of his ſaid late Majeſty, intituled, *An Act to enforce the Execution of an Act of this Seſſion of Parliament, for granting to his Majeſty ſeveral Rates and Duties upon Houſes, Windows, or Lights*; and by an Act, made in the twenty-firſt Year of his ſaid late Majeſty's Reign, intituled, *An Act for explaining, amending, and further enforcing the Execution of an Act, paſſed in the laſt Seſſion of Parliament, intituled*, "An Act for repealing the ſeveral Rates and Duties upon Houſes, Windows, and Lights; and "for granting to his Majeſty other Rates and Duties upon Houſes, Windows, or Lights; and for raiſing "the Sum of four millions four hundred thouſand Pounds by Annuities, to be charged on the ſaid Rates "or Duties;" and by an Act, made in the twenty-ſixth Year of the Reign of his ſaid late Majeſty, intituled, *An Act for the more effectual levying of the Duties upon Windows or Lights, in that Part of* Great Britain *called* Scotland; and by an Act, made in the thirty-firſt Year of the Reign of his ſaid late Majeſty, intituled, *An Act for granting to his Majeſty ſeveral Rates and Duties upon Offices and Penſions; and upon Houſes; and upon Windows or Lights; and for raiſing the Sum of five millions by Annuities, and a Lottery, to be charged on the ſaid Rates and Duties*; and by an Act, made in the ſecond Year of the Reign of his preſent Majeſty, intituled, *An Act for granting to his Majeſty ſeveral Rates and Duties upon Windows or Lights*; and by the ſaid herein before mentioned Act, made in the ſixth Year of the Reign of his preſent Majeſty, or by any of them, ſo far as the ſame now remain in Force, or are not altered by this Act; and that all and every the Powers, Authorities, Rules, Directions, Penalties, Forfeitures, Clauſes, Matters, and Things now in Force, contained in the ſaid ſeveral Acts, or any of them, for the aſſeſſing, raiſing, levying, collecting, and paying, the Rates and Duties thereby granted, ſhall be in full Force, and be duly obſerved, practiſed, and put in Execution, throughout the whole Kingdom of *Great Britain*, for the aſſeſſing, raiſing, levying, collecting, and paying, the ſeveral Duties upon Houſes or Tenements by this Act granted, as fully and effectually, to all Intents and Purpoſes, as the ſame are or may be, for the aſſeſſing, raiſing, levying, collecting, and charging, the Rates and Duties granted by the aforeſaid Acts, or any of

How the Duties granted by this Act ſhall be aſſeſſed and collected, &c.

20 Geo. II. Cap. 3.

Cap. 42.

21 Geo. II. Cap. 10.

26 Geo. II. Cap. 17.

31 Geo. II. Cap. 22.

2 Geo. III. Cap. 8.

them, so far as the said Powers, Authorities, Rules, and Penalties, are applicable hereunto, and not altered by this Act; and that all Monies arising by the said Duties granted by this Act (the necessary Charges of raising and accounting for the same excepted) shall, from Time to Time, be paid into the Receipt of his Majesty's Exchequer at *Westminster*.

The Duties granted by this Act to be applied towards Payment of the Annuities granted by the Lottery Act of this Session.

VIII. And be it further enacted by the Authority aforesaid, That in the Office of the Auditor of the said Receipt shall be provided and kept a Book or Books, in which all the Monies arising by the said Rates and Duties, and paid into the said Receipt of the Exchequer as aforesaid, shall be entered separate and apart from all other Monies paid and payable to his Majesty, his Heirs and Successors, upon any Account whatsoever; and the said Monies, so paid into the said Receipt of Exchequer, shall, together with the additional Duties on Wines and Vinegar, granted by an Act of this present Session of Parliament, intituled, *An Act for granting to his Majesty several additional Duties upon Wines and Vinegar imported into this Kingdom*, be a Fund for the Payment of the several Annuities, and all such other Charges and Expences, as are directed to be paid in pursuance of an Act of this present Session of Parliament, intituled, *An Act for raising a certain Sum of Money by way of Annuities, and for establishing a Lottery*; and the same shall not be issued or applied to any other Use, Intent, or Purpose whatsoever.

The Assessors to be allowed 3 d. for each House for the first Assessment.

IX. And be it further enacted by the Authority aforesaid, That, for and in Consideration of the extraordinary Care and Pains requisite in making and adjusting the first Assessment to be made in carrying this Act into Execution, the Assessor or Assessors shall have an Allowance for such first Assessment of Threepence for each House assessed by him, her, or them respectively; to be had and received from the respective Receivers-general, their Deputy or Deputies, who are hereby appointed and directed to pay the same accordingly, and who shall be allowed the same in passing their Accounts.

Commissioners for executing the before-mentioned Acts to execute this Act;

and for that Purpose to meet on or before April 30, 1778, and before April 30, yearly thereafter.

X. And be it further enacted by the Authority aforesaid, That, for the better Execution of this Act, and for the ordering, raising, levying, collecting, and paying the Duties hereby granted, the Commissioners authorised or appointed, or who shall be hereafter authorised or appointed, for putting in Execution the said herein-before mentioned Acts, or any of them, shall be Commissioners for putting in Execution this present Act, and the Powers therein contained, in all and every the respective Counties, Shires, Stewartries, Ridings, Cities, Boroughs, Cinque Ports, Towns, and Places respectively within *Great Britain*; and that the said Commissioners, in order to the speedy Execution of this Act, shall, in their respective Counties, Shires, Stewartries, Ridings, Cities, Boroughs, Cinque Ports, Towns, and Places, for which they are or shall be appointed Commissioners respectively, meet, on or before the thirtieth Day of *April*, one thousand seven hundred and seventy-eight, and shall in like Manner meet yearly, and every Year, at such a Day or Time as the said Commissioners for the Time being shall think proper to appoint, before the thirtieth Day of *April* yearly, and shall then divide themselves to act in separate Districts, and proceed in the Execution of this present Act for assessing, raising, levying, and collecting the Duties hereby granted as aforesaid, in such and the same Manner, and under the same Regulations and Directions, as are prescribed by the said before-mentioned Acts, or any of them, with respect to the Rates and Duties thereby imposed (except in such Cases in which an Alteration is made by this Act).

In case there shall not be a Meeting of the Commissioners within the Time limited by this Act,

they are required to meet as soon as may be thereafter, and to put this Act in Execution.

XI. Provided always, and be it further enacted, That if by any Neglect or Default there shall not have been a Meeting of the said Commissioners, and a due Execution of the several Powers hereby created, within or at the Time or Times, or according to the Manner or Circumstances directed or prescribed in and by this present Act, it shall and may be lawful for the said Commissioners, or any two or more of them, in all and every the respective Counties, Shires, Stewartries, Ridings, Cities, Boroughs, Cinque Ports, and Towns, in *Great Britain* respectively, wherein such Default shall have happened, to meet and execute the said Powers at any other Time or Times, any Thing herein-before contained to the contrary notwithstanding; and they are hereby authorised and required forthwith, or as soon as may be after the Time or Times at which such Meetings should have been held, and such Powers should have been executed, according to the Directions of this present Act, to meet and execute the same, so as that the said Rates and Duties be duly and effectually charged, raised, levied, collected, and paid to his Majesty, his Heirs and Successors, for the Uses in this Act, notwithstanding any such Omission or Defect; and all such Meetings and Acts of the said Commissioners, or any two or more of them, shall be deemed, and are hereby declared to be good and valid to all Intents and Purposes, notwithstanding any such Omission or Defect as aforesaid.

Notice to be inserted in the Commissioners Precepts that the Assessors under the before-mentioned Acts,

are appointed Assessors under this Act.

XII. And it is hereby also enacted, That the said Commissioners shall cause Notice to be inserted, in the Precepts to be from Time to Time directed by them to the Inhabitants of the Parishes or Places within their respective Districts or Divisions whom they shall think fit to be Presentors or Assessors under the said before-mentioned Acts, or any of them, that such Persons are also appointed Assessors of the Duties upon Houses or Tenements granted by this Act.

If the Commissioners of Supply in Scotland shall neglect to appoint Assessors, &c. the Surveyors appointed under any of the recited Acts may do the Assessors Duty;

and shall be intitled to the same Reward.

'XIII. And, for the more effectual levying and collecting the Duty imposed by this Act in that Part of 'Great Britain called *Scotland*,' be it enacted and declared, That in case at any Time the Commissioners of Supply in that Part of the Kingdom shall neglect to appoint Assessors, or in case the Assessors by them appointed shall neglect to perform what is required of them by this Act, that then, or in such Case, it shall and may be lawful to and for the Surveyor or Surveyors, appointed under the Authority of any the before-recited Acts, to do and perform such and the like Services as are by this or any former Act required from the said Assessors.

XIV. And it is hereby further declared, That when the Surveyors act in the Capacity of Assessors, they shall be intitled to the same Reward as is provided for the Assessors in this Act, for the Assessment made in the present Year.

XV. And

Aſſeſſors to be ſworn.

XV. And be it further enacted by the Authority aforeſaid, That every Perſon to be appointed Aſſeſſor as aforeſaid ſhall, before he preſumes to act in the Execution of the ſaid Office or Employment, take (beſides the Oaths required to be taken by Aſſeſſors by the aforeſaid Acts, or any of them) an Oath, or, being one of the People called *Quakers*, make and ſubſcribe the ſolemn Affirmation, in the following Form:

The Oath.

'I *A. B.* do ſwear *(or* affirm, *as the Caſe may require)*, That, in the Aſſeſſment which I ſhall make of the Houſes and Houſehold Offices within the Diſtrict or Pariſh for which I am appointed an Aſſeſſor, I 'will rate each at the true annual Value, according to the beſt of my Judgment and Skill; and that I will 'truly and faithfully execute the Truſts repoſed in me, by virtue of an Act of the eighteenth Year of his 'preſent Majeſty, for impoſing a new Duty on all Houſes of five Pounds a Year, and upwards.

'*So help me* GOD.'

Which Oath or Affirmation any two or more of the Commiſſioners in the County, Shire, Stewartry, City, or Place, where the ſaid Aſſeſſment is to be made, are hereby empowered and required to adminiſter.

Aſſeſſor acting before he is ſworn, ſhall forfeit 20 l.

XVI. And be it further enacted, That if any Perſon, ſo to be appointed Aſſeſſor, ſhall preſume to act in the Execution of the ſaid Office or Employment, before he ſhall have taken the aforeſaid Oath (except ſuch Perſon ſhall be a Quaker, and ſhall have made ſuch Affirmation as aforeſaid), he ſhall forfeit and pay, for every ſuch Offence, the Sum of twenty Pounds; to be recovered in any Court of Record, by Action of Debt, Bill, Plaint, or Information, wherein no Eſſoin, Protection, or Wager of Law, nor more than one Imparlance, ſhall be allowed; and that the Forfeitures or Penalties ſo to be incurred (all neceſſary Charges for the Recovery thereof being firſt deducted), ſhall be diſtributed, one Moiety thereof to and for the Uſe of his Majeſty, his Heirs and Succeſſors, and the other Moiety to him or her who ſhall inform or ſue for the ſame.

Application of the Penalties.

Aſſeſſors to aſcertain, annually, the full yearly Rent of all occupied Houſes within their Diſtricts, and to aſſeſs them accordingly: All thoſe of 5 l. a Year and under 50 l., at 6 d. in the Pound; and all thoſe of 50 l. a Year and upwards, at 1 s. in the Pound.

XVII. And be it further enacted by the Authority aforeſaid, That ſuch Perſons, to be appointed Aſſeſſors as aforeſaid, do and ſhall, before the tenth Day of *September* in the preſent Year, and in all future Years before the twenty-fourth Day of *June*, eſtimate and aſcertain, according to the beſt of their Skill and Judgment, the full and juſt yearly Rent, which every ſuch Dwelling-houſe, with the Houſehold Offices therewith occupied and hereby charged as aforeſaid, within the Limits and Places for which they are to act, is really and *bona fide* worth to be let; and do and ſhall make an Aſſeſſment in Writing of Sixpence in the Pound, according to ſuch Eſtimate or Valuation, upon the Occupier or Occupiers of every ſuch Dwelling-houſe, together with other the Premiſes as aforeſaid therewith occupied, of the yearly Value of five Pounds and upwards, and under the yearly Rent of fifty Pounds, in reſpect thereof; and of one Shilling in the Pound, according to ſuch Eſtimate or Valuation, upon the Occupier or Occupiers of every ſuch Dwelling-houſe, together with other the Premiſes as aforeſaid therewith occupied, of the yearly Value of fifty Pounds and upwards, in reſpect thereof: And do and ſhall, by Writing under their reſpective Hands, certify the Number of Houſes, and other the Premiſes together with each of ſuch Houſes occupied reſpectively, charged by this Act, within the Limits of ſuch Places as aforeſaid, together with the Rents eſtimated and aſcertained as aforeſaid for or in reſpect of the ſame reſpectively; and the Names of the ſeveral Occupiers or Inhabitants thereof reſpectively; and the ſeveral Sums of Money charged on and payable by them, for or in reſpect of the ſame, by virtue of this Act: And likewiſe do and ſhall, on or before the tenth Day of *September* in the preſent Year, and in all future Years on or before the twenty-fourth Day of *June* in every Year, deliver the Certificates or Aſſeſſments, to be made by them reſpectively as aforeſaid, unto the ſaid Commiſſioners, or any two or more of them.

Aſſeſſors to certify to the Commiſſioners the Number of Houſes, with the Names of the Occupiers, and the Sums charged on them, &c.

Commiſſioners to ſign the Aſſeſſments, and to appoint two Collectors for each Diviſion, to whom the ſaid Aſſeſſments ſhall be delivered, &c.

XVIII. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners, to whom ſuch Aſſeſſments ſhall be delivered in purſuance of this Act, or any two of them, ſhall, within the Space of one Calendar Month next after the Receipt of the ſame reſpectively, or as ſoon after as conveniently may be, ſet their Hands to the ſaid reſpective Aſſeſſments, and to ſuch Surcharge or Surcharges as ſhall or may have been made in the mean time, either by the ſame Aſſeſſors, or by ſuch Surveyor or Surveyors as is or are herein-after mentioned, teſtifying their Allowance of the ſame; and ſhall likewiſe nominate and appoint two of the Perſons named in each of ſuch Aſſeſſments to be Collectors, or any other two ſuch Perſons as they ſhall think able and reſponſible, for the reſpective Diviſions and Places for which they ſhall be ſo preſented, and ſhall forthwith deliver, or cauſe to be delivered, ſuch Aſſeſſments ſo by them allowed of, unto the reſpective Perſons by them nominated to be Collectors for each Year reſpectively, who are hereby enjoined and required to collect and pay the Duties hereby aſſeſſed, and to give Acquittances for the ſame; for whoſe paying unto the Receiver-general now appointed, or for the Time being to be appointed by his Majeſty, or by the Commiſſioners of the Treaſury, or any three or more of them now being, or the High Treaſurer or the Commiſſioners of the Treaſury for the Time being, in Manner hereby directed, ſuch Money as they ſhall be charged withal, the Pariſh or Place for which they are ſo employed ſhall be anſwerable.

Directions for appointing Aſſeſſors, &c. in privileged Places.

XIX. And be it further enacted, That in all privileged and other Places being extraparochial, and not within the Conſtablewicks or Precincts of the reſpective Aſſeſſors to be appointed by virtue of this Act, the ſaid Commiſſioners, or any three or more of them, ſhall, and they are hereby required to nominate and appoint two fit Perſons living in or near the ſaid privileged or other Places as aforeſaid, to be Aſſeſſors for the ſaid Places, and to make and return their ſaid Aſſeſſments in like Manner as by this Act is appointed in any Pariſh, Tything, or Place; and alſo to appoint two or more Collectors, who are hereby required to collect and pay the ſame according to the Rates appointed by this Act for collecting and paying all Sums of Money payable by this Act.

Commiſſioners required to peruſe the Certificates

XX. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners, or any three or more of them, ſhall, and they are hereby authoriſed and required ſtrictly to peruſe the Certificates or Aſſeſſments,

cates, &c. which shall be delivered to them, and to examine the Assessors, &c.; and if they suspect that any House is omitted or undercharged, they may summon the Occupier to appear before them.

Assessments, which by this Act are before directed to be annually delivered to them, and also to examine the Assessors and Presentors thereof; and if the said Commissioners, or any three of them, within their several Limits or Divisions, shall, at the Time of the Delivery of such Certificates or Assessments, or within ten Days after, have certain Knowledge or Cause to suspect that any House, or other Premises as aforesaid therewith occupied, which ought to be charged by this Act, is or are omitted in such Certificates; or that any House, or other such Premises, is or are undercharged, or not duly charged according to the Directions of this Act; the said Commissioners, or any three or more of them, shall have Power to summon the Person or Persons occupying such House or Tenement to appear before them at a Day and Place to be prefixed, of which three Days Notice at least shall be given; and if any Person or Persons summoned shall neglect to appear, the said Commissioners may proceed to amend such Assessments, and to charge such Occupier with such Rate as shall appear reasonable from the Evidence before them; and moreover the said Commissioners to whom such Certificates or Assessments shall be delivered, or any three of them, or any other three Commissioners of the respective Counties, Shires, or Stewartries, where such Assessments shall be made, shall have Power, and are hereby required, by all lawful Ways and Means, to examine and inquire into and concerning the annual Value of any House, and other such Premises as aforesaid therewith occupied, charged in or by any such Assessment, or which shall have been omitted to be charged therein, and thereupon to enlarge, alter, abate, or diminish the said Assessments, so to be delivered to such Commissioners, to the End that such Duty may be set and imposed upon every such House or Tenement according to the true Intent and Meaning of this Act; and the said Commissioners, or any three or more of them, shall, after such Perusal and Examination thereof, set their Hands to the said respective Assessments, and to such Surcharge or Surcharges as shall or may have been made thereto in the mean time, testifying their Allowance of the same.

How Commissioners are to act if the Persons summoned do not appear, &c.

Duplicates of the Assessments to be made out, &c.;

XXI. And be it further enacted by the Authority aforesaid, That the said Commissioners, or any two or more of them, shall, from Time to Time yearly, cause true Duplicates of such Assessments as aforesaid to be made out, delivered, and transmitted, in such and the same Manner, and at like Times, as is directed by the aforesaid Acts, or any of them, with respect to the Duplicates of the Assessments therein mentioned.

which shall contain the Number of Houses, and the Amount of the Duties.

XXII. Provided always, That in the said Duplicates to be transmitted to the Receivers general, and to the King's Remembrancer, the Number of Houses shall be inserted, as well as the Amount of the Duties, in order to ascertain the Money which the Receivers-general are directed by this Act to pay to the Assessors for the first Year's Assessment, at Three-pence each House, and for the Information of the proper Officers who are to allow the same in the Receiver's Accounts.

Surveyors may supervise the Assessments, and amend them, before they are signed by the Commissioners:

XXIII. And be it further enacted by the Authority aforesaid, That all and every Surveyor and Surveyors appointed and to be appointed, under or by virtue of the said several Acts herein-before mentioned, or any of them, for the Rates and Duties thereby imposed, shall be, and he and they is and are hereby empowered to inspect, examine, and supervise, the Assessments to be made in or for any such Parish or Place as aforesaid, before the Commissioners shall have signed and allowed the same, and to alter and amend any such Assessment or Assessments, if he or they shall see just Cause for so doing; and every Person, in whose Custody any such Certificate or Assessment shall be, is hereby required, upon the Request of any such Surveyor or Surveyors as aforesaid, to produce the same: And if any such Surveyor or Surveyors shall, after any such Assessment or Assessments shall be so respectively made out, signed, and allowed as aforesaid, find or discover, upon his or their Survey, that any Houses, and other Premises as aforesaid therewith respectively occupied, which should and ought to be charged with the Duties hereby granted, shall have been omitted to be charged therewith, or shall have been under-rated, such Surveyor or Surveyors shall certify the same in Writing, under his or their Hand or Hands, by way of Surcharge, to any two or more of the said Commissioners, on or before the sixteenth Day of *November* next, for the first Quarterly Payment, which shall be due on the tenth Day of *October* next, and thenceforward, and in every future Year, at the same Times they make their Surcharges for the Duties on Houses and Windows, in order to have such Omission or Under-rate rectified in the said Assessment; and the said Commissioners are thereupon to cause the same to be rectified, and the Duties levied accordingly.

And if they discover any Omissions after the Assessments are signed, they are to certify the same to the Commissioners, &c.

If any Surcharge is omitted the first Half Year, it may be made for the whole Year.

XXIV. And be it further enacted and declared, That if any Surveyor or Surveyors shall omit to make a Surcharge or Surcharges for the first Half Year, it shall and may be lawful for the said Surveyor or Surveyors to make a Surcharge or Surcharges for the Whole Year.

Any House inhabited by different Families, to pay the Duties as if inhabited by one Family.

XXV. And be it further enacted and declared, That where any House shall be divided into different Stories, Tenements, Lands, or Landings, and shall be inhabited by two or more Persons or Families, the same shall nevertheless be subject to, and shall in like Manner pay, the Duties granted by this Act, as if such House or Tenement was inhabited by one Person or Family only.

Proviso, relating to Colleges, &c.

XXVI Provided always, That each District, Chamber, or Apartment, in any College or Hall in any of the Universities of *Great Britain*, shall be subject to the Duties granted by this Act, as if the same were an entire House.

Each Apartment in the Inns of Court to be deemed an entire House.

XXVII. And be it likewise enacted and declared by the Authority aforesaid, That every Chamber or Apartment, in any of the Inns of Court or Chancery, being severally in the Tenure or Occupation of any Person or Persons, shall be subject to the Duties granted by this Act, as if the same were an entire House.

Where Infants are chargeable with the Duties, they are to be paid by their Parents or Guardians.

XXVIII. And be it further enacted by the Authority aforesaid, That where any Person or Persons chargeable with the Duties hereby granted as aforesaid, or either of them, shall be under the Age of twenty-one Years, in every such Case the Parents, Guardians, and Tutors, of such Infants respectively, upon Default of Payment by such Infants, shall be, and are hereby made liable to, and charged with, the Payments which such Infants ought to have made; and if such Parents, Guardians, or Tutors, shall neglect or refuse to pay as aforesaid, it shall and may be lawful to proceed against them in like Manner as

against

againſt any other Perſon or Perſons making Default of Payment as herein before is mentioned; And all Parents, Guardians, and Tutors, making Payment as aforeſaid, ſhall be allowed all and every Sum and Sums paid for ſuch Infants, in his, her, or their Accounts.

His Majeſty and the Royal Family not liable to pay the Duties; nor Foreign Miniſters.

XXIX. Provided nevertheleſs, That this Act, or any Thing herein contained, ſhall not extend, or be conſtrued to extend, to charge with the Duties hereby granted as aforeſaid, or either of them, any Houſe, or other ſuch Premiſes as aforeſaid therewith occupied, in the Poſſeſſion or Occupation of his Majeſty, or any of the Royal Family; or to ſubject or charge any Ambaſſador or Foreign Miniſter reſiding in the Kingdom of *Great Britain*, to or with the Payment of the ſaid Duties, or either of them.

Commiſſioners, Surveyors, &c. may inſpect, or take Copies of, Pariſh Rates, &c.

'XXX. And, for the better Information of the Commiſſioners appointed to carry this Act into Execution, and the Surveyors, and the Perſons to be appointed Aſſeſſors as aforeſaid, with reſpect to the annual Rent or Value of all Houſes or Tenements charged by this Act, and the better to enable them to perform their Duty,' be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners, or any two of them, and the ſaid Surveyors and Aſſeſſors, or any one or more of them, or any Perſon or Perſons authoriſed by them, or any of them, ſhall have Liberty to inſpect, and to take Copies of, or Extracts from, any Book or Books kept by any Pariſh Officer or Officers, or other Perſon or Perſons, of or concerning the Rates payable to the Poor, or any other public Taxes, Rates, or Aſſeſſments, in any Part of *Great Britain* within the Limits for which they ſhall be appointed: And if any Perſon or Perſons, in whoſe Cuſtody or Power any of the ſaid Books ſhall be, ſhall refuſe or neglect to permit the ſaid Inſpection, or the Copies or Extracts to be made as aforeſaid, or to attend the ſaid Commiſſioners with their Books, when required ſo to do, then, and in every ſuch Caſe, every Perſon who ſhall ſo refuſe or neglect ſhall, for every ſuch Offence, forfeit and pay the Sum of forty Shillings.

Penalty on Perſons poſſeſſed of ſuch Rates, who ſhall refuſe ſuch Inſpection, &c.

All Houſes to be charged according to the full annual Value, notwithſtanding they may be otherwiſe charged in former Rates.

XXXI. And be it further enacted by the Authority aforeſaid, That no Dwelling-houſe, or other ſuch Premiſes as aforeſaid therewith occupied, chargeable by this Act as aforeſaid, ſhall be eſtimated or rated at any leſs Value yearly than that at which the ſame ſtands legally rated and aſſeſſed to the public Rates, Taxes, and Aſſeſſments, or any of them now ſubſiſting, where ſuch Premiſes are charged by a Pound Rate, and according to the full annual Value thereof reſpectively; and when ſuch Premiſes as aforeſaid are charged by a Pound Rate, according to any proportionate Part of the real annual Value thereof reſpectively, the ſame ſhall not be eſtimated or rated, for the Purpoſes of this Act, at leſs than the full annual Value, upon which ſuch Proportions have been computed and taken as aforeſaid.

Farm-houſes not to be rated.

XXXII. Provided always, and it is hereby further enacted and declared, That no Farm-houſe ſhall be aſſeſſed or rated as aforeſaid for the Purpoſe of raiſing the Duty herein mentioned.

What ſhall be deemed a Farm-houſe.

'XXXIII. And, for the better underſtanding what is hereby meant as a Farm-houſe,' it is further declared, That all Houſes *bona fide* uſed or occupied for the Purpoſes of Huſbandry only, ſhall be deemed and taken to be Farm-houſes, and no other.

Certain Farm-houſes liable to be rated.

XXXIV. Provided always, That no ſuch Farm-houſe, which ſhall be occupied by the Owner thereof, ſhall be intitled to ſuch Exemption, which ſhall be valued under this Act at more than ten Pounds *per Annum*, diſtinct from the Land therewith occupied.

Hoſpitals, &c. not to be rated.

XXXV. Provided always, and be it further enacted by the Authority aforeſaid, That nothing herein contained ſhall extend, or be conſtrued to extend, to charge or make liable any Hoſpital, or Houſe provided for the Reception and Relief of poor Perſons, to the Payment of the Rate or Duty to be laid by virtue of this Act.

Occupiers of Houſes not to be aſſeſſed to the Poor's Rate or Highway Duty, for any Rates impoſed by this Act.

XXXVI. And be it further enacted by the Authority aforeſaid, That no Occupier or Occupiers of any Dwelling-houſe or Houſes, in any Pariſh or Place, ſhall be charged or aſſeſſed to the Poor's Rate or Highway Duty for or in reſpect of any Rates or Duties impoſed and made payable by this Act; but that ſuch Owners and Occupiers ſhall continue to be rated and aſſeſſed to the Poor's Rate and Highway Duty in ſuch Manner as they were rated and aſſeſſed to the ſaid Rates and Highway Duty reſpectively at the Time of the paſſing of this Act; any Thing herein contained to the contrary notwithſtanding.

Payment of the Rates not to intitle any Perſon to a Settlement.

XXXVII. And be it further enacted by the Authority aforeſaid, That the Payment of any of the Rates and Duties granted by this Act by any Occupier or Occupiers of any Dwelling-houſe or Houſes in any Pariſh or Place, ſhall not intitle the Perſon or Perſons, ſo paying ſuch Rates or Duties, to a legal Settlement in ſuch Pariſh or Place.

What Houſes ſhall be deemed habitable.

XXXVIII. And be it further enacted and declared, That no Houſes ſhall, within the Intention of this Act, be deemed or taken to be inhabited Houſes, except the ſame ſhall be inhabited by the Owner, or by a Tenant renting the ſame.

Perſons over-rated may appeal to the Commiſſioners.

XXXIX. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall think himſelf, herſelf, or themſelves reſpectively overcharged or over-rated, by any Aſſeſſment, Charge, or Surcharge, to be made by virtue or in purſuance of this Act, it ſhall be lawful for him, her, or them reſpectively, to appeal to the ſaid Commiſſioners; and that the ſaid Commiſſioners, or any three or more of them, ſhall, and they are hereby required to hear and determine all ſuch Appeals; and that all ſuch Appeals for the firſt Quarter ſhall be heard and determined between the tenth Day of *December*, one thouſand ſeven hundred and ſeventy-eight, and the fourth Day of *January*, one thouſand ſeven hundred and ſeventy-nine; and all future Appeals on the Days appointed, and in the Manner directed, in the ſeveral Acts herein-before mentioned with reſpect to the Rates and Duties thereby granted.

When Appeals ſhall be heard.

Commiſſioners, on hearing of Appeals, not to make any Abatement in the Aſſeſſment, &c. unleſs Proof be made on Oath,

XL. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners, or any of them, ſhall not, upon the Hearing of any Appeal, make any Abatement or Defalcation in the Charge or Surcharge made upon any Perſon by ſuch Aſſeſſment as aforeſaid, or the Surcharge of any ſuch Surveyor or Surveyors as aforeſaid; but the ſame ſhall ſtand good, and remain Part of the annual Aſſeſſment, unleſs it ſhall then appear to the ſaid Commiſſioners, by Examination of the Circumſtances of the Caſe upon Oath, that ſuch Perſon hath been over-rated in and by ſuch Aſſeſſment or Surcharge; in which Caſes the

ſaid

that the Appellant is overrated.

said Commissioners are hereby authorised and empowered, upon every such Appeal, to abate or diminish any such Assessment to be made as aforesaid, in such Manner as they shall think proper, and agreeable to the true Intent and Meaning of this Act: And every Person intending to appeal to the said Commissioners shall, and is hereby required to give, at the least, ten Days Notice thereof to any Assessor or Assessors, Surveyor or Surveyors, of the Parish or Place wherein such Person is assessed, of such Intention to appeal, and such Assessor or Assessors, Surveyor or Surveyors, may then and there attend to justify the said Assessment and Surcharge; and such Assessor and Assessors, Surveyor and Surveyors, and Appellant, shall have full and free Liberty to be present during all the Time of hearing such Appeals, and of the said Commissioners determining the same.

Persons intending to appeal, are to give 10 Days Notice to the Assessors, &c.

Determination of the Commissioners to be final: Except, &c.

XLI. And be it further enacted by the Authority aforesaid, That all Appeals once heard and determined by the said Commissioners, or any three or more of them, or the major Part of them then present on the Day or Days by them appointed for hearing of Appeals, shall be final, except as is herein-after directed.

Persons dissatisfied with the Determination of the Commissioners may, in England or Wales, appeal to one of the Justices of the Court of King's Bench, &c.;

XLII. And be it further enacted by the Authority aforesaid, That if any such Assessor or Assessors, Surveyor or Surveyors, or the Persons so appealing, in that Part of *Great Britain* called *England*, or in *Wales*, or in *Berwick upon Tweed*, shall apprehend the Determination made by the said Commissioners to be contrary to the true Intent and Meaning of this Act, and shall then declare himself or herself dissatisfied with such Determination, it shall and may be lawful to and for such Assessor or Assessors, Surveyor or Surveyors, or Appellant respectively, to require the said Commissioners to state specially, and to sign the Case upon which the Question arose, together with their Determination thereupon; which Case the said Commissioners, or the major Part of them then present, are hereby required to state and sign accordingly, and to cause the same to be delivered to the Party making such Request as aforesaid, to be by him or her transmitted to one of the Justices of the Court of *King's Bench* or *Common Pleas*, or to one of the Barons of the Court of *Exchequer* for the Time being; and every such Justice and Baron is hereby required, with all convenient Speed, to return an Answer to such Case so transmitted, with his Opinion thereupon subscribed thereto; according to which Opinion so certified, the Assessment which shall have been the Cause of such Appeal shall be altered or confirmed: And that if such Assessor or Assessors, Surveyor or Surveyors, or the Person so appealing, in that Part of *Great Britain* called *Scotland*, shall apprehend the Determination made by the said Commissioners to be contrary to the true Intent and Meaning of this Act, and shall then declare himself or herself dissatisfied with such Determination, it shall and may be lawful to and for such Surveyor or Person dissatisfied respectively, to require the said Commissioners, or the major Part of them then present, to state specially and sign the Case upon which the Question arose, together with their Determination thereupon; which Case the said Commissioners are hereby required to state and sign accordingly, and to cause the same to be delivered to the Party making such Request as aforesaid, to be by him or her transmitted to one of the Judges of the Court of Session, or of the Barons of the *Exchequer* in *Scotland*; and every such Judge and Baron is hereby required, with all convenient Speed, to return an Answer to such Case so transmitted, with his Opinion thereupon subscribed thereto; according to which Opinion so certified, the Assessment which shall have been the Cause of such Appeal shall be altered or confirmed: Provided always, That notwithstanding any such Case so transmitted to any of the said Justices, Judges, or Barons, the Determination of the said Commissioners shall stand with respect to the Payments which shall become due precedent to the Opinion certified by any such Justice, Judge, or Baron, upon such Case.

and in Scotland to one of the Judges of the Court of Session, or Barons of Exchequer there.

No Stay of Prosecution to be admitted in any Suit for Recovery of Penalties inflicted by this Act.

XLIII. Provided also, and be it further enacted, That no Stay of Prosecution, upon any Command, Warrant, Motion, or Order, or Direction by *non vult ulterius prosequi*, shall be had, made, admitted, received, or allowed, by any Court whatsoever, in any Suit or Proceeding, by Action of Debt, Bill, Plaint, or Information, or otherwise, for the Recovery of all or any of the Pains, Penalties, or Forfeitures, upon any Person or Persons by this Act inflicted or therein mentioned, for or in order to the Conviction or Disability of any Person offending against this Act

Constables, Headboroughs, &c. to assist in the Execution of this Act.

XLIV. Provided always, and be it enacted, That all Constables and Headboroughs, Tithingmen, and other his Majesty's Officers, shall, and are hereby required and enjoined to be respectively aiding and assisting in the Execution of this Act, and to obey and execute such Precepts or Warrants as shall be to them directed in that Behalf, by the respective Commissioners hereby appointed, or any three or more of them.

Persons sued for executing this Act, may plead the General Issue,

and recover Treble Costs.

XLV. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall at any Time or Times be sued, molested, or prosecuted, for any Thing by him or them done or executed in pursuance of this Act, or of any Clause, Matter, or Thing herein contained, such Person or Persons shall and may plead the General Issue, and give the special Matter in Evidence, for his or their Defence; and if, upon the Trial, a Verdict shall pass for the Defendant or Defendants, or the Plaintiff or Plaintiffs shall discontinue an Action, or suffer a Nonpros, or shall become nonsuited, then such Defendant or Defendants shall have Treble Costs awarded to him or them against such Plaintiff or Plaintiffs.

## CAP. XXVII.

### An Act for granting to his Majesty several additional Duties upon Wines and Vinegar imported into this Kingdom.

'*Most Gracious Sovereign*,

Preamble.

'WE, your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain*, in Parliament 'assembled, towards raising, by the most easy Means, the necessary Supplies to defray your Ma- 'jesty's public Expences, have freely and voluntarily resolved to give and grant unto your Majesty the 'several Rates, Duties, and Impositions, herein-after mentioned;' and do most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the

Advice

Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That, from and after the twentieth Day of *April*, one thouſand ſeven hundred and ſeventy-eight, over and above all Subſidies of Tonnage and Poundage, and all other Subſidies, additional Duties, and Impoſitions whatſoever, due or payable for all Wines and Vinegar imported into *Great Britain*, by any Act or Acts of Parliament now in Force, there ſhall be raiſed, levied, collected, and paid unto his Majeſty, his Heirs and Succeſſors (before landing thereof), the additional Impoſitions, Rates, or Duties following, without any Diſcount or Deduction inwards whatſoever, or any Drawback upon Re-exportation afterwards, except as herein-after is provided; that is to ſay, For every Ton of *French* Wine and *French* Vinegar, which ſhall be imported into this Kingdom, the Sum of eight Pounds and eight Shillings; and ſo after that Rate for any greater or leſſer Quantity; and alſo for every Ton of all other Wines and Vinegar imported into this Kingdom, the Sum of four Pounds and four Shillings; and ſo after that Rate for any greater or leſſer Quantity; the ſame to be raiſed, levied, collected, paid, and recovered, in ſuch Manner and Form, and by ſuch Ways, Means, and Methods, and under ſuch Penalties and Forfeitures (except as to Diſcounts and Drawbacks aforeſaid), as are mentioned and expreſſed in the Act of Parliament made and paſſed in the firſt Year of the Reign of his late Majeſty King *James* the Second (intituled, *An Act for granting his Majeſty an Impoſition upon all Wines and Vinegar imported between the twenty-fourth Day of* June, *one thouſand ſix hundred and eighty-five, and the twenty-fourth Day of* June, *one thouſand ſix hundred and ninety-three*), or in any other Act or Acts of Parliament, by which the ſaid Impoſitions, Rates, and Duties, upon all Wines and Vinegar imported, were continued and made perpetual; and all Powers, Penalties, Forfeitures, Proviſions, Articles, and Clauſes, therein contained, not anyways altered by this Act, ſhall continue in full Force and Effect during the Continuance of the ſaid Impoſitions, Rates, and Duties, hereby granted, and ſhall be applied, practiſed, and executed, for the raiſing, levying, collecting, ſecuring, anſwering, and paying, the ſaid Impoſitions, Rates, and Duties, according to the true Intent and Meaning of this Act, as fully and effectually, to all Intents and Purpoſes, as if the ſaid Clauſes, Matters, and Things, had been again repeated and re-enacted in the Body of this preſent Act, any Law, Cuſtom, or Uſage, to the contrary in anywiſe notwithſtanding.

After April 20, 1778, the following additional Duties to be paid on Importation of Wines and Vinegar into Great Britain: Viz. For every Ton of French Wine or Vinegar, 8l. 8s.; and for every Ton of all other Wines and Vinegar, 4l. 4s. to be levied, recovered, &c. as expreſſed in Act 1 Jac. II or in any other Acts by which the ſaid Duties are continued and made perpetual.

II. Provided always, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to lay any further Duties upon Wines damaged, corrupt, or unmerchantable, and for which the Merchants or Importers thereof ſhall refuſe to pay or ſecure the Duties; and which by an Act, paſſed in the twelfth Year of the Reign of his late Majeſty King *George* the Firſt (intituled, *An Act for the Improvement of his Majeſty's Revenues of Cuſtom, Exciſe, and inland Duties*), are, on ſuch Refuſal, directed to be received into the Cuſtody of proper Officers of the Cuſtoms, to be publicly ſold, in order to be diſtilled into Brandy, or to be made into Vinegar.

This Act not to extend to damaged or unmerchantable Wines.

III. And it is hereby enacted by the Authority aforeſaid, That the ſaid Impoſitions, Rates, and Duties, by this Act granted, ſhall, from Time to Time, be under the Management and Direction of the reſpective Commiſſioners of his Majeſty's Cuſtoms, and their Officers for the Time being, and ſhall be paid into the Hands of the Receiver-general of the Cuſtoms in *England* for the Time being; and ſuch Receiver-general ſhall weekly, to wit, on *Wedneſday* in every Week, if it be not an Holy-day, and if it be, then on the next Day after that is not an Holy-day, anſwer and pay all the Monies ariſing by the ſaid additional Impoſitions, Rates, and Duties (the neceſſary Charges of raiſing, collecting, and anſwering the ſame, only excepted), into the Receipt of his Majeſty's Exchequer, diſtinct and apart from all other Monies which ſuch Receiver-general ſhall receive for the Uſe of his Majeſty, his Heirs and Succeſſors, for the Uſes and Purpoſes in this Act mentioned.

The Duties to be under the Management of the Commiſſioners of the Cuſtoms, and to be paid weekly into the Exchequer.

IV. And be it further enacted by the Authority aforeſaid, That there ſhall be provided and kept, in the Office of the Auditor of the ſaid Receipt of Exchequer, a Book or Books, in which all the Monies ariſing from the ſaid ſeveral Rates and Duties, and paid into the ſaid Receipt as aforeſaid, ſhall be entered ſeparate and apart from all other Monies paid and payable to his Majeſty, his Heirs and Succeſſors, upon any Account whatſoever; and the ſaid Money, ſo paid into the ſaid Receipt of Exchequer as aforeſaid, ſhall, together with ſuch other Rates, Duties, and Revenues, as ſhall be granted by any Act or Acts of this Seſſion of Parliament for this Purpoſe, be a Fund for the Payment of the ſeveral Annuities, and all ſuch other Charges and Expences as are directed to be paid and payable purſuant to an Act of this preſent Seſſion of Parliament (intituled, *An Act for raiſing a certain Sum of Money by way of Annuities, and for eſtabliſhing a Lottery*).

A Book to be kept in the Auditor's Office, in which ſhall be entered all the Monies ariſing from the new Duties; which Monies ſhall be applied towards Payment of the Annuities granted by the Lottery Act of this Seſſion.

V. Provided always, and it is hereby further enacted by the Authority aforeſaid, That, upon the Exportation of any Sort of Wine (except *French* Wines) from this Kingdom, to any *Britiſh* Colony or Plantation in *America*, as Merchandize, the Exporter ſhall be paid and allowed a Drawback of all the beforementioned Duties paid upon the Importation of ſuch Wine by virtue of this Act, except the Sum of three Pounds thirteen Shillings and Six-pence *per* Ton; which Drawback or Allowance ſhall be made in ſuch Manner, and under ſuch Rules, Regulations, Penalties, and Forfeitures, in all Reſpects, as any former Drawback or Allowance, payable out of the Duties of Cuſtoms upon the Exportation of ſuch Wine, was, could, or might be made before the paſſing of this Act.

Drawback of Part of the Duties to be allowed on Exportation of any Wine (except French Wines) to the Britiſh Colonies in America.

'VI. And, for the better preventing the clandeſtine Importation of Wines in ſmall Caſks, and landing 'the ſame in this Kingdom without Payment of Duties,' be it further enacted by the Authority aforeſaid, That, from and after the twenty-ninth Day of *September*, one thouſand ſeven hundred and ſeventy-eight, no Wines of the Growth or Produce of any Part of the Dominions belonging to the Crowns of *Spain* or *Portugal*, and that no *French* Wines, ſhall be imported or brought into *Great Britain* in any ſmaller Veſſel or Caſk than what is commonly called *An Hogſhead*, in which ſuch Wines have been uſually imported, upon Forfeiture of all ſuch Wines as ſhall be imported contrary to this Act, together with the Caſks and other

After Sept. 29, 1778, no Spaniſh, Portugueſe, or French Wines, ſhall be imported into Great Britain in any Caſk leſs than a Hogſhead.

other Package containing the ſame (except as herein-after is provided); and the ſame ſhall and may be ſeized by any Officer or Officers of his Majeſty's Cuſtoms, and proſecuted in any Court of Record at *Weſtminſter*, or in the Court of *Exchequer* at *Edinburgh* reſpectively; one Moiety of which Forfeiture (after deducting the Charges of Condemnation and Sale of ſuch Wines) ſhall be to the Uſe of his Majeſty, his Heirs and Succeſſors, and the other Moiety to ſuch Officer or Officers of the Cuſtoms as ſhall ſeize and proſecute ſuch Wine.

Exception in Favour of Wines imported for private Uſe.

VII. Provided always, and it is hereby further enacted by the Authority aforeſaid, That any *French* Wines may be imported in Bottles, or that any Wines may be imported in ſmaller Caſks than is herein-before limited, without Fraud or Concealment, for private Uſe, and not by way of Merchandize; any Thing in this Act, or any other Law, Cuſtom, or Uſage, to the contrary notwithſtanding.

## CAP. XXVIII.

An Act for repealing ſo much of an Act, made in the thirteenth Year of his preſent Majeſty's Reign, intituled, *An Act to explain, amend, and reduce into one Act of Parliament, the general Laws now in being for regulating the Turnpike Roads in that Part of* Great Britain *called* England, *and for other Purpoſes*; as is to ſubject Carriages, having the Fellies of the Wheels thereof of leſs Breadth or Gauge than ſix Inches, to the Payment of double Tolls; and for vacating Contracts for leaſing Tolls.

Preamble. The General Turnpike Act 13 Geo. III. recited.

'WHEREAS by an Act, made in the thirteenth Year of his preſent Majeſty's Reign, intituled, '*An Act to explain, amend, and reduce into one Act of Parliament, the general Laws now in being for* '*regulating the Turnpike Roads in that Part of* Great Britain *called* England, *and for other Purpoſes*; it was 'enacted, That, from and after the twenty-ninth Day of *September*, one thouſand ſeven hundred and 'ſeventy-ſix, a double Toll ſhould be paid for the Paſſage through Turnpike Gates of all Carriages having 'the Fellies of the Wheels thereof of leſs Breadth or Gauge than ſix Inches from Side to Side; and for the 'Horſes, or Beaſts of Draught, drawing the ſame: And whereas, by an Act paſſed in the ſixteenth Year 'of the Reign of his preſent Majeſty, the ſaid double Toll was ſuſpended until the twenty-ninth Day of '*September*, one thouſand ſeven hundred and ſeventy-eight: And whereas great Inconveniencies will ariſe 'if the ſaid Proviſion be ſuffered to take place;' may it therefore pleaſe your Majeſty, that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That ſo much of the ſaid Act, made in the thirteenth Year of his preſent Majeſty's Reign, as enacted, That the Truſtees appointed by virtue, or under the Authority, of any Act of Parliament made for repairing or amending Turnpike Roads, or ſuch Perſon or Perſons as they ſhould authoriſe, ſhould and might, and were thereby required to demand and take, for every Waggon, Wain, Cart, or Carriage, having the Fellies of the Wheels thereof of leſs Breadth or Gauge than ſix Inches from Side to Side, at the leaſt, at the Bottom or Sole thereof, and for the Horſes, or Beaſts of Draught, drawing the ſame, from and after the twenty-ninth Day of *September*, one thouſand ſeven hundred and ſeventy-ſix, double the Tolls or Duties which were or ſhould be payable for the ſame reſpectively by any Act or Acts of Parliament made for amending or repairing Turnpike Roads, before any ſuch Waggon, Wain, Cart, or Carriage reſpectively, ſhall be permitted to paſs through any Turnpike Gate or Gates, Bar or Bars, where Tolls ſhould be payable by virtue of any ſuch Acts; and which, by an Act made in the ſixteenth Year of the Reign of his preſent Majeſty, was ſuſpended until the twenty-ninth Day of *September*, one thouſand ſeven hundred and ſeventy-eight; ſhall be, and the ſame is hereby declared to be repealed.

So much of the recited Act repealed as orders a double Toll to be paid for all Carriages whoſe Wheels are of leſs Breadth than ſix Inches.

Truſtees may releaſe all Leſſees of Tolls from their Contracts at Michaelmas next.

II. Provided always, and be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for ſuch Truſtees, and they are hereby required, to releaſe all Leſſees of Tolls, within their reſpective Juriſdictions, from their reſpective Contracts at *Michaelmas* next; provided forty Days Notice ſhall have been given in Writing, by any ſuch Leſſee or Leſſees, to the Treaſurer or Clerk of any ſuch Truſtees reſpectively.

## CAP. XXIX.

An Act for impowering the Commiſſioners and Governors of the Royal Hoſpital for Seamen at *Greenwich*, in the County of *Kent*, to exchange certain Meſſuages, Lands, Tenements, Tithes, and Hereditaments, belonging to them in the Pariſhes of *Alnwick*, *Embleton*, and *Warkworth*, in the County of *Northumberland*, for other Lands belonging to the moſt Noble *Hugh* Duke of *Northumberland*, in ſome one or more of the open Common Fields at *Corbridge*, in the ſaid County; and to empower the ſaid Commiſſioners and Governors to grant Leaſes, in Manner therein mentioned.

Preamble. Recital of an Act 22 Geo. II.;

'WHEREAS by an Act of Parliament, made and paſſed in the twenty-ſecond Year of the Reign of 'his late Majeſty King *George* the Second, intituled, *An Act for veſting the ſeveral Eſtates of* James '*late Earl of* Derwentwater *and* Charles Ratcliffe, *deceaſed, comprized in ſeveral Settlements therein mentioned,* '*in Truſtees for an abſolute Eſtate of Inheritance for the Benefit of the Royal Hoſpital at* Greenwich; *and for* '*raiſing certain Sums of Money out of Part of the ſaid Eſtates for the Relief of the Children of the ſaid* Charles 'Ratcliffe; ſeveral Baronies, Manors, Meſſuages, Lands, Tenements, Tithes, and Hereditaments '(having been the Eſtate of the ſaid *James* late Earl of *Derwentwater* and *Charles Ratcliffe*, and having

'become

'become forfeited to his Majeſty by virtue of the ſeveral Attainders of the ſaid *James* Earl of *Derwentwater* and *Charles Ratcliffe*), were by the ſaid Act diveſted out of the Crown, and veſted in Truſtees for the Uſe and Benefit of the ſaid Royal Hoſpital: And whereas, by virtue of his Majeſty's Royal Charter, bearing Date the ſixth Day of *December*, one thouſand ſeven hundred and ſeventy-five, under the Great Seal of *Great Britain*, certain Perſons therein named were incorporated by the Name of *The Commiſſioners and Governors of the Royal Hoſpital for Seamen at* Greenwich, *in the County of* Kent: And whereas by an Act of Parliament, paſſed in the ſixteenth Year of the Reign of his preſent Majeſty, intituled, *An Act for veſting certain Eſtates, now held in Truſt for the Benefit of the Royal Hoſpital for Seamen at* Greenwich, *in the Commiſſioners and Governors of the ſaid Hoſpital, incorporated by his Majeſty's Letters Patent*, after reciting ſeveral Letters Patent, and the Act of Parliament of the twenty-ſecond Year of the Reign of his late Majeſty, herein-before recited, it was enacted, That all and every the Barony, Manor, Meſſuages, Lands, Tenements, Tithes, and Hereditaments, and Light-houſe Duties, with their ſeveral Rights, Members, and Appurtenances, thentofore given, granted, deviſed, ſettled upon, or veſted in, or conveyed, or limited, or demiſed, or aſſigned to, any Perſon or Perſons whomſoever, in Truſt for, or for the Uſe or Benefit of, the ſaid Hoſpital, or given, granted, or deviſed, to the ſaid Hoſpital, by any Gift, Grant, Letters Patent, Will, Letters of Adminiſtration, Act of Parliament, Indentures, Deed Poll, or other Deed in Writing, or otherwiſe howſoever, and the Reverſion and Reverſions, Remainder and Remainders, Rents, Iſſues, and Profits thereof, ſhould, from and after the firſt Day of *May*, one thouſand ſeven hundred and ſeventy-ſix, be diveſted out of all and every ſuch Perſon and Perſons, his, her, and their Heirs, Executors, and Adminiſtrators, and the ſame ſhould be, and ſhould be deemed to be, and they were accordingly from thenceforth ſettled upon and veſted in the ſaid Corporation, being the Commiſſioners and Governors of the Royal Hoſpital for Seamen at *Greenwich*, in the County of *Kent*, their Succeſſors and Aſſigns, to the Uſe of the ſaid Commiſſioners and Governors of the ſaid Royal Hoſpital, their Succeſſors and Aſſigns, for ever, freed and abſolutely diſcharged of and from all ſuch Right, Title, Intereſt, Claim, and Demand, as any Perſon or Perſons whatſoever had, or might or could have, in or to the ſaid Barony, Manors, Meſſuages, Lands, Tenements, Tithes, and Hereditaments, and Light-houſe Duties, or in or to any Part or Parcel thereof, upon any Account howſoever, ſave as therein mentioned: And whereas the ſeveral Meſſuages, Lands, Tenements, Tithes, and Hereditaments, hereinafter particularly mentioned, being Part of the ſaid Eſtate ſo veſted in the ſaid Commiſſioners and Governors, and ſituate in the Pariſhes of *Alnwick*, *Embleton*, and *Warkworth*, in the County of *Northumberland*, are inconveniently ſituated with reſpect to the other Eſtates of and belonging to the ſaid Royal Hoſpital; but the Situation thereof is very commodious to the Eſtates of his Grace the Duke of *Northumberland*: And whereas his Grace the Duke of *Northumberland* is Owner of certain Lands in the open common Fields ſituate and being at *Corbridge*, in the ſaid County of *Northumberland*, which lie very commodious to the Eſtates of and belonging to the ſaid Hoſpital: And whereas the ſaid Duke of *Northumberland*, being deſirous to exchange a Part of his ſaid Lands lying in the ſaid open common Fields at *Corbridge* aforeſaid, for the ſaid Meſſuages, Lands, Tenements, Tithes, and Hereditaments, belonging to the ſaid Commiſſioners and Governors, in the ſaid Pariſhes of *Alnwick*, *Embleton*, and *Warkworth*, a Treaty hath been thereupon had, when it appeared manifeſtly for the Benefit, Advantage, and Convenience of the ſaid Royal Hoſpital that ſuch Exchange ſhould take place and be completed: And whereas by an Act of Parliament, made and paſſed in the eighth Year of the Reign of his late Majeſty, intituled, *An Act for the Application of the Rents and Profits of the Eſtates forfeited by the Attainders of* James *Earl of* Derwentwater *and* Charles Ratcliffe, it was enacted, That the ſaid Commiſſioners and Governors ſhould give public Notice in *The London Gazette* of the Time and Place when and where the ſaid Eſtates were intended to be let, ſix Months at leaſt before the Expiration of the Term for which the ſaid Eſtates were then or ſhould thereafter be let: And whereas there are many Mines and Minerals in and under the ſaid Eſtates, the Value of which would be greatly reduced and diminiſhed, if they were to be let by public Advertiſement: And whereas there are alſo Lands ſo connected with ſeveral of the ſaid Mines and Minerals, that it would be inconvenient to have them in the Poſſeſſion of Tenants not occupying ſuch Mines and Minerals, which may frequently happen, unleſs the ſaid Commiſſioners and Governors are empowered to let the ſaid Mines and Minerals,' and the Lands connected therewith, without Advertiſement; but as the ſaid Mines and Minerals, and the Lands ſo connected therewith, cannot be let without advertiſing the ſame, nor can the ſaid Exchange ſo propoſed to be made with his Grace the Duke of *Northumberland* be carried into Execution, without the Authority of Parliament;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That it ſhall and may be lawful to and for the ſaid Commiſſioners and Governors of the ſaid Royal Hoſpital, and they are hereby authoriſed and empowered to exchange to and with the ſaid Duke of *Northumberland*, for and in lieu of certain Lands and Grounds of and belonging to the ſaid Duke of *Northumberland* in the open common Fields at *Corbridge* aforeſaid, the ſeveral Meſſuages, Lands, Tenements, Tithes, and Hereditaments, hereafter particularly mentioned; that is to ſay, one Meſſuage or Tenement, with the Appurtenances, ſituate in *Alnwick*, in the ſaid County of *Northumberland*, with a Garth or Garden to the ſame belonging or appertaining, boundering on the Eaſt upon the King's High Street or Road, and on the South upon a Street called *Bailey* or *Bailiff Gate*, on the Weſt by a Meſſuage and Buildings belonging to *Mary Davidſon* Spinſter, and on the North by Lands belonging to the ſaid *Mary Davidſon* and the ſaid Duke of *Northumberland*; two Parcels of Ground, with the Appurtenances, called *Ratcliffe's Cloſes*, ſituate near the ſaid Town of *Alnwick*, boundered on the South and Eaſt by Lands belonging to the ſaid Duke of *Northumberland*, on the North by Lands belonging to *Michael Doubleday* Eſquire, and on the Weſt by the King's High Road; a Parcel of Ground, with the Appurtenances, called *Barbara's Bank*, ſituate near the Town of *Alnwick* aforeſaid, boundered

His Majeſty's Charter, dated Dec. 6, 1775.

Act 16 Geo. III.

and Act 8 Geo. II.

The Governors of Greenwich Hoſpital empowered to exchange certain Lands, Tithes, &c. for other Lands belonging to the Duke of Northumberland.

boundered on the East by waſte Ground belonging to the ſaid Duke of *Northumberland*, on the Weſt and North by Lands belonging to the ſaid *Michael Doubleday*, and on the South by the River *Alne*, or by other the right Metes and Bounds; one other Parcel of Ground, with the Appurtenances, ſituate near the Town of *Alnwick*, being Part and Parcel of a Cloſe or Parcel of Land called *The Gooſe Cloſe*, and boundered on all Sides by the Lands of the ſaid Duke of *Northumberland*, and which ſaid Meſſuage or Tenement, Garth, Garden, and ſeveral Parcels of Ground, with the Appurtenances, are ſituate, lying, and being in the Pariſh of *Alnwick*, in the ſaid County of *Northumberland*, and contain together by Eſtimation nineteen Acres two Roods and twenty-ſeven Perches, be the ſame more or leſs; the Tithes of Corn and Grain, and the Tithes of Hay yearly coming, growing, and renewing, within the Stead Fields of *Broxfield*, called or known by the Name of *The Forefields*, in the Pariſh of *Embleton*, in the ſaid County of *Northumberland*; and the Tithes of Hay yearly coming, growing, and renewing, in *Le Stank*, and the Meadow thereunto adjoining, called or known by the Name of *Ginfield*, otherwiſe *Gynſen Meadow*, in the Pariſh of *Alnwick*, in the ſaid County of *Northumberland* (all which ſaid Tithes were formerly belonging to the Monaſtery of *Alnwick* aforeſaid); and a Meſſuage, Burgage-houſe, or Tenement, and Garth, with the Appurtenances, and Half an Acre of Ground, more or leſs, in a Field called *The Hather Leazes*, ſituate at *Warkworth*, in the Pariſh of *Warkworth*, in the ſaid County of *Northumberland*.

The ſaid Lands, Tithes, &c. to be freed from all Truſts and Limitations expreſſed in former Acts of Parliament relating to the ſaid Hoſpital.

II. And be it further enacted, That all and every the ſaid Meſſuages, Lands, Tenements, Tithes, and Hereditaments, ſo to be exchanged with the ſaid Duke of *Northumberland* as aforeſaid, ſhall be and enure to, for, upon, and ſubject to ſuch and the ſame Uſes, Eſtates, Truſts, Powers, Proviſoes, Declarations, Reſtrictions, and Limitations, as are now ſubſiſting of and concerning the Eſtates of the late Duke of *Somerſet*, in the ſaid Pariſhes of *Alnwick* and *Warkworth* reſpectively, freed and diſcharged, and abſolutely acquitted, exempted, and exonerated of, from, and againſt, all the Uſes, Eſtates, Titles, Truſts, Powers, Proviſoes, and Limitations, expreſſed and declared in any Act or Acts of Parliament heretofore made concerning any Eſtates veſted in Truſtees for the Uſe of the ſaid Hoſpital, or in the ſaid Commiſſioners and Governors of the Royal Hoſpital for Seamen at *Greenwich*, in the County of *Kent*.

Other Lands to be given in Exchange, and to be veſted in the Commiſſioners and Governors, &c.

III. And be it further enacted by the Authority aforeſaid, That all and every the Lands and Grounds at or in the Pariſh of *Corbridge* aforeſaid, to be exchanged with the ſaid Commiſſioners and Governors of the ſaid Royal Hoſpital, for and in lieu of the ſeveral Meſſuages, Lands, Tenements, Tithes, and Hereditaments, in *Alnwick*, *Embleton*, and *Warkworth* aforeſaid, ſhall be veſted in the Corporation being the Commiſſioners and Governors of the Royal Hoſpital for Seamen at *Greenwich*, in the County of *Kent*, their Succeſſors and Aſſigns, to the Uſe of them the ſaid Commiſſioners and Governors of the ſaid Royal Hoſpital, and their Succeſſors and Aſſigns for ever, freed and diſcharged, and abſolutely acquitted, exempted, and exonerated, of, from, and againſt all and every the Uſes, Eſtates, Titles, Truſts, Powers, Proviſoes, and Limitations, in and by any Will, Deed, or Settlement, by which the ſame is or are now held or enjoyed, or now or at any Time heretofore hath or have been made, created, or declared of and concerning the ſame; but nevertheleſs to, for, upon, and ſubject to ſuch and the ſame Truſts, Limitations, and Uſes, as are by any Act or Acts of Parliament or otherwiſe limited, expreſſed, and declared, of and concerning the ſeveral Eſtates of the ſaid *James* late Earl of *Derwentwater* and *Charles Ratcliffe*, which are now veſted in the Commiſſioners and Governors of the ſaid Royal Hoſpital.

and to be held of the Duke of Northumberland as of his Manor of Corbridge.

IV. Provided always, and it is hereby further declared and enacted, That the Lands and Grounds at or in the Pariſh of *Corbridge* aforeſaid, ſo to be exchanged with the ſaid Commiſſioners and Governors of the ſaid Royal Hoſpital, ſhall, from and after ſuch Exchange, be held of the ſaid Duke of *Northumberland*, as of his Manor of *Corbridge*, by the like Tenure, and under and ſubject to the like (but not to any Increaſe) Quit-rents, or Free Rents and Services, as ſuch of the ſaid ſeveral Meſſuages, Lands, Tenements, Tithes, and Hereditaments, in *Alnwick*, *Embleton*, and *Warkworth* aforeſaid, ſo to be given in Exchange as aforeſaid, as are lying within and held of the reſpective Manors of *Alnwick* and *Warkworth*, are now reſpectively held by and ſubject to.

Commiſſioners empowered to let Leaſes, without advertiſing the ſame.

V. And be it further enacted by the Authority aforeſaid, That, from and after the paſſing of this Act, it ſhall and may be lawful to and for the ſaid Commiſſioners and Governors of the ſaid Royal Hoſpital, and their Succeſſors, from Time to Time, when and ſo often as they ſhall think proper and expedient, to make, grant, and execute Leaſes or Demiſes of any Mines or Minerals within or under any of the Lands or Grounds veſted in them, and alſo of any ſuch of the ſaid Lands or Grounds as they ſhall deem neceſſary and proper to be demiſed, together with ſuch Mines or Minerals, for any Term of Years, not exceeding twenty-one Years, and from Time to Time to grant Renewals of ſuch Leaſes or Demiſes, without advertiſing the Letting of ſuch Mines or Minerals, or the Lands ſo thought proper or intended to be let therewith; provided that no ſuch Renewals do exceed the Term of twenty-one Years from the Time of making thereof, and that ſuch Rents, Duties, Terms, and Conditions, ſhall be reſerved, made payable, and agreed upon, as the ſaid Commiſſioners and Governors, and their Succeſſors, ſhall in their Judgments from Time to Time think moſt likely to increaſe the Revenue of the ſaid Royal Hoſpital; any Law, Cuſtom, or Uſage, to the contrary in anywiſe notwithſtanding.

Expences of this Act how to be paid.

VI. And be it further enacted by the Authority aforeſaid, That the Coſts and Charges of this Act ſhall be paid in the Manner following; that is to ſay, One Half thereof (except ſuch as ſhall be due and payable to the Solicitor and Agents of the ſaid Commiſſioners and Governors for his and their Trouble and Expences) ſhall be borne and paid by the ſaid Duke of *Northumberland*, and the other Half thereof, together with ſuch as ſhall be ſo due and payable to the ſaid Solicitor and Agents, ſhall be borne and paid by the ſaid Commiſſioners and Governors of the ſaid Royal Hoſpital.

Public Act.

VII. And be it further enacted by the Authority aforeſaid, That this Act ſhall be, and the ſame is hereby declared to be, a public Act; and all Judges, Juſtices, and others, are hereby required to take Notice thereof as ſuch, without ſpecially pleading the ſame.

VIII. Saving

VIII. Saving always to the King's moſt Excellent Majeſty, his Heirs and Succeſſors, and all and every other Perſon and Perſons, Body or Bodies Politick or Corporate, his, her, and their Heirs, Succeſſors, Executors, and Adminiſtrators (other than the ſaid Commiſſioners and Governors of the ſaid Royal Hoſpital), all ſuch Eſtate, Right, Title, and Intereſt, as he, ſhe, or they had or enjoyed of, in, to, or out of the ſaid Meſſuages, Lands, Tenements, Tithes, and Hereditaments, ſo to be exchanged with the ſaid Duke of *Northumberland* as aforeſaid, before the paſſing of this Act, or could, might, or ought to have had or enjoyed in caſe this Act had not been made. General Saving.

## CAP. XXX.

### An Act for the more effectually levying of the Duty upon Servants in that Part of *Great Britain* called *Scotland*.

'WHEREAS by an Act of Parliament, made in the ſeventeenth Year of his preſent Majeſty's Reign, intituled, *An Act for granting to his Majeſty a Duty upon all Servants retained or employed in the ſeveral Capacities therein mentioned; and for repealing ſeveral Rates and Duties upon Glaſs, impoſed by an Act made in the nineteenth Year of the Reign of his late Majeſty, and for granting to his Majeſty other Rates and Duties upon Glaſs in Lieu thereof, and for the better collecting the Duties upon Glaſs; and for repealing the ſeveral Rates and Duties charged, by an Act made in the twenty-ninth Year of the Reign of his ſaid late Majeſty, upon all Perſons and Bodies Politick and Corporate having certain Quantities of Silver Plate*; it was enacted, That, from and after the fifth Day of *July*, one thouſand ſeven hundred and ſeventy-ſeven, there ſhould be charged, raiſed, levied, and paid unto his Majeſty, his Heirs and Succeſſors, after the Rate of twenty-one Shillings *per Annum* for every male Servant, within the Kingdom of *Great Britain*, who ſhould then have been, or ſhould afterwards be retained or employed in the ſeveral Capacities in the ſaid Act mentioned: And whereas it was by the ſaid Act enacted, That the Duty by the ſaid Act impoſed upon Servants ſhould be aſſeſſed, raiſed, levied, collected, and received, by ſuch Perſons, and ſhould be paid into his Majeſty's Exchequer for the Purpoſes in the ſaid Act expreſſed, in ſuch and the like Form and Manner, and with ſuch Allowances, and under ſuch Penalties, Forfeitures, and Diſabilities, and according to ſuch Rules, Methods, and Directions, as are preſcribed or appointed for aſſeſſing, raiſing, levying, collecting, receiving, and paying, the Duties on Houſes, Windows, or Lights, in and by an Act, made in the twentieth Year of the Reign of his late Majeſty, intituled, *An Act for repealing the ſeveral Rates and Duties upon Houſes, Windows, and Lights; and for granting to his Majeſty other Rates and Duties upon Houſes, Windows, or Lights; and for raiſing the Sum of four millions four hundred thouſand Pounds by Annuities, to be charged on the ſaid Rates or Duties*; and in and by another Act, made in the twentieth Year of his ſaid late Majeſty, intituled, *An Act to enforce the Execution of an Act of this Seſſion of Parliament, for granting to his Majeſty ſeveral Rates and Duties upon Houſes, Windows, or Lights*; and in and by an Act, made in the twenty-firſt Year of his ſaid late Majeſty's Reign, intituled, *An Act for explaining, amending, and further enforcing the Execution of an Act, paſſed in the laſt Seſſion of Parliament, intituled*, "An Act for repealing the ſeveral Rates and Duties upon Houſes, Windows, and Lights; and for granting to his Majeſty other Rates and Duties upon Houſes, Windows, or Lights; and for raiſing the Sum of four millions four hundred thouſand Pounds by Annuities, to be charged on the ſaid Rates or Duties;" and in and by an Act, made in the thirty-firſt Year of the Reign of his ſaid late Majeſty, intituled, *An Act for granting to his Majeſty ſeveral Rates and Duties upon Offices and Penſions; and upon Houſes; and upon Windows or Lights; and for raiſing the Sum of five millions by Annuities, and a Lottery, to be charged on the ſaid Rates and Duties*; and by an Act made in the ſecond Year of the Reign of his preſent Majeſty, intituled, *An Act for granting to his Majeſty ſeveral Rates and Duties upon Windows, or Lights*; and by an Act, made in the ſixth Year of the Reign of his ſaid preſent Majeſty, intituled, *An Act for repealing the ſeveral Duties upon Houſes, Windows, and Lights; and for granting to his Majeſty other Duties upon Houſes, Windows, and Lights*; or by any of them; and that all and every the Powers, Authorities, Rules, Directions, Penalties, Forfeitures, Clauſes, Matters, and Things, then in Force, contained in the ſaid ſeveral Acts, or any of them, for the aſſeſſing, raiſing, levying, collecting, and paying, the Rates and Duties thereby granted, ſhould be in full Force, and be truly obſerved, practiſed, and put in Execution, throughout the whole Kingdom of *Great Britain*, for the aſſeſſing, raiſing, levying, collecting, and paying the Duties upon Servants, by the ſaid Act of the ſeventeenth Year of his preſent Majeſty granted, as fully and effectually, to all Intents and Purpoſes, as the ſame were for the aſſeſſing, raiſing, levying, collecting, and charging, the Rates and Duties granted by the aforeſaid Acts, or any of them ſo far as the ſaid Powers, Authorities, Rules, and Penalties, are applicable thereunto, and not altered by the ſaid Act of the ſeventeenth Year of his preſent Majeſty; and that all Monies ariſing by the ſaid Duty granted by the ſaid laſt-mentioned Act (the neceſſary Charges for raiſing and accounting for the ſame excepted) ſhould, from Time to Time, be paid into the Receipt of his Majeſty's Exchequer at *Weſtminſter*, diſtinctly and apart from all other Branches of the public Revenue, and ſhould be carried to, and made Part of, the Fund commonly called *The Sinking Fund*: And whereas, by one other Act of Parliament, made in the twenty-ſixth Year of his ſaid late Majeſty's Reign, intituled, *An Act for the more effectual levying the Duties upon Windows or Lights, in that Part of* Great Britain *called* Scotland, after reciting as therein is recited, it was enacted, That the Duties and Rates, by the Acts therein mentioned, impoſed upon Windows or Lights, in that Part of *Great Britain* called *Scotland*, ſhould, from and after the fifteenth Day of *May*, one thouſand ſeven hundred and fifty-three, be raiſed, levied, and collected, in Manner therein mentioned: And whereas it is apprehended that the ſeveral Proviſions, made in and by the ſaid Act of the twenty-ſixth Year of his late Majeſty, for raiſing, levying, and collecting, the ſeveral Duties or Rates upon Houſes, Windows, or Lights, in that Part of *Great Britain* called *Scotland*, ſhould be enforced with regard to the raiſing, levying,

Preamble. Recital of 17 Geo. III. Cap. 39. 20 Geo. 2. Cap. 3. Cap. 42. 21 Geo. II. Cap. 10. 31 Geo. II. Cap. 22. 2 Geo. III. Cap. 8. 6 Geo. III. Cap. 38. and 26 Geo. II. Cap. 27.

'ing, and collecting, the Rates and Duties upon Servants, in and by the said Act of the seventeenth Year 'of his present Majesty, to be raised, collected, and levied;' be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Duty imposed, by the said Act of the seventeenth of his present Majesty, upon Servants, in that Part of *Great Britain* called *Scotland*, shall be assessed, raised, levied, collected, and received, in that Part of this Kingdom called *Scotland*, by such Persons, and shall be paid into his Majesty's Exchequer for the Purposes in the said Act expressed, in such and the like Form and Manner, and with such Allowances, and under such Penalties, Forfeitures, and Disabilities, and according to such Rules, Methods, and Directions, as are prescribed or appointed for assessing, raising, levying, collecting, receiving, and paying, the Duties on Houses, Windows, or Lights, in that Part of *Great Britain* called *Scotland*, in and by the said Act, made in the twenty-sixth Year of the Reign of his said late Majesty; and that all and every the Powers, Authorities, Rules, Directions, Penalties, Forfeitures, Clauses, Matters, and Things, now in Force, contained in the said Act of the twenty-sixth Year of his late Majesty's Reign, for the assessing, raising, levying, collecting, and paying, the Rates and Duties therein mentioned, shall be in full Force, and be duly observed, practised, and put in Execution, in that Part of this Kingdom called *Scotland*, for the assessing, raising, levying, collecting, and paying, the Duties upon Servants, by the said Act, of the seventeenth of his present Majesty, granted, as fully and effectually, to all Intents and Purposes, as the same is or may be for the assessing, raising, levying, collecting, and charging, the Rates and Duties upon Houses, Windows, or Lights, in the said Act of the twenty-sixth of his said late Majesty mentioned, so far as the said Powers and Authorities, Rules and Penalties, are applicable thereunto, and not altered by the said Act of the seventeenth Year of his said present Majesty; and that all Monies, arising by the said Duty granted by the said last mentioned Act (the necessary Charges of raising and accounting for the same excepted), shall, from Time to Time, be paid into the Receipt of his Majesty's Exchequer at *Westminster*, distinctly and apart from all other Branches of the public Revenues, and shall be carried to, and be made Part of, the Fund commonly called *The Sinking Fund*.

The Duty imposed on Servants, in Scotland, by 17 Geo. III. c. 39. shall be assessed, collected, &c. by such Persons, and paid into the Exchequer under the like Penalties, &c. as are appointed for collecting and paying the Duties on Houses and Windows, by Act 26 Geo. II.

'II. And, to the End that no Doubts may arise touching the Execution of the said Act of the seven-'teenth Year of his present Majesty,' be it further enacted by the Authority aforesaid, That in case, at any Time hereafter, the Commissioners appointed to put the said Act in Execution, in that Part of *Great Britain* called *Scotland*, shall neglect to appoint Assessors, or in case the Assessors by them appointed shall fail or neglect to give or leave such Notice or Warning, in Writing, to or for the Master or Mistress of every Servant on whom a Duty is imposed by the said Act; that then, and in such Case, it shall and may be lawful to and for the Surveyor or Surveyors, appointed or to be appointed by virtue of the said Act of the twenty-sixth Year of his late Majesty, within fourteen Days after the Time prescribed by Law for the annual Appointment of the Assessors, to give or leave Notice or Warning, in Writing, to or for the Master or Mistress of every Servant on whom a Duty is imposed by this Act, within the Limits of the Places for which such Surveyors are to act, at his or her Dwelling-house, to prepare and produce, within the Space of fourteen Days then next ensuing, a List, in Writing, of his or her Servants retained or employed within the said District, describing the Number by him or her retained or employed, the Christian and Surname of each Servant, and the Office or Capacity in or for which each Servant is retained or employed; every such List to contain the greatest Number of Servants at any one Time retained and employed, in the Course of the Year ending on the twenty-fifth Day of *March* in each preceding Year; and that every such Master or Mistress do and shall, after such Notice so given or left, make out a List of his or her Servants accordingly, and sign the same with his or her own Hand, and deliver the same, or cause the same to be delivered, to such Surveyor or Surveyors: And in case any such Master or Mistress shall neglect or refuse to make out, sign, and deliver such List, within the Time before mentioned, then such Surveyor or Surveyors shall, from the best Information he or they can obtain, make an Assessment upon such Master or Mistress so refusing or neglecting, for or in respect of the Number of Servants so retained or employed by such Master or Mistress, distinguishing them by their Christian and Surname, and their respective Employments; and every such Assessment so made upon any such Neglect or Refusal, shall be final and conclusive upon such Master or Mistress, who shall not be at Liberty to appeal therefrom, unless such Master or Mistress shall prove that he or she were not at their respective Dwelling-houses at the Time of the Delivery of such respective Notices, nor between that Day and the Time limited for their delivering their respective Lists to the Surveyors; or unless such Master or Mistress shall alledge and prove such other Excuse for not having delivered their Lists, as the Commissioners in their Judgment shall think reasonable and sufficient.

If Commissioners neglect to appoint Assessors, or Assessors fail giving proper Notices to Masters, &c. the Surveyors under Act 26 Geo. II. to give the said Notices.

How Surveyors to proceed in case Masters, &c. neglect to make out and deliver proper Lists of their Servants.

III. And be it further enacted and declared, That, in that Part of *Great Britain* called *Scotland*, every Person charged with the Duty granted by the said Act, made in the seventeenth Year of the Reign of his present Majesty, shall, by themselves, or others for their Behoof, pay in the Duty with which they are charged, on or before the twenty-ninth Day of *September*, yearly, for the half Year betwixt *Whitsunday* and *Martinmas-day*; and on or before the twenty-fifth Day of *March*, yearly, for the half Year betwixt *Martinmas* and *Whitsunday*.

The Duty to be paid half-yearly.

CAP.

## CAP. XXXI.

An Act for enabling his Majesty to settle on their Royal Highnesses the Princes *Frederick* Bishop of *Osnaburgh*, *William Henry*, *Edward*, *Ernest Augustus*, *Augustus Frederick*, and *Adolphus Frederick*, an Annuity of sixty thousand Pounds *per Annum*; and also to settle on their Royal Highnesses the Princesses *Charlotte Augusta Matilda*, *Augusta Sophia*, *Elizabeth*, *Mary*, and *Sophia*, one other Annuity of thirty thousand Pounds *per Annum*; and also to settle on his Highness Prince *William Frederick* one other Annuity of eight thousand Pounds *per Annum*; and on her Highness the Princess *Sophia Matilda* one other Annuity of four thousand Pounds *per Annum*.

'*Most Gracious Sovereign*,

'WHEREAS your Majesty hath been pleased to recommend to the Consideration of your faithful Commons, that a competent Provision should be made for your Majesty's six younger Sons, and also for your Majesty's Daughters, to take Effect after the Demise of your Majesty (whom God long preserve); and also for the Son and Daughter of your Majesty's dearly beloved Brother the Duke of *Glouceſter*, to take Effect after the Decease of the said Duke of *Glouceſter*: And whereas by an Act, made in the first Year of the Reign of her late Majesty Queen *Anne*, intituled, *An Act for the better Support of her Majesty's Household, and of the Honour and Dignity of the Crown*, to the End that the Land Revenues of the Crown might be preserved, improved, and encreased, to the best Advantage thereof, it was among other Things enacted and declared, That all and every Grant, Lease, or other Assurance, which, from and after the twenty-fifth Day of *March*, one thousand seven hundred and two, should be made or granted, in Manner therein mentioned, of any the Manors, Messuages, Lands, Tenements, and Hereditaments, therein specified, other than such Grants, Leases, and Assurances, as are therein excepted, should be utterly void and of no Effect; and by another Act, made in the ninth Year of her said late Majesty's Reign, intituled, *An Act for establishing a General Post-office for all her Majesty's Dominions*; *and for settling a weekly Sum out of the Revenues thereof, for the Service of the War, and other her Majesty's Occasions*; to the Intent that the Inheritance of such Part of the Duties and Revenues arising in and by the General Letter-office or Post-office, which was thereby vested in her said late Majesty, her Heirs and Successors, undeterminable, as therein mentioned, might be preserved in the Crown for the future Benefit thereof, it was (among other Things) enacted and declared, That the same, or any Part thereof, should not be alienable, chargeable, or grantable by her Majesty, her Heirs or Successors, for any Estate, Term, or Time whatsoever, to endure longer than the Life of her Majesty, or of such King or Queen as should make such Alienation, Charge, or Grant respectively; and that all Gifts, Grants, Alienations, or Assurances whatsoever, to be had or made of, or charged upon, the same Duties or Revenues, or any Part thereof, contrary to the Provisions of that Act, should be null and void: And whereas by an Act, made in the first Year of your Majesty's Reign, intituled, *An Act for the Support of his Majesty's Household, and of the Honour and Dignity of the Crown of* Great Britain, the Duties and Revenues commonly called *The Hereditary Revenues*, together with several temporary Duties and Revenues thereby continued, and all other Branches and Revenues which, on the twenty-fourth Day of *October*, one thousand seven hundred and sixty, stood settled or appointed to go and be paid towards the Support of the Household of his late Majesty King *George* the Second, of blessed Memory, and the Honour and Dignity of the Crown, and certain other small Branches of your Majesty's Revenues therein also expressed (except as therein excepted), were, during your Majesty's Life, carried to and made Part of the General or Aggregate Fund, established by an Act made in the first Year of the Reign of his late Majesty King *George* the First: And whereas by another Act, made in the fifth Year of your Majesty's Reign, intituled, *An Act to alter certain Rates of Postage*; *and to amend, explain, and enlarge, several Provisions in an Act made in the ninth Year of the Reign of Queen* Anne, *and in other Acts relating to the Revenue of the Post-office*; it was enacted, That all the Monies arising by the Rates therein before-mentioned (except as is therein excepted) should be appropriated and applied to such and the same Uses to which the then Rates of Postage were respectively by Law appropriated and made applicable: Now we, your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain*, in Parliament assembled, having taken into Consideration the present State of your Royal Family, more numerous in its Branches than these Kingdoms have had the Happiness of seeing in any former Reign; and thinking it highly just and reasonable that your Majesty should be enabled to make Provision for their honourable Support and Maintenance;' do therefore most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful to and for the King's most Excellent Majesty, by any Letters Patent, or by several Letters Patents, under the Great Seal of *Great Britain*, hereafter to be made, to give and grant unto their Royal Highnesses Prince *Frederick* Bishop of *Osnaburgh*, Prince *William Henry*, Prince *Edward*, Prince *Ernest Augustus*, Prince *Augustus Frederick*, and Prince *Adolphus Frederick*, and to the Survivors and Survivor of them, or to such other Person or Persons as his Majesty shall think fit to be named in such Letters Patent, and his or their Heirs, during the Lives of their said Royal Highnesses, and the Life of the Survivor of them, in Trust for their said Royal Highnesses, and the Survivors or Survivor of them, one Annuity or yearly Sum of Money, not exceeding the Sum of sixty thousand Pounds of lawful Money of *Great Britain* by the Year, to commence and take Effect from the Day of the Demise of his Majesty (whom God long preserve), and to be paid and payable,

Preamble.

Recital of 1 Annæ, Stat. 1. Cap. 7.

9 Annæ, Cap. 10.

1 Geo. III. Cap. 1.

and 5 Geo. III. Cap. 25.

His Majesty empowered to settle on his six younger Sons an Annuity of 60,000 l. per Annum, to commence from the Demise of his Majesty;

by even and equal Portions, on the four moſt uſual Days of Payment in the Year; (that is to ſay) the fifth Day of *January*, the fifth Day of *April*, the fifth Day of *July*, and the tenth Day of *October*; the firſt Payment thereof to be made on ſuch of the ſaid Days which ſhall next happen after the Demiſe of his ſaid Majeſty; and that ſuch Annuity, or yearly Sum of Money as aforeſaid, ſhall or may, by ſuch Letters Patent as aforeſaid, be given and granted to iſſue, and ſhall accordingly iſſue and be payable out of, and be charged and chargeable upon, all or any Part or Parts of ſuch of the hereditary Duties, Revenues, and Branches, as were by the ſaid Act, made in the firſt Year of his preſent Majeſty's Reign, intituled, *An Act for the Support of his Majeſty's Houſehold, and of the Honour and Dignity of the Crown of* Great Britain, carried to, and made Part of, the ſaid General or Aggregate Fund, and ſhall be then ſubſiſting; and out of and upon ſuch Part of the Rates of Poſtage granted by the ſaid Act, made in the fifth Year of the Reign of his preſent Majeſty, intituled, *An Act to alter certain Rates of Poſtage; and to amend, explain, and enlarge, ſeveral Proviſions in an Act made in the ninth Year of the Reign of Queen* Anne, *and in other Acts relating to the Revenue of the Poſt-office*, as ſhall then belong to, and be Part of, the hereditary Revenues of the Crown.

and to be charged upon any of the hereditary Duties which, by 1 Geo. III. Cap. 1. were made Part of the Aggregate Fund, &c.

II. Provided always, That nothing in this Act, or in the Letters Patent to be made in purſuance thereof, contained, or to be contained, ſhall extend, or be conſtrued to extend, to give and grant a greater Annuity or yearly Sum than fifteen thouſand Pounds by the Year, to any one of the ſaid Princes.

No one of the Princes to have a greater Annuity than 15,000 l. a Year.

III. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the King's moſt Excellent Majeſty, by any Letters Patent, or by ſeveral Letters Patents, under the Great Seal of *Great Britain*, hereafter to be made, to give and grant to their Royal Highneſſes Princeſs *Charlotte Auguſta Matilda*, Princeſs *Auguſta Sophia*, Princeſs *Elizabeth*, Princeſs *Mary*, and Princeſs *Sophia*, and to the Survivors and Survivor of them, or to ſuch other Perſon or Perſons as his Majeſty ſhall think fit to be named in ſuch Letters Patent, and his or their Heirs, during the Lives of their ſaid Royal Highneſſes, and the Life of the Survivor of them, in Truſt for their ſaid Royal Highneſſes, or the Survivors or Survivor of them, one other Annuity or yearly Sum of Money, not exceeding the Sum of thirty thouſand Pounds of lawful Money of *Great Britain* by the Year, to commence and take Effect from the Day of the Demiſe of his Majeſty (whom God long preſerve), and to be paid and payable, by even and equal Portions, on the four moſt uſual Days of Payment in the Year; (that is to ſay) the fifth Day of *January*, the fifth Day of *April*, the fifth Day of *July*, and the tenth Day of *October*; the firſt Payment thereof to be made on ſuch of the ſaid Days which ſhall next happen after the Demiſe of his ſaid Majeſty; and that ſuch laſt-mentioned Annuity or yearly Sum of Money ſhall or may, by ſuch Letters Patent as aforeſaid, be given and granted to iſſue, and ſhall accordingly iſſue and be payable out of, and be charged and chargeable upon, all or any Part or Parts of ſuch of the hereditary Duties, Revenues, and Branches, as were by the ſaid Act, made in the firſt Year of his preſent Majeſty's Reign, intituled, *An Act for the Support of his Majeſty's Houſehold, and of the Honour and Dignity of the Crown of* Great Britain, carried to, and made Part of, the ſaid General or Aggregate Fund, and ſhall be then ſubſiſting; and out of and upon ſuch Part of the Rates of Poſtage, granted by the ſaid Act, made in the fifth Year of the Reign of his preſent Majeſty, intituled, *An Act to alter certain Rates of Poſtage; and to amend, explain, and enlarge, ſeveral Proviſions in an Act made in the ninth Year of the Reign of Queen* Anne, *and in other Acts relating to the Revenue of the Poſt-office*, as ſhall then belong to, and be Part of, the hereditary Revenues of the Crown.

His Majeſty empowered to ſettle on the five Princeſſes his Daughters an Annuity of 30,000 l. per Annum, to commence from the Demiſe of his Majeſty;

and to be charged on the Duties above-mentioned.

IV. Provided alſo, and it is hereby enacted by the Authority aforeſaid, That upon the Death of any of their ſaid Royal Highneſſes the Princeſſes, or upon the Marriage of any one of them, and the Payment of a Portion, on or in Conſideration of ſuch Marriage, not leſs than forty thouſand Pounds Sterling, the Right, Title, Share, and Intereſt, of ſuch Princeſs ſo dying, or being married, in and to the ſaid yearly Rent or Annuity of thirty thouſand Pounds, or any Part thereof, ſhall ceaſe and determine, and the ſaid whole Annuity ſhall, from thenceforth, accrue and remain to the four other Princeſſes; and upon the Death or Marriage of any other of the ſaid Princeſſes, and the Payment of a Portion, not leſs than forty thouſand Pounds Sterling, on or in Conſideration of ſuch Marriage, the Right, Share, and Intereſt, of ſuch other Princeſs ſo dying, or being married, in or to the ſaid Annuity of thirty thouſand Pounds, ſhall ceaſe and determine, and the ſaid whole Annuity ſhall from thenceforth accrue and remain to the three other Princeſſes; and upon the Death or Marriage of any other of the ſaid Princeſſes, and the Payment of a Portion, not leſs than forty thouſand Pounds Sterling, on or in Conſideration of ſuch Marriage, the Right, Share, and Intereſt, of ſuch other Princeſs ſo dying, or being married, in or to the ſaid Annuity of thirty thouſand Pounds, ſhall ceaſe and determine, and two third Parts of the ſaid Annuity of thirty thouſand Pounds, amounting to twenty thouſand Pounds *per Annum*, and no more, ſhall accrue and belong to the other two Princeſſes then unmarried; and upon the Death or Marriage of either of the ſaid two laſt-mentioned Princeſſes, and Payment of a Portion, not leſs than forty thouſand Pounds Sterling, on or in Conſideration of ſuch Marriage, the Right, Share, and Intereſt, of ſuch Princeſs, of, in, and to the ſaid Annuity of twenty thouſand Pounds, ſhall ceaſe and determine, and the other of the ſaid Princeſſes then living, ſhall be intitled to twelve thouſand Pounds *per Annum*, Part of the ſaid Rent or Annuity of twenty thouſand Pounds, and no more, to ceaſe and be determined on her Death or Marriage, and the Payment of a Portion, not leſs than forty thouſand Pounds Sterling, on or in Conſideration of ſuch Marriage.

Regulations for dividing the ſaid Annuity upon the Marriage or Death of any of the Princeſſes.

V. And it is hereby further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the King's moſt Excellent Majeſty, by any Letters Patent, or by ſeveral Letters Patents, under the Great Seal of *Great Britain*, hereafter to be made, to give and grant unto his Highneſs Prince *William Frederick*, the Son of his ſaid Royal Highneſs the Duke of *Glouceſter*, or to ſuch other Perſon or Perſons as his Majeſty ſhall think fit to be named in ſuch Letters Patent, and his or their Heirs, during the Life of him the ſaid Prince *William Frederick*, in Truſt for him the ſaid Prince *William Frederick*, one other Annuity or yearly Sum of Money, not exceeding the Sum of eight thouſand Pounds of lawful Money of *Great Britain* by the Year, for and during his natural Life, to commence and take Effect from the Day of the Deceaſe of his ſaid Royal Highneſs the Duke of *Glouceſter*, and to be paid and payable, by even and equal Portions, on the

His Majeſty empowered to ſettle an Annuity of 8000 l. per Annum on Prince William Frederick, to commence from the Deceaſe of the Duke of Glouceſter;

the four moſt uſual Days of Payment in the Year; that is to ſay, the fifth Day of *January*, the fifth Day of *April*, the fifth Day of *July*, and the tenth Day of *October*; the firſt Payment thereof to be made on ſuch of the ſaid Days which ſhall next happen after the Deceaſe of the ſaid Duke of *Glouceſter*; and that ſuch laſt-mentioned Annuity or yearly Sum ſhall or may, by ſuch Letters Patent as aforeſaid, be given and granted, during the Continuance of the ſaid Act, made in the firſt Year of his preſent Majeſty's Reign, and of another Act, made in the ſeventeenth Year of his preſent Majeſty's Reign, *for the Support of his Majeſty's Houſehold, and of the Honour and Dignity of the Crown of* Great Britain, to iſſue, and ſhall accordingly iſſue and be payable out of, and be charged and chargeable upon, the ſeveral yearly Rents or Sums by the ſaid Acts directed to be paid and payable out of, and charged and chargeable upon, the Duties and Revenues compoſing the ſaid Fund commonly called *The General* or *Aggregate Fund*, for the Support of his Majeſty's Houſehold, and of the Honour and Dignity of the Crown of *Great Britain*; and, from and immediately after the Expiration of the ſaid Acts, the ſame ſhall or may be given and granted, by ſuch Letters Patent as aforeſaid, to iſſue, and ſhall accordingly iſſue and be payable out of, and be charged and chargeable upon, all or any Part or Parts of ſuch of the ſaid hereditary Duties, Revenues, and Branches, as were thereby carried to, and made Part of, the ſaid General or Aggregate Fund, and ſhall be then ſubſiſting; and out of and upon ſuch Part of the Rates of Poſtage granted by the ſaid Act, made in the fifth Year of the Reign of his preſent Majeſty, intituled, *An Act to alter certain Rates of Poſtage; and to amend, explain, and enlarge, ſeveral Proviſions in an Act made in the ninth Year of the Reign of Queen* Anne, *and in other Acts relating to the Revenue of the Poſt-office*, as ſhall then belong to, and be Part of, the hereditary Revenue of the Crown.

and to be charged on the Aggregate Fund,

and the hereditary Duties, &c. before-mentioned.

VI. And it is hereby further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the King's moſt Excellent Majeſty, by ſuch Letters Patent, or by ſeveral Letters Patents, under the Great Seal of *Great Britain*, hereafter to be made, to give and grant unto her Highneſs Princeſs *Sophia Matilda*, the Daughter of his ſaid Royal Highneſs the Duke of *Glouceſter*, or to ſuch other Perſon or Perſons as his Majeſty ſhall think fit, to be named in ſuch Letters Patent, and his or their Heirs, during the Life of her the ſaid Princeſs *Sophia Matilda*, in Truſt for her the ſaid Princeſs *Sophia Matilda*, one other Annuity or yearly Sum of Money, not exceeding the Sum of four thouſand Pounds of lawful Money of *Great Britain* by the Year, for and during her natural Life, to commence and take Effect from the Day of the Deceaſe of his ſaid Royal Highneſs the Duke of *Glouceſter*, and to be paid and payable, by even and equal Portions, at the four moſt uſual Days of Payment in the Year; that is to ſay, the fifth Day of *January*, the fifth Day of *April*, the fifth Day of *July*, and the tenth Day of *October*; the firſt Payment thereof to be made on ſuch of the ſaid Days which ſhall next happen after the Deceaſe of the ſaid Duke of *Glouceſter*; and that ſuch laſt-mentioned Annuity or yearly Sum ſhall or may, by ſuch Letters Patent, be given and granted, during the Continuance of the ſaid Acts, made in the firſt and ſeventeenth Years of his preſent Majeſty's Reign, *for the Support of his Majeſty's Houſehold, and of the Honour and Dignity of the Crown of* Great Britain, to iſſue, and be payable out of, and charged and chargeable upon, the ſeveral yearly Rents or Sums, by the ſaid Acts directed to be paid and payable out of, and charged and chargeable upon, the Duties and Revenues compoſing the ſaid Fund commonly called *The General* or *Aggregate Fund*, for the Support of his Majeſty's Houſehold, and of the Honour and Dignity of the Crown of *Great Britain*; and, from and immediately after the Expiration of the ſaid Acts, the ſame ſhall or may be given and granted, by ſuch Letters Patent as aforeſaid, to iſſue, and ſhall accordingly iſſue and be payable out of, and charged and chargeable upon, all or any Part or Parts of ſuch of the ſaid hereditary Duties, Revenues, and Branches, as were thereby carried to, and made Part of, the ſaid General or Aggregate Fund, and ſhall be then ſubſiſting; and out of and upon ſuch Part of the Rates of Poſtage granted by the ſaid Act, made in the fifth Year of the Reign of his preſent Majeſty, intituled, *An Act to alter certain Rates of Poſtage; and to amend, explain, and enlarge, ſeveral Proviſions in an Act made in the ninth Year of the Reign of Queen* Anne, *and in other Acts relating to the Revenue of the Poſt-office*, as ſhall then belong to, and be Part of, the hereditary Revenues of the Crown.

His Majeſty empowered to ſettle an Annuity of 4 000 *l.* per Annum, on the Princeſs Sophia Matilda, to commence from the Deceaſe of the Duke of Glouceſter;

and to be charged on the Aggregate Fund, &c. as the laſt-mentioned Annuity.

VII. Provided always, That nothing in this Act contained, or to be contained in ſuch Letters Patent as aforeſaid, ſhall extend to hinder or obſtruct the Payments of any Monies, by any former Act or Acts of Parliament now in Force, charged upon the ſaid Rates, Duties, and Revenues, or any of them, or the Application thereof to the reſpective Uſes intended by ſuch former Acts concerning the ſame, any Thing herein contained to the contrary notwithſtanding.

This Act not to obſtruct the Payment of any Sums heretofore charged on the ſaid Duties.

VIII. And be it further enacted by the Authority aforeſaid, That ſuch of the ſaid Annuities or yearly Sums reſpectively, which by virtue of this Act, and ſuch Letters Patent as aforeſaid, ſhall or may take Place and Effect during the Continuance of the ſaid Act, made in the firſt Year of his preſent Majeſty's Reign, intituled, *An Act for the Support of his Majeſty's Houſehold, and of the Honour and Dignity of the Crown of* Great Britain, ſhall, during the Continuance thereof, be paid and payable at the Receipt of his Majeſty's Exchequer; and, from and immediately after the Expiration thereof, all the ſaid Annuities or yearly Sums above mentioned to be given and granted by virtue of this Act, ſhall be paid and payable either at the ſaid Receipt of his Majeſty's Exchequer, or by and from the immediate Hands of all and every the Commiſſioners, Farmers, Treaſurers, or Receivers for the Time being, of the ſaid Revenues reſpectively, upon which the ſaid Annuities or yearly Sums, or any Part or Parts thereof, ſhall be charged by virtue of this Act, without any Fees or Charges to be demanded or taken for paying the ſame, or any Part thereof; and the Acquittance or Acquittances, Receipt or Receipts, of their ſaid Royal Highneſſes Prince *Frederick* Biſhop of *Oſnaburgh*, Prince *William Henry*, Prince *Edward*, Prince *Erneſt Auguſtus*, Prince *Auguſtus Frederick*, and Prince *Adolphus Frederick*, and of their ſaid Royal Highneſſes Princeſs *Charlotte Auguſta Matilda*, Princeſs *Auguſta Sophia*, Princeſs *Elizabeth*, Princeſs *Mary*, and Princeſs *Sophia*, and of their Highneſſes Prince *William Frederick*, and Princeſs *Sophia Matilda*, reſpectively, or the Survivors or Survivor of them, or of ſuch of them as ſhall be intitled to receive any ſuch Annuity or yearly Sum, or any Part thereof, or

Annuities to be paid, without Fee, at the Exchequer, or by the Commiſſioners, &c. of the Revenues on which they are charged;

and the Receipts of their Royal Highneſſes the Princes and Princeſſes, &c. ſhall be ſufficient Diſcharges for the ſame.

of any Perſon or Perſons authoriſed by them, or any of them reſpectively, to receive the ſame, ſhall be a good and ſufficient Diſcharge for the Payment thereof, without any further or other Warrant to be ſued for, had, or obtained, in that Behalf; and that the ſaid reſpective Annuities or yearly Sums, and every Part thereof, ſhall be free and clear from all Taxes, Impoſitions, and other public Charges whatſoever: And that if the Officer of the Receipt of his Majeſty's Exchequer, or the ſaid Commiſſioners, Farmers, Treaſurers, or Receivers for the Time being, of any of the ſaid Duties or Revenues, upon which the ſaid Annuities or yearly Sums, or any Part or Parts thereof, ſhall be charged as aforeſaid, ſhall refuſe or neglect to pay the ſame, upon Demand to be made for that Purpoſe, or any Part thereof, according to the true Intent of this Act, and of ſuch Letters Patent or Letters Patents, to be granted by his Majeſty as aforeſaid, then their ſaid Royal Highneſſes Prince *Frederick* Biſhop of *Oſnaburgh*, Prince *William Henry*, Prince *Edward*, Prince *Ernest Auguſtus*, Prince *Auguſtus Frederick*, and Prince *Adolphus Frederick*, and their ſaid Royal Highneſſes Princeſs *Charlotte Auguſta Matilda*, Princeſs *Auguſta Sophia*, Princeſs *Elizabeth*, Princeſs *Mary*, and Princeſs *Sophia*, and their Highneſſes Prince *William Frederick*, and Princeſs *Sophia Matilda*, or the Survivors or Survivor of them, or ſuch of them as ſhall be intitled to receive the ſaid Annuities, or any of them, or any Part thereof, or ſuch their Truſtees reſpectively, may, from Time to Time, ſue, proſecute, and implead, ſuch Officers, Commiſſioners, Farmers, Treaſurers, or Receivers, or any of them, or all or any of their Securities, their Heirs, Executors, and Adminiſtrators, by Bill, Plaint, or Action of Debt, and ſhall and may recover Judgments, and ſue out Executions thereupon, againſt ſuch Officers, Commiſſioners, Farmers, Treaſurers, or Receivers reſpectively, and their reſpective Securities, their Heirs, Executors, or Adminiſtrators, for ſo much of ſuch Sum or Sums of Money then due and owing upon the ſaid ſeveral and reſpective Annuities, or any Part thereof, as ſhall have been in the Hands of ſuch Officers, Commiſſioners, Farmers, Treaſurers, or Receivers reſpectively, at the Time and Times when ſuch Demand ſhall be made of the Payment of the ſaid ſeveral and reſpective Annuities or yearly Sums, or any Part thereof, as aforeſaid.

Annuities to be Tax-free.

In caſe the Officer of the Receipt of the Exchequer, &c. ſhall neglect to pay the Annuities on Demand, they, or their Securities, may be ſued for the ſame.

IX. Provided always, That if any of the ſaid reſpective Annuities or yearly Sums, or any Part thereof, ſhall ceaſe to be chargeable upon, and payable out of, the ſaid General or Aggregate Fund, or any Part thereof, and ſhall become chargeable upon, and payable out of, all or any of the ſaid hereditary Duties, Revenues, and Branches, between any two of the ſaid quarterly Days of Payment; then, and in ſuch Caſe, ſuch Annuities reſpectively ſhall, at the next Quarter Day, be payable, at the Receipt of the Exchequer, out of the ſaid General or Aggregate Fund, and out of the ſaid hereditary Duties, Revenues, and Branches, in Proportion to the Times during which the ſame were, in the Courſe of ſuch Quarter, ſo chargeable and payable, any Thing herein before contained to the contrary notwithſtanding.

Proviſo relating to the Payment of the Annuities.

X. And be it further enacted by the Authority aforeſaid, That all and every the Powers, Precepts, Directions, and Clauſes, to be contained in his Majeſty's Letters Patent hereafter to be made as aforeſaid, for the better and more certain Payment and Aſſurance of the ſaid ſeveral Annuities or yearly Sums, and for making the ſaid reſpective Revenues, or any of them, or any Part or Parts thereof, liable thereunto as aforeſaid, ſhall be good and effectual in the Law, according to the Tenor and Purport thereof, in the ſaid Letters Patent or Letters Patents to be expreſſed, notwithſtanding any Reſtriction or other Matter or Thing contained in the ſaid recited Act, made in the firſt Year of the Reign of her ſaid late Majeſty Queen *Anne*, intituled, *An Act for the better Support of her Majeſty's Houſehold, and of the Honour and Dignity of the Crown*; and notwithſtanding any Reſtriction or other Matter or Thing contained in the ſaid Act, made in the ninth Year of the Reign of her ſaid late Majeſty Queen *Anne*, intituled, *An Act for eſtabliſhing a General Poſt-office for all her Majeſty's Dominions, and for ſettling a weekly Sum out of the Revenues thereof, for the Service of the War, and other her Majeſty's Occaſions*; and notwithſtanding any Reſtriction or other Matter or Thing contained in the ſaid Act, made in the firſt Year of his preſent Majeſty's Reign, intituled, *An Act for the Support of his Majeſty's Houſehold, and of the Honour and Dignity of the Crown of* Great Britain; and notwithſtanding any Reſtriction or other Matter or Thing contained in the ſaid Act, made in the fifth Year of his preſent Majeſty's Reign, intituled, *An Act to alter certain Rates of Poſtage; and to amend, explain, and enlarge, ſeveral Proviſions in an Act made in the ninth Year of the Reign of Queen* Anne, *and in other Acts relating to the Revenue of the Poſt office*; and notwithſtanding any other Act or Acts of Parliament, or any Miſrecital, Nonrecital, Omiſſion, or other Defect, in the ſaid Letters Patent or Letters Patents, hereafter to be made by virtue of this Act.

All the Powers, Directions, &c. to be contained in his Majeſty's Letters Patent to be made in purſuance of this Act, ſhall be effectual in Law, notwithſtanding any Reſtrictions contained in any of the before recited Acts, &c.

XI. Saving to all and every Perſon and Perſons, Bodies Politic and Corporate, their Heirs, Executors, Adminiſtrators, and Aſſigns (other than the King's Majeſty, his Heirs and Succeſſors), all ſuch Right, Title, Intereſt, and Demand whatſoever, which they, or any of them, have or may have, of, in, to, or out of the Revenues aforeſaid, or any of them, or any Part thereof, before the making of this Act, as fully and effectually, to all Intents and Purpoſes, as if this Act had not been made; any Thing herein contained to the contrary notwithſtanding.

General Saving.

## CAP. XXXII.

An Act for further continuing ſo much of certain Duties as have by ſeveral Acts of Parliament been granted and continued for repairing and maintaining the Harbours of *Dover* and *Rye*, as are applicable to completing and keeping in Repair the ſaid Harbour of *Rye*, in the County of *Suſſex*.

Preamble Recital of Acts 11 & 12 Gul. III.

'WHEREAS by an Act, made in the eleventh and twelfth Year of King *William* the Third, intituled, *An Act for the Repair of* Dover *Harbour*, certain Duties were laid upon Ships and Veſſels for raiſing Money for that Purpoſe, and the ſaid Duties were to continue to the firſt Day of *May*, one thouſand

'thousand seven hundred and nine: And whereas the said Act was by two Acts, one made in the second Year of Queen *Anne*, and the other in the fourth Year of King *George* the First, further continued till the first Day of *May*, one thousand seven hundred and twenty-seven: And whereas by an Act, made in the ninth Year of his said Majesty King *George* the First, intituled, *An Act for completing the Repairs of the Harbour of* Dover *in the County of* Kent, *and for restoring the Harbour of* Rye *in the County of* Sussex *to its ancient Goodness*, the said Duties were further continued until the first Day of *May*, one thousand seven hundred and forty-four, and one Third Part thereof directed to be applied to the Harbour of *Dover*, and the other two Third Parts to the repairing the said Harbour of *Rye*, and restoring it to its ancient Goodness: And whereas by an Act, made in the eleventh Year of his late Majesty King *George* the Second, the said Duties were further continued for the Term of twenty-one Years: And whereas by an Act, made in the thirty-first Year of his said late Majesty, it was declared, That from the Expiration of the last-mentioned Term, which would happen on the twelfth Day of *May*, one thousand seven hundred and fifty-six, one Moiety or Half Part of the said Duties granted and continued by the said former Acts, should be granted and continued for a further Term of twenty-one Years, and be applied only to the Benefit and Support of the Harbour of *Dover*: And whereas by an Act, made in the fourth Year of his present Majesty's Reign, intituled, *An Act for continuing one Moiety of the Duties granted by an Act of the eleventh and twelfth Year of King* William *the Third, for the Repair of* Dover *Harbour, and which have been by several other Acts continued to the twelfth Day of* May, *one thousand seven hundred and sixty-five, and for applying the same to complete the Harbour of* Rye *in the County of* Sussex, *and for more effectually completing and keeping in Repair the said Harbour*, the remaining Moiety of the said Duties granted and continued by the said former Acts, and which was not appropriated by the said Act of the thirty-first Year of his said late Majesty, was further continued from the said twelfth Day of *May*, one thousand seven hundred and sixty-five, for the further Term of twenty-one Years, and directed to be applied for the Purpose of completing the said Harbour of *Rye*, in Manner in the said Act mentioned, and for maintaining and keeping in Repair the said Harbour for the future: And whereas the Works directed to be done to the said Harbour of *Rye* have been in a great Degree performed, but the same cannot be completed without a still further Expence: That in the carrying on the Works a considerable Debt has been contracted, which cannot be paid off, and the Harbour completed, unless the Duties are further continued:' May it therefore please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Moiety of the said Duties so continued and appropriated by the said Act of the fourth Year of his present Majesty's Reign, shall be, and the same is hereby declared to be, further continued, from the Expiration of the Term thereby granted, for and during the further Term of twenty-one Years; and that so much and such Part of the Powers and Authorities thereby respectively given, and all and every the Clauses, Provisoes, Matters, and Things therein contained, as is or are now in Force respecting the said Harbour of *Rye*, shall, for collecting, recovering, managing, disposing of, securing, and accounting for, the said Moiety of the Duties hereby continued, and the Arrears thereof, if any, under the said former Acts, or any of them, and for the completing and keeping in Repair the said Harbour of *Rye*, and to that End for levying and recovering the Penalties and Forfeitures mentioned in the said Acts, or any of them, be continued, and be in full Force during the said extended Term, as effectually, to all Intents and Purposes whatsoever, as if the same were particularly and at large repeated and re-enacted in the Body of this Act.

2 Anne, 4 Geo. I. — 9 Geo. I. — 11, 31 Geo. II. — 4 Geo. III.

The Duties continued by the Act 4 Geo. III. further continued for twenty-one Years.

'II. And whereas by the said Act, of the fourth Year of his present Majesty, it is directed, that a Dam 'shall be fixed across the River *Rother*, as is therein particularly mentioned: And whereas a Power was 'given to the Commissioners for putting the said Act in Execution to alter the said intended Plan, under 'certain Regulations: And whereas, at a Commission held in consequence of the said Power, it was unanimously agreed to alter the Disposition of the said Dam, so that the River *Rother* be carried to the Eastward or Southward of the Town of *Rye*:' Be it therefore enacted, That the Commissioners for putting the said Act and this Act in Execution shall, and they are hereby directed and required, as soon as may be, to erect and complete a Dam across the River *Rother*, at some convenient Place to the Eastward or Southward of the Town of *Rye*, in order to turn the Freshes of the said River into the new Channel leading to the new Harbour: And that if it shall so happen that the said Dam shall not be completed within the Space of ten Years from the passing of this Act, the said Commissioners shall, and they are hereby directed and required to remove, within the Space of six Months after the Expiration of the said Term of ten Years as above mentioned, all Obstructions which do or may prevent the *Brede* Channel and the *Tillingham* Channel from following their ancient Course into the River *Rother*, or that they shall cause such Works to be done as may effectually answer that Purpose.

Commissioners to erect a Dam across the Rother near the Town of Rye.

III. And be it further enacted, That the said Commissioners shall, and they are hereby directed and required to build and erect a Sluice upon and across the *Tillingham* Channel, at some convenient Place above the *Strand* Channel, for the Purpose of scouring the said *Strand* Channel, and to keep open as well as may be the new Channel leading down to the new Harbour; which said Sluice shall be built and erected within the Space of one Year from the Time the Pier intended to be built at the Entrance of the new Harbour shall be erected, which said Pier is hereby required to be the first Work done after the passing of this Act.

A Sluice to be built across Tillingham Channel.

IV. And be it further enacted, That if any Person or Persons shall wilfully and maliciously break, throw down, damage, or destroy, any Dams, Sluices, or other Works, made or erected, or to be made or erected, for the Security of the said Harbour, by virtue of the said Acts or this Act, or any or either of them, such Person or Persons shall be guilty of Felony, and shall be subject to the like Pains and Penalties as in Cases of Felony; and the Court, before whom such Person or Persons shall be tried and convicted, shall, and hereby have Power and Authority to punish in like Manner as other Felons are directed

Persons damaging the Works may be punished as Felons.

to be punished by the Laws and Statutes of this Realm, or in Mitigation of such Punishment may, if the said Court shall think fit, award such Sentence as the Law directs in Cases of Petit Larceny.

Expences of this Act how to be paid.

V. And be it further enacted, That the Charges and Expences in and about obtaining and passing this Act, shall, as soon as the same can conveniently be done, be paid out of the Monies to arise by virtue of the said former Acts, or this Act, relating to the Harbour of *Rye*.

Public Act.

VI. And be it further enacted, That this Act shall be deemed, adjudged, and taken to be a Public Act; and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons, without specially pleading the same.

## CAP. XXXIII.

An Act for the better Preservation of Fish, and regulating the Fisheries, in the Rivers *Severn* and *Verniew*.

" Preamble. Recital of Act 1 *Eliz.* and 30 *Car.* II. Putt Fisheries described. Restrictions contained in " Act 30 *Car.* II. injurious. So much of Acts 1 *Eliz.* and 30 *Car.* II. as relate to Length of Nets and Size " of Meshes, below the Bridge, *&c.* repealed. Regulations relating to the Time of Fishing, the Size " of the Meshes, *&c.* Penalty on Persons offending against the said Regulations. Penalties may be levied " by Distress. On Failure of Distress, Party to be committed. On Information on Oath that improper " Nets, *&c.* are suspected to be used, Search Warrants may be granted. Penalty on Persons causing " Obstructions in Fishing-draughts by anchoring of Vessels. Improper Nets found fixed across the Rivers " may be destroyed. Justices may grant Warrants to search for illegal Nets. Angling allowed on cer- " tain Conditions. Proviso. Clause for preventing fishing in the Night-time, and for otherwise preserving " the Fish. Stakes to be fixed in the River, to preserve the Fry and Breed of Fish. Limitation of Actions, " *&c.* How Justices to proceed for Conviction of Offenders. Form of Conviction. The Penalty in- " flicted by Act 1 *Geo.* I. for catching Fish under Size, may be mitigated. Proviso. Persons aggrieved " may appeal to the Quarter Sessions. This Act not to affect any ancient Putt Fisheries, except as afore- " said. Beginning and Ending of the Lord's Day. Proviso. This Act not to extend to Shrimp Nets. " Public Act."

## CAP. XXXIV.

An Act for the more easy and speedy Recovery of Small Debts, within the Soake of *Bolingbrooke* and Wapentake of *Candleshoe*, in the Parts of *Lindsey*, in the County of *Lincoln*.

Preamble.

' WHEREAS in the Soake of *Bolingbrooke* and Wapentake of *Candleshoe*, in the Parts of *Lindsey*, ' in the County of *Lincoln*, there is a large and extensive Tract of Country, Part whereof borders, ' for several Miles, on the *German* Ocean, in which there are forty-four Parishes, Villages, Hamlets, ' and Places, besides the three Market Towns of *Spilsby*, *Burgh*, and *Wainfleet All Saints*, several of which ' are rendered very populous, as well by the Vicinity of several considerable Tracts of Commonable ' Lands and Waste Grounds therein, containing in the Whole forty thousand Acres and upwards, called ' *The Fens* (whereon several Thousands of People, by fishing, fowling, cutting of Fuel, Reed, and other ' Thatch, entirely subsist and maintain themselves and Families), as of the Seaport Town of *Boston*, and ' by that Means carries on a considerable Trade with the Inhabitants of the said Parishes, Villages, Ham- ' lets, and Places, to a great Number of whom they are obliged to give Credit for small Sums of Money, ' amounting in the Whole to a large Sum of Money yearly, who frequently refuse, although well able, ' to pay the same, presuming on the Discouragement which Creditors lie under, from the great Expences ' they are unavoidably put unto in suing for such Debts in the County Court, which is upwards of thirty ' Miles distant from any of the said Parishes, Villages, Hamlets, and Places, within the said Soake of ' *Bolingbrooke* and Wapentake of *Candleshoe*: And whereas an easy and speedy Method of recovering Small ' Debts, within the said Soake and Wapentake, will greatly tend to promote Industry, and to support ' useful Credit therein;' may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That

Commissioners Names.

*John Atkinson*, *Samuel Abraham*, *Samuel Abraham* the younger, *Charles Allenby*, *William Ash* the younger, *Robert Carr Brackenbury*, the Reverend *Thomas Booth*, *Andrew Betts*, *John Blythe*, *Thomas Barr*, *George Burman*, *Benjamin Baxter*, *William Baxter*, *Thomas Brightwell*, *John Barker*, *William Barker*, *John Bourne*, *Cuthbert Blythe*, *Lawrence Barker*, *Robert Booth*, *John Burton*, *John Bagley*, *John Burnitt*, *William Burton*, *William Barnfather* the younger, *Thomas Barker*, the Reverend *Edward Codd*, *Thomas Cracroft*, *William Chapman*, *John Chapman*, *Thomas Collis*, *William Cook*, *Joseph Dickinson*, *Thomas Danby*, *John Dodds*, *Robert Downs*, *Thomas Dodds*, *John Dawson* of *Burgh*, the Reverend *Edward Evans*, *Willingham Franklin*, *Thomas Ford*, *Robert Fowler*, *William Goodwin*, *Richard Gresswell*, *William Goodwin* the younger, *George Gunnis*, *John Gill*, *John Grantham*, *James Garver*, *John Graysley*, *James Hairby*, *Butler Hairby*, *John Hairby*, *Hairby Hill*, *John Hollam*, *John Hollam* the younger, *John Hill*, *Thomas Hubbert*, *William Horn*, *Richard Hall*, *Martin Jessop*, *Christopher Jessop*, *William Knowles*, the Reverend *Richard Loxham*, *John Leeman*, *Henry Longstaff*, *William Lee*, *John Lincoln*, *Samuel Lovell*, *Robert Lely*, the Reverend *Charles Myers*, *John Mason*, *Godfrey Morton*, *William Mells*, *Robert Martin*, *Thomas Maulkinson*, *John Mowbray*, *James Miller*, *Thomas Pocklinton Miller*, *Edward Overton*, *Gilbert Pilkington*, the Reverend *William Pennington*, *Robert Pocklinton*, *William Pocklinton*, *William Paletthorpe*, *Edward Pollexfen*, *Stephen Palmer*, *John Pickburn*, *Samuel Petchell*, *William Pinchbeck*, *Joseph Robertson*, *Robert Rasbdall*, *John Rasbdall*, *Francis Riggall*, *Thomas Reckitt*, *Thomas Ranson*, *John Saul*, *John Saul* the younger, *John Smith*, *John Smith* the younger, *Robert Snowden*, *George Sprogge*, *John Snell*, *John Palmer Tinclar*, the Reverend

Reverend *Richard Vefey*, *George Wright*, *George Wright* the younger, *Samuel Wells*, *Thomas Walker*, *Thomas Willton*, *Vincent Ward*, *Philip Wright*, *Benjamin Wright*, *George Ward*, *Thomas Webfter*, and *John Younger*, fhall be, and they are hereby declared, conftituted, and appointed Commiffioners to hear and determine all fuch Caufes and Matters of Debt as are herein after mentioned; and fuch Commiffioners, and their Succeffors, are hereby conftituted a Court of Juftice, by the Name and Style of *The Court of Requefts for the Soake of* Bolingbrooke *and Wapentake of* Candlefhoe, *in the Parts of* Lindfey, *in the County of* Lincoln; and they the faid Commiffioners, or any three or more of them, fhall, and are hereby authorifed, empowered, and required, to meet, affemble, and hold the faid Court in the Towns of *Spilfby*, *Wainfleet All Saints*, *Sibfey*, and *Burgh*, alternately, and by Turns, once in every Fortnight; (to wit) On every *Friday* Fortnight, or oftener, if there fhall be Occafion, in a Court-houfe, or fome convenient Place, to be provided by the major Part of the Commiffioners who fhall be affembled at fome General Meeting to be held for that Purpofe; which General Meeting of the faid Commiffioners fhall be for the firft Fortnight at *Spilfby* aforefaid, on the *Friday* Fortnight next after the paffing of this Act; and for the fecond Fortnight at *Wainfleet All Saints* aforefaid, on the *Friday* four Weeks next after the paffing of this Act; and for the third Fortnight at *Sibfey* aforefaid, on the *Friday* fix Weeks next after the paffing of this Act; and for the fourth Fortnight at *Burgh* aforefaid, on the *Friday* eight Weeks next after the paffing of this Act; and for the fifth Fortnight at *Spilfby* again, on the fame Day of the Week; and fo on in Succeffion and Rotation; provided that no Court fhall be holden on *Good Friday*, or on *Chriftmas-day* when *Chriftmas-day* fhall fall on a *Friday*; in either of which Cafes the Court fhall be holden on the next preceding Day.

Commiffioners conftituted a Court.

When and where the Court fhall be held.

II. Provided nevertheleſs, That in caſe three or more of the ſaid Commiſſioners appointed, or to be appointed, by virtue of this Act, ſhall neglect or refuſe to aſſemble on any of the Days appointed for holding the ſaid Court, that then it ſhall and may be lawful to and for the Clerk of the ſaid Court, or his Deputy, for the Time being, to adjourn the ſaid Court to ſome other convenient Day, within fourteen Days from the Day on which the ſaid Court ought to have been held, or till the next General Court Day to be held by Rotation as aforeſaid.

If three Commiſſioners ſhall not aſſemble, the Clerk may adjourn the Court.

III. And be it enacted by the Authority aforeſaid, That the Commiſſioners ſo named and appointed, and their Succeſſors, to be choſen as herein-after is mentioned, or any three or more of them, from Time to Time aſſembled as aforeſaid, ſhall have Power and Authority, by virtue of this Act, to hear and determine all ſuch Cauſes and Matters of Debt as ſhall be brought before them, in Manner as hereafter is mentioned, and to give ſuch Judgments, and to make ſuch interlocutory and final Orders and Decrees therein, and to award ſuch Execution thereupon, with Coſts, both againſt the Bodies and the Goods and Chattels of all and every the Perſon and Perſons againſt whom they ſhall give or make any ſuch Judgment, Order, or Decree, as to them ſhall ſeem juſt, and moſt agreeable to Equity and good Conſcience; and if the Commiſſioners ſo aſſembled ſhall happen to be equally divided upon any Queſtion that may come before them, the Commiſſioner preſent, whoſe Name ſtands firſt on the Liſt of the Commiſſioners directed to be kept in the Court-houſe, or Place where they ſhall reſpectively meet, ſhall have the caſting Vote.

Power of the Commiſſioners.

IV. And be it further enacted by the Authority aforeſaid, That from Time to Time, and as often as it ſhall be neceſſary, either by the Death of any of the ſaid Commiſſioners herein-before particularly named, or of any of their Succeſſors, to be choſen in Manner herein-after mentioned, or by his or their refuſing or neglecting, for the Space of twelve Calendar Months, to act herein, it ſhall and may be lawful to and for the Commiſſioners hereby appointed, and ſuch their Succeſſors, or any eleven or more of them, to meet and aſſemble together, at any Time after ſuch Death, Refuſal, or Neglect to act, and to elect and appoint one or more Commiſſioner or Commiſſioners, in the Stead and Place of ſuch Commiſſioner or Commiſſioners dying, or refuſing to act; and every ſuch Commiſſioner ſo elected and appointed ſhall be, and is hereby enabled to act in the Execution of the Powers granted to the Commiſſioners hereby appointed, as fully and effectually, to all Intents and Purpoſes, as if he or they had been particularly named in this Act.

When Commiſſioners die, or refuſe to act, new ones to be choſen.

V. And be it further enacted by the Authority aforeſaid, That *Thomas Walker* Gentleman ſhall be, and is hereby conſtituted and appointed Clerk of the ſaid Court of Requeſts; and that *William Rowſon* and *Henry Baxter* ſhall be, and are hereby conſtituted and appointed Serjeants of the ſaid Court of Requeſts; who ſhall continue Clerk and Serjeants of the ſaid Court ſo long as they ſhall behave themſelves well in their reſpective Offices.

Firſt Clerk and Serjeants appointed.

VI. Provided always, That no Commiſſioner, or any Perſon or Perſons who ſhall keep any Victualling-houſe, Ale-houſe, or other Houſe of any public Entertainment, or who ſhall ſell any Wine, Cyder, Beer, Ale, Spirituous or other Strong Liquors by Retail, ſhall be capable of holding the Office of Clerk, or any other Place of Profit belonging to the ſaid Court.

Victuallers, &c. not to hold any Place of Profit.

VII. And be it further enacted by the Authority aforeſaid, That whenever it ſhall happen that the Place of Clerk or Serjeant of the ſaid Court ſhall become vacant, either by Death, Reſignation, or Miſbehaviour, the Commiſſioners for the Time being, or any eleven or more of them, ſhall meet at ſome convenient Place, as ſoon as conveniently may be after ſuch Vacancy ſhall happen, and a Majority of the ſaid Commiſſioners ſo met are hereby authoriſed and required to chuſe and appoint another fit Perſon to be Clerk or Serjeant of the ſaid Court during his good Behaviour.

Election of future Clerk and Serjeants.

VIII. And be it further enacted by the Authority aforeſaid, That the Clerk herein-before named and choſen, and his Succeſſors, ſo from Time to Time to be choſen and appointed, or his or their lawful Deputy or Deputies, ſhall make, and cauſe to be fixed up in ſome convenient Part of each of the ſaid Court-houſes, fair and complete Liſts in Writing of the Commiſſioners herein named and appointed, or to be elected and appointed as aforeſaid; and ſhall alſo, and is and are hereby empowered and required to iſſue, or cauſe to be iſſued out, all Summonſes, Attachments, Warrants, Subpœnas, and Precepts, and to regiſter

Clerk to fix up Liſts of Commiſſioners in the Court-houſe; and to iſſue Summonſes, and regiſter Orders, &c.

regiſter and enter, or cauſe to be regiſtered and entered, all Cauſes, Orders, Decrees, and Judgments, and other Acts and Proceedings of the ſaid Court, in proper Books to be provided by him and them, and kept for that Purpoſe; and that the Serjeant and Serjeants herein-before named and choſen, or from Time to Time to be choſen and appointed as aforeſaid, or his or their lawful Deputy or Deputies, ſhall, and is and are hereby empowered and required to ſerve and execute, or cauſe to be ſerved and executed, all ſuch Summonſes, Orders, Attachments, Warrants, Subpœnas, Executions, and Precepts, and to do and perform all ſuch Acts, Matters, and Things, as are herein directed and appointed to be done by them.

Serjeants to ſerve Precepts.

Perſons may ſue for Debts under 40 s.

IX. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for all and every Perſon and Perſons whatſoever, who now hath or have, or hereafter ſhall or may have, any Debt or Debts, not amounting to the Sum of forty Shillings, due or owing to him, her, or them, in his, her, or their own Right, or as Executor, Adminiſtrator, Guardian, or Truſtee, by or from any other Perſon or Perſons whatſoever, inhabiting or reſiding within the Soake of *Bolingbroke* and Wapentake of *Candleſhoe* aforeſaid, or any Part thereof, or trading and dealing, or ſeeking a Livelihood therein, to apply to the Clerk of the ſaid Court, or his Deputy or Deputies for the Time being, who ſhall immediately make an Entry in his Book of the Cauſe, expreſſing the Names of the Parties, and the Sum demanded; and ſhall thereupon make out and deliver a Summons, in Writing under his Hand, directed to ſuch Debtor or Debtors, expreſſing the Sum demanded of him, her, or them, and the Name or Names of ſuch Party or Parties demanding the ſame, thereby requiring and commanding ſuch Debtor or Debtors to appear, at a certain Time and Place, before the Commiſſioners of the ſaid Court, to anſwer ſuch Demand; and the Serjeant or Serjeants of the ſaid Court ſhall forthwith ſerve, or cauſe ſuch Summons to be ſerved on ſuch Debtor or Debtors, either perſonally, or by leaving the ſame at the Dwelling-houſe or Place of Abode, Lodging, Shop, Shed, Stall, Stand, or other Place of dealing or working, of ſuch Debtor or Debtors, within the Soake and Wapentake aforeſaid; and the ſaid Commiſſioners, or any three or more of them, ſhall, upon Proof made of the Service of ſuch Summons, have full Power and Authority, by virtue of this Act, to make due Inquiry concerning ſuch Demands, and to pronounce and give ſuch final Sentence or Judgment, and to make ſuch interlocutory or final Orders and Decrees therein, as to them ſhall ſeem moſt juſt and equitable.

How Officers are to proceed.

Commiſſioners may regulate Proceedings;

'X. And, for the better regulating the Proceedings of the ſaid Court, and rendering this Act effectual 'for the Purpoſes thereof,' be it enacted by the Authority aforeſaid, That the Commiſſioners for the Time being, or any three or more of them, being a Majority of the Commiſſioners aſſembled in Court as aforeſaid, ſhall have full Power and Authority by virtue of this Act, from Time to Time, and as often as they ſhall ſee Occaſion, at any of the ſaid Courts, to make ſuch Rules or Orders, for the better regulating of the Practice of the ſaid Court, as to them ſhall ſeem neceſſary, and conducive to the Purpoſes of this Act, ſo as they ſhall be conſiſtent with Equity, and do not tend to leſſen, abridge, or alter, the Fees herein-after allowed by this Act to be taken by the Clerk, and reſpective Serjeants or Officers, of the ſaid Courts for the Time being, or to the Exerciſe of any Juriſdiction inconſiſtent with the true Intent and Meaning of this Act, and do relate to the Proceſs, Practice, and Method of Proceeding of and in the ſaid Court only; according to which Rules and Orders, ſo from Time to Time to be made, the ſaid Commiſſioners, or any three or more of them, ſhall have full Power and Authority, by virtue of this Act, to proceed upon, and to hear and determine, all Matters of Debt, not amounting to the Sum of forty Shillings, which ſhall be brought before them by virtue of this Act, and to make and pronounce ſuch Judgments and Decrees concerning the ſame, and the Coſts of Suit, as to them ſhall ſeem agreeable to Equity and good Conſcience.

and adminiſter Oaths.

'XI. And, for the better Diſcovery of the Truth, and for the more ſolemn Determination of all the 'Cauſes and Matters which ſhall be depending in the ſaid Court,' be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Commiſſioners, or any three or more of them aſſembled in Court, and they are hereby empowered to adminiſter, or cauſe to be adminiſtered, an Oath to the Party or Parties, Plaintiff or Plaintiffs, Defendant or Defendants, and alſo to ſuch Witneſs or Witneſſes as ſhall be produced by either Party, and alſo to the Officers of the Court, and to any Perſon or Perſons whatſoever, whoſe Evidence ſhall, to the ſaid Commiſſioners, or to the major Part of them aſſembled at the ſaid Court, appear neceſſary.

On Non-appearance of Defendant, Commiſſioners may proceed *ex parte*;

XII. And be it further enacted by the Authority aforeſaid, That if any Debtor or Debtors, who ſhall have been duly ſummoned as aforeſaid, ſhall, without ſome good Cauſe, to be allowed by the ſaid Court, refuſe or neglect to appear in the ſaid Court at the Time mentioned in the ſaid Summons, then it ſhall and may be lawful to and for the ſaid Commiſſioners, or any three or more of them, upon Proof being made upon Oath of the Service of the ſaid Summons in Manner before directed, to proceed to hear the Cauſe on the Part of the Plaintiff or Plaintiffs only, and to make ſuch Order, Decree, or Judgment therein, and to award ſuch Coſts, as to them ſhall ſeem meet.

and on Non-appearance or Non-ſuit of Plaintiff, may award Coſts.

XIII. And be it further enacted by the Authority aforeſaid, That if upon the Day of the Return of the Summons, or at any Continuation or Adjournment of the ſaid Court, the Plaintiff or Plaintiffs ſhall not appear, or appearing ſhall not make Proof of his, her, or their Debt or Demand, to the Satisfaction of the ſaid Court, it ſhall and may be lawful to and for the ſaid Commiſſioners, or any three or more of them, to award to the Defendant or Defendants reaſonable Coſts, and to order and compel the Plaintiff or Plaintiffs to pay the ſame, by ſuch Ways and Means as are herein provided for the enforcing of the Payment of Debts and Coſts ordered and decreed to be paid by the ſaid Court.

Commiſſioners may award Execution;

XIV. And be it further enacted by the Authority aforeſaid, That in any Caſe where the ſaid Commiſſioners, or any three or more of them, ſhall have made any Order or Decree for the Payment of Money, it ſhall and may be lawful to and for the ſaid Commiſſioners, or any three or more of them, to award Execution, either againſt the Body or Goods of the ſaid Party or Parties againſt whom ſuch Order or Decree ſhall be made; and thereupon it ſhall and may be lawful to and for the Clerk of the ſaid Court, at the

the Requeſt of the Party or Parties proſecuting ſuch Order or Decree, to iſſue a Precept, under his Hand and Seal, to the Serjeant or Serjeants of any of the ſaid Courts; who, by virtue of any ſuch Precept iſſued upon the Execution awarded againſt the Body or Bodies of ſuch Party or Parties, ſhall and may, and is and are hereby empowered and required to take and apprehend, or cauſe to be taken and apprehended, ſuch Party or Parties, being within the Soake and Wapentake aforeſaid, and to convey him, her, or them, to ſome Common Gaol or Houſe of Correction within the ſaid County of *Lincoln*, there to remain until he, ſhe, or they, ſhall perform and obey ſuch Order, Decree, or Judgment; ſo as no Perſon ſhall remain in Confinement upon any ſuch Execution for any longer Space of Time than three Calendar Months; and ſuch Serjeants, by virtue of ſuch Precept iſſued upon the Execution awarded againſt the Goods of any ſuch Party, ſhall and may, and is and are hereby empowered to levy, by Diſtreſs and Sale of the Goods of ſuch Party, being within the Soake and Wapentake aforeſaid, ſuch Sum and Sums of Money, and Coſts, as ſhall be ſo ordered and decreed; and if the Party againſt whoſe Body or Goods ſuch Execution ſhall be awarded, and ſuch Proceſs ſhall iſſue thereupon, ſhall, by abſconding, or by ſecreting or removing his, her, or their Goods, or by any other Means, prevent or evade the Service or Effect of any Execution, it ſhall and may be lawful to and for the ſaid Commiſſioners, or any three or more of them, upon due Proof thereof made to them by the Oath or Oaths of ſuch Serjeant, or of one or more credible Witneſs or Witneſſes, at their Diſcretion, to award Execution, either againſt the Body or Goods of ſuch Party or Parties, and Proceſs ſhall iſſue thereupon, and be executed by the reſpective Serjeants, in Manner aforeſaid, until the Party or Parties, at whoſe Suit ſuch Execution ſhall be iſſued, ſhall be fully paid and ſatisfied.

and commit the Party.

XV. And be it further enacted by the Authority aforeſaid, That in caſe the ſaid Commiſſioners, or any three or more of them, ſhall at any Time, upon the Requeſt, and for the Eaſe and Convenience of the Defendant or Defendants, order and decree the Debt due to the Plaintiff or Plaintiffs to be paid at ſeveral Payments, then, upon the firſt Default or Failure of any of the ſaid Payments ſo ordered and decreed, the ſaid Commiſſioners, or any three or more of them, aſſembled in Court, ſhall and may, at the Inſtance of the Plaintiff or Plaintiffs, and upon due Proof of the ſaid Default or Failure, award Execution for the whole Debt, or ſuch Part thereof as ſhall then remain unpaid, together with ſuch further Coſts as to them ſhall ſeem reaſonable, to be recovered by the ſame Proceſs, and in like Manner, as is herein before provided for Recovery of the Debt and Coſts firſt decreed; the former Order or Decree to the contrary thereof notwithſtanding.

When Debts are ordered to be paid at ſeveral Times, Commiſſioners may award Execution upon the firſt Default of Payment.

XVI. And be it further enacted by the Authority aforeſaid, That every Precept to be iſſued upon any Execution awarded againſt the Body or Goods of any Perſon or Perſons whatſoever, the Clerk who iſſues the ſame ſhall expreſs and ſet down in Writing the Sum or Sums of Money, and Coſts, ſo ordered and decreed to be paid; and if the Party or Parties, againſt whom ſuch Execution ſhall be awarded, ſhall, before any actual Sale of his, her, or their Goods, or before he, ſhe, or they, is, are, or ſhall be taken and apprehended, or before the Expiration of the Term of his, her, or their Impriſonment, pay, or cauſe to be paid, or tendered, unto the Clerk of the Court who ſhall iſſue ſuch Precept, ſuch Sum or Sums of Money, and Coſts, together with one Shilling as a Reward for his Trouble in receiving and paying over ſuch Debts and Coſts to the Plaintiff or Plaintiffs, and entering Acknowledgment of Satisfaction in the Book or Regiſter of the ſaid Court, for ſuch Debt and Coſts, and alſo the Sum of two Shillings and Sixpence for Gaol Fees, in caſe ſuch Party or Parties ſhall have been committed to Priſon, then, and in ſuch Caſe and Caſes, the Execution ſhall be ſuperſeded, and the Body or Bodies, and Goods, of ſuch Party or Parties, ſhall be diſcharged and ſet at Liberty.

On Execution, Clerk to indorſe the Debt and Coſts.

In what Caſes Executions ſhall be ſuperſeded.

XVII. And be it further enacted by the Authority aforeſaid, That if the Serjeant or Serjeants of the ſaid Court, who ſhall be employed to ſerve or levy any Execution, ſhall, by wilful Connivance or Neglect, cauſe or ſuffer the Party or Parties againſt whom ſuch Execution ſhall be awarded, to eſcape or abſcond, or the Goods of ſuch Party or Parties to be carried away or ſecreted, ſo as ſuch Execution ſhall not have its due Effect, it ſhall and may be lawful to and for the ſaid Commiſſioners, or any three or more of them, aſſembled in Court, upon Complaint and due Proof made, upon the Oath or Oaths of one or more credible Witneſs or Witneſſes, to order ſuch Serjeant or Serjeants to pay the Sum or Sums of Money, for which the ſaid Execution was awarded, to the Party complaining, and to enforce the Payment thereof by the ſame Method and Means as are herein provided for the Payment of other Debts.

Serjeants wilfully ſuffering an Eſcape, or Goods to be removed, to pay Debt and Coſts.

XVIII. And be it further enacted by the Authority aforeſaid, That no Perſon ſhall be capable of acting as a Commiſſioner in the Execution of this Act, until he ſhall have taken an Oath, or (being of the People called *Quakers*) made an Affirmation, to the following Effect; (that is to ſay)

Commiſſioners to be ſworn.

'I *A. B.* do ſwear (*or* affirm), That I will faithfully, impartially, and honeſtly, according to the beſt of my Judgment, hear and determine all ſuch Matters and Cauſes as ſhall be brought before me, by virtue of an Act of Parliament *for the more eaſy and ſpeedy Recovery of Small Debts within the Soake of* Bolingbrooke *and Wapentake of* Canoleſhoe, *in the Parts of* Lindſey, *in the County of* Lincoln, without Favour or Affection, Prejudice or Malice, to either Party.

The Oath.

'*So help me* GOD.'

Which Oath the Clerk of the ſaid Courts, or any of the Commiſſioners who ſhall have taken ſuch Oath, is and are hereby empowered and required to adminiſter in open Court; and the Clerk of the ſaid Courts ſhall enter, or cauſe a Memorial thereof to be entered, in the Regiſter of the ſaid Court.

Memorial thereof to be regiſtered.

XIX. And be it further enacted, That no Attorney at Law or Solicitor, of any Court whatſoever, ſhall be allowed to plead or maintain any Privilege againſt the Proceſs, Authority, Juriſdiction, or Judgment of the ſaid Court of Requeſts, or be admitted to appear in the ſaid Court of Requeſts as an Attorney or Advocate in Behalf of any Plaintiff or Defendant.

No Attorney, &c. to plead, or have Privilege in the Court.

XX. And

XX. And be it further enacted by the Authority aforesaid, That the several Fees herein-after limited and expressed, and no other, shall be taken by the Clerk or Serjeants, or their Successors, for his and their several and respective Services in the Execution of this Act; (that is to say)

Table of Fees;

*To the* CLERK.

For entering every Cause, Sixpence.
For issuing every Summons, Sixpence.
For every Subpœna, Sixpence.
For calling every Plaintiff or Defendant before the Court, Threepence.
For every Hearing or Trial, Sixpence.
For swearing every Witness, Plaintiff, or Defendant, Threepence.
For every Order, Judgment, or Decree, Sixpence.
For a Nonsuit, Sixpence.
For every Search in the Books, Threepence.
For paying Money into Court, Sixpence.
—— If by Instalments, Sixpence in the Pound more.
For taking Money out of Court, and acknowledging Satisfaction in the Clerk's Book, Sixpence.
For every Attachment, Sixpence.
For every Execution, Sixpence.
For every Warrant of Commitment for an Insult or Misbehaviour in the Court, or to the Commissioners, Clerks, or Officers of the Court, one Shilling.

*To the* SERJEANTS.

For the Service of every Summons, Order, or Subpœna, if within any of the Towns of *Spilsby*, *Sibsey*, *Burgh*, and *Wainfleet All Saints*, and attending the Court with the Return thereof, Sixpence.
—— If out of any of the said Towns, Threepence more for every Mile.
For calling every Plaintiff or Defendant before the Court, one Penny.
For executing every Attachment, Execution, or Warrant, against the Body or Goods, one Shilling.
—— If out of any of the Towns of *Spilsby*, *Sibsey*, *Burgh*, or *Wainfleet All Saints*, Threepence more for every Mile.
For carrying every Plaintiff, Defendant, or Delinquent, to Prison, Sixpence for every Mile.

To be hung up in the Court-house.

A Table of which Fees shall, from Time to Time, be hung up, by the Clerk of the said Courts, in some conspicuous Part or Parts of the said Court-house or Court-houses, Place or Places, where the said Commissioners shall meet, so that all Persons concerned may see and examine the same.

Costs in no Case to exceed 15 s.

XXI. Provided always, That no Costs to be given, awarded, or allowed, by the said Commissioners, shall, in any Case whatsoever, exceed the Sum of fifteen Shillings.

Penalty on Officers taking greater Fees.

XXII. And be it further enacted by the Authority aforesaid, That if the Clerk, or any of the Serjeants of the said Court, for the Time being, shall take or demand any greater or other Fees or Reward than what are herein-before mentioned, for his or their Service in the Execution of this Act, he and they shall, for every such Offence, forfeit and pay such Fine (not exceeding the Sum of forty Shillings, nor less than ten Shillings) as the said Commissioners, or any seven or more of them, shall assess and impose, to be applied to the Use of the Poor of the Parish where the Offence shall be committed.

Clerk and Serjeants may be displaced for Misbehaviour.

XXIII. And be it further enacted by the Authority aforesaid, That if the said Clerk, or any of the Serjeants, shall be guilty of any Misbehaviour, either by Neglect or Breach of Duty, or in taking greater Fees than before mentioned, or otherwise, in the Execution of their respective Offices, that then, upon Complaint, and due Proof thereof made upon Oath, in open Court, the said Commissioners, or the major Part of them then sitting, are hereby directed and required to cause the whole Number of Commissioners to be summoned, by an Advertisement to be inserted in some public Newspaper usually circulated within the said Soake and Wapentake, to meet at a convenient Time and Place; and the Commissioners then present, not being less than eleven in Number, shall and may examine and consider the Merits of such Complaint: and if it shall appear to such Commissioners, or the major Part of them, that the Clerk, or any of the Serjeants, have been guilty of such Misbehaviour or Breach of Duty as aforesaid, in his Office, it shall and may be lawful to and for the said Commissioners, or the major Part of them then assembled, to dismiss or remove such Clerk or Serjeant from his said Office, and to nominate and appoint a fit and proper Person to execute the said Office of Clerk or Serjeant, in the Room and Place of him so dismissed and removed as aforesaid.

No Commissioner, &c. to act where interested.

XXIV. And be it further enacted by the Authority aforesaid, That if any Commissioner of the said Court for the Time being shall be Party to, or interested in, any Cause depending in the said Court, such Person shall not be capable of acting as a Commissioner in the hearing and determining such Cause, or making any Order, Decree, or Judgment therein, but after being heard in the said Cause, shall withdraw from the said Court until the same is finally determined; and if the Clerk or Serjeant of the said Court for the Time being shall be a Party to, or interested in, any Cause depending in the said Court, such Clerk or Serjeant shall not exercise his said Office in the said Cause, or in any Thing relating thereto, but the Commissioners, or any three or more of them, assembled at such Court, shall and may depute and appoint another Person to exercise the said Office of Clerk or Serjeant respectively, in all Things relative to such Cause.

'XXV. And, for the better enforcing the Orders and Decrees from Time to Time to be made by the 'said Commissioners, and that the Commissioners, and the Clerk and Officers of the said Court, may be 'invested with proper Power and Authority, and be free and exempt from Insult and Abuse;' be it enacted by

by the Authority aforesaid, That if any Person or Persons shall affront, insult, or abuse, all or any of the Commissioners, Clerk, or Officers of the said Court for the Time being, during their sitting in the said Court, or in going to or returning from the same, or shall interrupt the Proceedings of the said Court, or at any Time shall affront, insult, or abuse, hinder, obstruct, or attempt or threaten to hinder or obstruct, the Clerk, or any of the Serjeants, in the lawful Execution of his or their respective Office or Offices, it shall and may be lawful to and for the said Commissioners, or any three or more of them, then sitting, or if not then sitting, at the next Court to be held in or near the Town where such Insult or Misdemeanor shall be committed, to cause a Warrant to be issued by the Clerk of the said Court, or his Deputy or Deputies, directing such Serjeant to apprehend and take, or cause such Person or Persons so offending as aforesaid to be apprehended and taken, before three or more of the said Commissioners; and upon the Fact alledged being proved, by the Oath of one or more credible Witness or Witnesses, the said Commissioners is and are hereby empowered and directed to punish such Person or Persons so offending as aforesaid, by Fine, not exceeding the Sum of forty Shillings, nor less than five Shillings, which shall be immediately paid into the Hands of the said Commissioners before whom such Offender or Offenders shall be convicted, and be paid and applied in like Manner as the Fines herein-before mentioned are directed to be applied; and if the said Offender or Offenders shall not pay the said Fine in Manner aforesaid, it shall and may be lawful to and for the said Commissioners, by Warrant under their Hands and Seals, to cause the same to be levied by Distress and Sale of the Offender's Goods, or to commit such Person or Persons, so offending as aforesaid, to some Common Gaol or House of Correction in the said County of *Lincoln*, there to remain for any Space of Time not exceeding three Calendar Months, or until he, she, or they shall pay the said Fine.

Penalty on insulting the Court.

The Offender, on Nonpayment of the Fine, to be committed.

XXVI. Provided always, and be it further enacted by the Authority aforesaid, That the Clerk of the said Court shall fix, or cause to be fixed or stuck up, in some public Part of each of the said Court-houses, or other Places where the said Commissioners shall meet, a true Copy of the last preceding Clause of this Act, to the End that no Person or Persons shall or may plead Ignorance thereof.

Copy of preceding Clause to be stuck up in the Court-house.

XXVII. And be it further enacted by the Authority aforesaid, That the respective Keepers, for the Time being, of the respective Common Gaols or Houses of Correction within the said County of *Lincoln*, shall and may, and they are hereby required and commanded to receive and take into Custody, respectively, all and every Person and Persons who shall be committed, or ordered to stand committed, by any three or more of the said Commissioners present in Court, or by virtue of any Warrant, Attachment, Execution, or other Process, issuing out of the said Court of Requests.

Gaolers, &c. to receive Persons committed.

XXVIII. And in case the Keepers of the said Gaols or Houses of Correction, respectively, or either of them, shall neglect or refuse to receive and take into his or their Custody, any Person or Persons committed by virtue of this Act, or, before the Expiration of the Time for which any Person or Persons shall be so committed to his or their Custody, shall discharge such Person or Persons, or wilfully permit and suffer such Person or Persons to go at large, without a Warrant, Order, or Authority for that Purpose, in Writing, signed in Court by three or more of the said Commissioners, every Keeper offending in any of the Cases aforesaid, and being thereof convicted before either or any of the Courts to be held by virtue of this Act, upon the Oath or Oaths of one or more credible Witness or Witnesses, or on his or their own Confession, shall forfeit and pay, for every such Offence, any Sum not exceeding five Pounds, nor less than forty Shillings, at the Discretion of such Court; and such Sum shall be immediately paid, by the Person or Persons so offending, into the Hands of the Clerk of the said Court for the Time being, before whom he or they shall be convicted, or, in Default thereof, shall and may be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hands and Seals of any three or more of the said Commissioners, in Court assembled; which Sum, when paid or levied, shall be applied in like Manner as the Fines herein-before mentioned are directed to be paid and applied.

Penalty on Refusal, or permitting Escape.

XXIX. And be it further enacted by the Authority aforesaid, That no Action or Suit for any Debt, not amounting to the Sum of forty Shillings, and recoverable by virtue of this Act in the said Court of Requests, shall be brought against any Person or Persons, residing or inhabiting within the Jurisdiction thereof, in any of the King's Courts at *Westminster*, or any other Courts whatsoever, except in the Court Baron for holding Pleas of Debt within the said Soake of *Bolingbrooke*, belonging to his Majesty in Right of his Duchy of *Lancaster*, or elsewhere out of the said Court of Requests; and no Suit that shall be commenced in the said Court of Requests, in pursuance of this Act, nor any Proceedings therein, shall or may be removed into any superior Court; but the Judgments, Decrees, and Proceedings of the said Court shall be final and conclusive, to all Intents and Purposes.

No Action for any Debt, recoverable by this Act, to be brought in any other Court; Exception.

XXX. And be it further enacted by the Authority aforesaid, That this Act, or any Thing herein contained, shall not extend to any Debt for Rent, upon any Lease or Contract, where the Title of any Lands, Tenements, or Hereditaments, can or may come in Question, or in or upon any other real Contract; nor to any Debt that shall arise upon or by reason of any Cause concerning any last Will or Testament, or Matrimony, or any Thing properly belonging to the Ecclesiastical Courts; nor to any Debt for Money won at, or by Means of any Horse-race, Cock-match, Wager, or any kind of Gaming or Play; or for any Forfeiture upon any penal Statute; nor to any Debt whereof there hath not been a Contract, Acknowledgment, Undertaking, or Promise to pay, within six Years before the taking out of the Summons for the same, although such Debt shall not amount to forty Shillings.

To what Debts this Act shall not extend.

XXXI. And be it further enacted by the Authority aforesaid, That in case any Person or Persons, making Oath, or giving Evidence, in any Cause or Matter whatsoever depending in the said Court of Requests, shall commit wilful and corrupt Perjury, and be thereof duly convicted according to Law, such Person or Persons shall incur and suffer the like Pains and Penalties as any other Person or Persons convicted of wilful and corrupt Perjury is or are liable to, or shall be subject to, by the Laws and Statutes of this Realm.

Penalty on wilful Perjury.

XXXII. And be it further enacted by the Authority aforesaid, That in case any Person residing within the Soake and Wapentake aforesaid, who shall be duly served with a Subpœna or Summons, to be issued out

Penalty on not obeying a Subpœna.

out of the said Court of Requests, to give Evidence on Behalf of any Plaintiff or Defendant, shall neglect or refuse to appear pursuant to such Subpœna or Summons, at the Time and Place therein mentioned, and due Proof shall be made of the Service of such Subpœna or Summons, and no Cause of Absence be shewn or assigned, to the Satisfaction of the Commissioners present at the Court to which such Person shall be by such Subpœna or Summons required to appear, and Oath shall be made before the said Commissioners, by the Party at whose Instance and on whose Behalf such Subpœna or Summons issued, that the Person served therewith was a material Witness for such Party, it shall and may be lawful to and for the said Commissioners, or any three or more of them, assembled in such Court, to impose and lay a Fine, not exceeding fifty Shillings, nor less than five Shillings, to be levied (if not immediately paid on Demand) by Distress and Sale of the Offender's Goods, by Warrant under the Hands and Seals of the said Commissioners, or any three or more of them; which Fine, when paid or levied, shall be paid over to the Party at whose Instance such Subpœna or Summons issued.

Reservation of the Rights of the Court Baron for the Soake of Bolingbrooke.

XXXIII. Provided always, and be it enacted by the Authority aforesaid, That this Act shall not extend to alter, change, take away, or annul, any of the Rights, Privileges, Franchises, and Jurisdictions, belonging to his most Excellent Majesty, in Right of his Duchy of *Lancaster*, as Lord of the Honour of *Bolingbrooke*, or of the Right Honourable the Earl of *Scarborough*, as Lessee of the said Honour of *Bolingbrooke*, or his Under Lessee, their Heirs or Assigns; but that the same shall be, remain, and continue, in as full and ample Power, Jurisdiction, and Authority, as if this Act had never been made, and shall not be, or be deemed to be, altered, lessened, or affected thereby; any Thing herein contained to the contrary thereof in anywise notwithstanding.

Limitation of Actions.

XXXIV. And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be brought or commenced against any Person or Persons for any Matter or Thing done or to be done in pursuance of this Act, such Action or Suit shall be brought or commenced within three Calendar Months next after the Cause of Action shall arise, and not afterwards, and shall be laid in the County of *Lincoln*, and not elsewhere; and the Defendant or Defendants in such Action or Suit shall and may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereon: And if the Plaintiff or Plaintiffs shall become nonsuited, or discontinue such Action or Suit, or if upon a Verdict or Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover Treble Costs, and have such Remedies for the same as any Defendant or Defendants can or may have in other Cases where Costs are given by Law.

General Issue.

Treble Costs.

Public Act.

XXXV. And be it further enacted by the Authority aforesaid, That this Act shall be deemed, adjudged, and taken to be a public Act; and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons whomsoever, without specially pleading the same.

## CAP. XXXV.

An Act for the better Relief and Employment of the Poor within the Hundred of *Stow*, in the County of *Suffolk*.

## CAP. XXXVI.

An Act for the more easy and speedy Recovery of small Debts, within the *Isle of Ely*, in the County of *Cambridge*.

Preamble.

'WHEREAS several extensive Branches of Trade and Business are carried on in the *Isle of Ely*, in the County of *Cambridge*, and many ill-disposed Persons, within the said Isle, do contract small Debts, and although able, refuse to pay the same, presuming on the Discouragement which Creditors lie under, from proceeding for the Recovery of such Debts by the present Forms of Law, on account of the great Expences and Delays which attend the same: And whereas such Debts, so contracted within the *Isle of Ely*, cannot be sued for or recovered in the County Court belonging to the County of *Cambridge*: And whereas an easy and speedy Method of recovering small Debts, within the said Isle, will greatly tend to promote Industry, and support and encourage useful Credit therein;' may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Honourable *Charles Hervey* D. D. Sir *Henry Peyton* Baronet, Sir *Philip Vavazor* Knight, *John Warren* D. D. *Richard Colvile*, *Francis Dixon*, *John Drage*, *John Goddard*, *Charles Gould*, *John Gardner*, *Marriot Gardner*, *Aungier Peacocke*, *John Waddington*, *Robert Walsham*, *George Waddington*, Esquires; *James Bentham*, *William Cole*, *John Dickinson*, *William Holden*, *Abraham Jobson*, and *David Wray*, Clerks; *Oglethorpe Wainman* M. D. *James Addington*, *William Ainger*, *Joseph Brown Allen*, *John Argles*, *Thomas Arks*, *James Aveling*, *William Aveling*, *Francis Bagge*, *John Bateman*, *James Bellamy*, *Robert Bellamy*, *Richard Bevill*, *Thomas Bleckley*, *Thomas Boyce*, *Charles Boyce*, *James Boyce*, *Lodowick Boyce*, *Abraham Briggs*, *Joseph Briggs*, *Matthew Brackenbury*, *James Bradley*, *William Brown*, *Richard Burridge*, *John Cain*, *Bennet Clare*, *Thomas Chapman*, *Robert Cheesewright*, *David Cowherd*, *Thomas Elsome*, *Richard Emotson*, *Thomas Fawssett*, *Charles Freeman*, *William Frusher*, *Robert Garnham*, *Cook Gallaway*, *Stephen Gilder*, *John Glenton*, *Thomas Gotobed*, *Robert Grinditch*, *David Grounds*, *Thomas Ground*, *John Ground*, *Joseph Hancock*, *John Hancock*, *Thomas Hammond* junior, *Thomas Hanson*, *John Harrison*, *Robert Hardwicke*, *John Harlock*, *Henry Haynes*, *Robert Hemmant*, *William Hill*, *George Hutchesson*, *John Ibbott*, *Joseph Jaques*, *Robert Kilby*, *Samuel Kempton*, *Robert Hutchesson Lewin*, *Thomas Life*, *Josiah King Life*, *William Livermore*, *William Long*, *John Lowden*, *John Luff*, *Hugh Maplesden*, *Henry Lawrence Maydwell*, *William Martin*, *Isaac Meers*, *Gilbert Miller*, *Henry Morley*, *Thomas*

Commissioners Names.

*mas Moſs*, *John Murkins*, *Robert Muriel*, *John Mayer*, *Thomas Newman*, *Thomas Page*, *Jonathan Peckover*, *Francis Philips*, *Henry Poole*, *Thomas Poole*, *William Plummer*, *John Ratcliffe*, *William Rayner*, *John Rayner*, *Joſeph Read*, *James Robinſon*, *William Ruſſel*, *William Setchfield*, *Thomas Shepheard*, *William Shepherd*, *John Shuker*, *William Skrimſhire*, *Thomas Skeels*, *William Smalley*, *Thomas Smith* of *Wiſbech*, *Thomas Smith* of *Chatteris*, *James Smith*, *Thomas Southa*, *Nathan Speoner*, *Luke Staples*, *Robert Stevens*, *John Stone*, *George Swaine*, *John Thompſon*, *William Thorpe*, *Thomas Thorburn*, *John Tubbs*, *Jonathan Uſill*, *Robert Wenſley*, *Henry Waddelow*, *John Walſham*, *Robert Ward*, *Love Ward*, *John Wilkinſon*, *Thomas Wilſon*, *William Wilſon*, *John Wing*, *William Witton*, *Walker Wraight*, *Walker Wraight* junior, *John Wing* junior, *John Wyer*, *John Yorke*, and *John Hardy* junior, ſhall be, and they are hereby declared, conſtituted, and appointed, Commiſſioners to hear and determine all ſuch Cauſes and Matters of Debt as are herein-after mentioned; and ſuch Commiſſioners, and their Succeſſors, are hereby conſtituted a Court of Juſtice, by the Name and Style of *The Court of Requeſts for the* Iſle of Ely, *in the County of* Cambridge.

Commiſſioners conſtituted a Court.

II. And be it further enacted, That the ſaid *Iſle of Ely*, for the better anſwering the Purpoſes of this Act, ſhall be divided into four ſeparate Diviſions; the firſt to contain the Hundred of *Ely*, and the South Part of the Hundred of *Witchford*, in the ſaid Iſle; the ſecond to contain the Hundred of *Wiſbech*, in the ſaid Iſle; the third to contain the Liberties of *Whittleſey* and *Thorney*, in the North Part of the ſaid Hundred of *Witchford*; and the fourth to contain the Remainder of the ſaid North Part of the ſaid Hundred of *Witchford*: And that the ſaid Commiſſioners, or any three or more of them, ſhall, and are hereby authoriſed and required to meet, aſſemble, and hold the ſaid Court, in and for the ſaid ſeveral Diviſions, at ſuch Places, on ſuch Days, and in ſuch Manner, as are herein-after mentioned; (that is to ſay) The Court for the ſaid firſt Diviſion, at the Place commonly called *The Shire-houſe*, or ſome other convenient Place in the Town of *Ely*, on the firſt *Friday* in *June* next after the paſſing of this Act, and afterwards on the firſt *Friday* in every Month; the Court for the ſecond Diviſion, at the Place commonly called *The Shire-houſe*, or ſome other convenient Place in the Town of *Wiſbech Saint Peter's*, in the ſaid *Iſle of Ely*, on the ſecond *Friday* in *June* next after the paſſing of this Act, and afterwards on the ſecond *Friday* in every Month; the Court for the third Diviſion, at the Town of *Whittleſey* aforeſaid, on the third *Friday* in *June* next after the paſſing of this Act, and afterwards on the third *Friday* in every Month; and the Court for the fourth Diviſion, at the Place commonly called *The Guildhall*, or ſome other convenient Place, in the Town of *March* in the ſaid *Iſle of Ely*, on the fourth *Friday* in *June* next after the paſſing of this Act; and at ſome convenient Place in the Town of *Chatteris*, in the ſaid Iſle, on the fourth *Friday* in *July* next after the paſſing of this Act, and afterwards on the fourth *Friday* in every Month, at ſome convenient Places in the reſpective Towns of *March* and *Chatteris* aforeſaid, alternately; provided that no Court ſhall be holden on *Good Friday*, or on *Chriſtmas-day* when *Chriſtmas-day* ſhall fall on a *Friday*; in either of which Caſes the Court ſhall be holden on the next preceding Day.

The Iſle divided into four Diviſions.

Where the Court ſhall be held for the reſpective Diviſions.

III. Provided alſo, and be it enacted, That if it ſhall happen, at any Time after the paſſing of this Act, that no Cauſe or Matter of Debt ſhall be heard and determined within the ſaid third and fourth Diviſions, or either of them, for the Space of one whole Year, then the Pariſhes and Hamlets within ſuch of thoſe Diviſions, where no Cauſe or Matter of Debt ſhall have been heard and determined for the Space of one Year as aforeſaid, ſhall at all Times from thenceforth be deemed and taken to lie and be in the ſaid ſecond Diviſion, as if the ſame had been originally named in this Act as Part or Parcel of ſuch ſecond Diviſion; and that the ſaid Commiſſioners, and their Officers and Servants, within the ſaid ſecond Diviſion, ſhall for ever thereafter be, and are hereby veſted with the ſame Powers and Authorities, reſpecting all Cauſes and Matters of Debt ariſing in ſuch Pariſhes and Hamlets, or any of them, where no ſuch Cauſe or Matter of Debt ſhall have been heard and determined for the Space of one Year as aforeſaid, as if ſuch Pariſhes and Hamlets had been originally included in the ſaid ſecond Diviſion; any Thing in this Act contained to the contrary thereof in anywiſe notwithſtanding.

If no Cauſe ſhall be heard within the third or fourth Diviſions within one Year, ſuch Diviſions reſpectively ſhall be deemed to be in the ſecond Diviſion.

IV. Provided alſo, That in caſe three or more of the ſaid Commiſſioners appointed, or to be appointed, by virtue of this Act, ſhall neglect or refuſe to aſſemble, on any of the Days appointed for holding the ſaid Court, then it ſhall and may be lawful to and for the Clerk or Clerks of the ſaid Court, or his or their Deputy or Deputies for the Time being, to adjourn the ſaid Court to ſome other convenient Day, within four Weeks from the Day on which the ſaid Court ought to have been holden, or until the next General Court Day to be holden in Rotation as aforeſaid.

If three Commiſſioners ſhall not aſſemble, the Clerk may adjourn the Court.

V. And be it enacted by the Authority aforeſaid, That the ſaid Commiſſioners and their Succeſſors, to be choſen as herein-after is mentioned, or any three or more of them, ſhall have full Power and Authority, by virtue of this Act, to hear and determine all ſuch Cauſes and Matters of Debt as ſhall be brought before them, in Manner as hereafter is mentioned, and to give ſuch Judgments, and make ſuch interlocutory and final Orders and Decrees therein, and to award ſuch Execution thereupon, with Coſts, both againſt the Bodies and the Goods and Chattels of all and every the Perſon and Perſons againſt whom they ſhall give or make any ſuch Judgment, Order, or Decree, as to them ſhall ſeem juſt, and moſt agreeable to Equity and good Conſcience.

Power of the Commiſſioners.

VI. And be it further enacted by the Authority aforeſaid, That in caſe any of the ſaid Commiſſioners, or their Succeſſors to be choſen in Manner hereafter mentioned, ſhall neglect to act in the Execution hereof, for the Space of twelve Calendar Months together, or ſhall refuſe to act, or ſhall die, then, and in any of theſe Caſes, it ſhall and may be lawful to and for the ſaid Commiſſioners, and their Succeſſors to be choſen as herein-after mentioned, or any eleven or more of them, to meet and aſſemble together, at any Time after ſuch Death, Refuſal, or Neglect to act, for the Diviſion or Diviſions in or neareſt which ſuch Commiſſioner or Commiſſioners ſo dying, refuſing, or neglecting to act as aforeſaid reſided, and to elect and appoint, out of ſuch Diviſion or Diviſions, as they ſhall think proper, one or more Commiſſioner or Commiſſioners, in the Place of the Commiſſioner or Commiſſioners ſo dying, refuſing, or neglecting to act;

When Commiſſioners die, or refuſe to act, new ones to be choſen.

and that every such Commissioner so elected and appointed shall be, and is hereby vested with the same Powers and Authorities to act in the Execution hereof, as if he or they had been particularly named in this Act.

Directions for appointing Clerks and Serjeants.

VII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, or any eleven or more of them, at the first respective Meetings to be holden next after the passing of this Act, for the said respective Divisions, to nominate and appoint a Clerk and Serjeant of the said Court of Requests in each Division, during their respective good Behaviours; and that whenever it shall happen that the Place of Clerk or Serjeant of the said Court shall become vacant, by Death, Resignation, Misbehaviour, or otherwise, the Commissioners for the Time being, or any eleven or more of them, shall meet, as soon as conveniently may be after such Vacancy shall happen, and the Majority of the Commissioners so met shall be, and they are hereby authorised and required to chuse and appoint another Clerk or Serjeant for the Division where such Vacancy shall happen, during his good Behaviour; provided that no Person shall be capable of acting as Principal, or Deputy Clerk or Serjeant, for any of the said Divisions, unless he be actually a Resiant or Inhabitant of the Towns, or one of them, at which the Court for such Division is appointed to be holden; and that no Commissioner, or any Person or Persons who shall keep any Victualling-house, Ale-house, or other House of public Entertainment, or who shall sell any Wine, Cyder, Beer, Ale, Spirituous or other strong Liquor by Retail, shall be capable of holding the Office of Clerk, or any other Place of Profit belonging to the said Court.

Victuallers, &c. not to hold any Place of Profit.

Clerk to fix up Lists of Commissioners in the Court-house;

VIII. And be it further enacted by the Authority aforesaid, That the Clerks within the said respective Divisions, to be chosen and appointed as aforesaid, or his or their lawful Deputy or Deputies shall, from Time to Time, make and cause to be fixed up in some convenient Part of each of the Houses where the said Courts are to be holden, fair and complete Lists in Writing of the Commissioners herein named and appointed, or to be elected and appointed as aforesaid; and shall also, and are hereby authorised and required to issue, or cause to be issued out, all Summonses, Attachments, Warrants, Subpœnas, and Precepts, and to enter and register, or cause to be entered and registered, all the Acts and Proceedings of the said Court, within their respective Divisions, in proper Books to be provided by them, and kept for that Purpose: And that the Serjeants for the Time being, or their lawful Deputies, shall be, and are hereby empowered and required to serve and execute, or cause to be served and executed, all such Summonses, Orders, Attachments, Warrants, Subpœnas, Executions, and Precepts as aforesaid, within their respective Divisions, and to do and perform all such other Acts, Matters, and Things, as are herein directed to be done by them.

and to issue Summonses, and register Orders, &c.

Serjeants to serve Precepts.

Persons may sue for Debts under 40s.

IX. And be it further enacted by the Authority aforesaid, That from and after the passing of this Act, it shall and may be lawful to and for all and every Person and Persons whatsoever, who now hath or have, or hereafter shall have, any Debt or Debts, not amounting to the Sum of forty Shillings, due or owing to him, her, or them, in his, her, or their own Right, or as Executor, Administrator, Guardian, or Trustee, by or from any other Person or Persons whatsoever, inhabiting or residing within the said *Isle of Ely*, or trading or dealing, or seeking a Livelihood therein, or at any Time or Times frequenting or resorting to any of the Towns within the said Isle, to apply to the Clerks of the said Court, within their respective Divisions, or their respective Deputies for the Time being, who shall immediately make an Entry in their Books of the Causes, in their respective Divisions, expressing the Names of the Parties, and the Sums demanded; and shall thereupon make out and deliver a Summons, in Writing, under their respective Hands, directed to such Debtor or Debtors, expressing the Sum demanded of him, her, or them, and the Name or Names of the Party or Parties demanding the same, thereby requiring and commanding such Debtor or Debtors to appear, at a certain Time and Place, before the Commissioners of the said Court, in and for such Division where such Debtor or Debtors shall inhabit or reside, trade, or resort, to answer concerning such Demands; and the Serjeant or Serjeants of the said Court shall forthwith serve, or cause such Summons to be served on such Debtor or Debtors, either personally, or by leaving the same at the Dwelling-house or Place of Abode, Lodging, Shop, Shed, Stall, Stand, or other Place of dealing or trading, of such Debtor or Debtors, within the said *Isle of Ely*; and that the said Commissioners assembled in Court, or the major Part of them so assembled, shall, upon Proof made of the Service of such Summons, have full Power and Authority, by virtue of this Act, to make due Enquiry concerning such Demands, and to pronounce and give such final Sentence or Judgment, and to make such interlocutory or final Orders and Decrees therein, as to them shall seem most just and equitable.

How Officers are to proceed.

'X. And, for the better regulating the Proceedings of the said Court, and rendering the Act effectual 'for the Purposes thereof,' be it enacted by the Authority aforesaid, That the Commissioners for the Time being, or any five or more of them, being a Majority of the said Commissioners assembled in Court as aforesaid, shall have full Power and Authority by virtue of this Act, from Time to Time, and as often as they shall see Occasion, at any of the said Courts, to make such Rules or Orders, for the better regulating of the Practice of the said Courts, as to them shall seem necessary, and conducive to the Purposes of this Act, so as they shall be consistent with Equity, and do not tend to lessen, abridge, or alter, the Fees herein-after allowed by this Act to be taken by the respective Clerks, Serjeants, or Officers, of the said Courts for the Time being, or to the Exercise of any Jurisdiction inconsistent with the true Intent and Meaning of this Act, and do relate to the Process, Practice, and Method of Proceeding of and in the said Courts only; which said Rules and Orders shall be kept and observed by the said Commissioners, and the Officers and Suitors of the said Courts.

Commissioners may regulate Proceedings;

'XI. And, for the better Discovery of the Truth, and more solemn Determination of all Causes and 'Matters which shall be depending in the said Court,' be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners, or any three or more of them in Court assembled, and they are hereby empowered to administer, or cause to be administered, an Oath to the Plaintiff

and administer Oaths.

Plaintiff or Plaintiffs, Defendant or Defendants, and to such Witness or Witnesses as shall be produced by either Party, and also to all or any of the Officers of the said Court, and to any other Person or Persons whatsoever, whose Evidence shall, to the said Commissioners, or the major Part of them assembled at such Court, appear necessary.

On Non-appearance of Defendant, Commissioners may proceed ex parte;

XII. And be it further enacted by the Authority aforesaid, That if any Debtor or Debtors, who shall have been duly summoned as aforesaid, shall, without some good Cause, to be allowed by the said Court before whom he, she, or they shall be summoned, refuse or neglect to appear in the said Court at the Time mentioned in the said Summons, then it shall and may be lawful to and for the said Commissioners assembled in Court, or the major Part of them so assembled, upon Proof being made upon Oath of the Service of the said Summons in Manner before directed, to proceed to hear the Cause on the Part of the Plaintiff or Plaintiffs only, and to make such Order, Decree, or Judgment therein, and to award such Costs of Suit, as to them shall seem meet; and that if, upon the Day of the Return of the Summons, or at any Continuation or Adjournment of the said Court, the Plaintiff or Plaintiffs shall not appear, or appearing shall not make Proof upon Oath of his, her, or their Debt or Debts, to the Satisfaction of the said Court, it shall and may be lawful to and for the said Commissioners assembled in Court, or the Majority of them so assembled, to award to the Defendant or Defendants reasonable Costs, and to order and compel the Plaintiff or Plaintiffs to pay the same, by such Ways and Means as are herein provided for the enforcing of the Payment of the Debts and Costs ordered and decreed by the said Court to be paid.

and on Non-appearance or Nonsuit of Plaintiff, may award Costs.

Commissioners may award Execution;

XIII. And be it further enacted by the Authority aforesaid, That in any Case where the said Commissioners assembled in Court, or the Majority of them so assembled, shall have made any Order or Decree for the Payment of Money, it shall and may be lawful to and for the said Commissioners assembled in Court, or the major Part of them so assembled, to award Execution, either against the Body or Goods of the said Party or Parties against whom such Order or Decree shall be made; and thereupon it shall and may be lawful to and for the said Clerk of the said Court, for the Division where such Order or Decree shall be made, at the Request of the Party or Parties prosecuting such Order or Decree, to issue a Precept, under his Hand and Seal, to any Serjeant or Serjeants of the said Court; who, by virtue of any such Precept issued upon the Execution awarded against the Body or Bodies of such Party or Parties, shall and may, and is hereby empowered and required to take and apprehend, or cause to be taken and apprehended, such Party or Parties, being within the said *Isle of Ely*, and to convey him, her, or them, to the Common Gaol or House of Correction, within the said *Isle of Ely*, in or nearest to the Division where such Party or Parties shall be taken, there to remain until he, she, or they, shall perform and obey such Order, Decree, or Judgment, so as no Person shall remain in Confinement for any longer Space of Time than three Calendar Months upon any such Execution; and such Serjeant or Serjeants, by virtue of any such Precept issued upon the Execution awarded against the Goods of such Party or Parties, shall and may, and is and are hereby empowered and required to levy, by Distress and Sale of the Goods of such Party or Parties, being within the said *Isle of Ely*, such Sum and Sums of Money, and Costs, as shall be so ordered and decreed; and if the Party or Parties against whose Body or Goods such Execution shall be awarded, and such Process issue thereupon, shall, by absconding, or by secreting or removing his, her, or their Goods, or by any other Means, prevent or evade the Service or Effect of any such Execution, it shall and may be lawful to and for the said Commissioners assembled in Court, or the major Part so assembled, upon due Proof thereof made before them, by the Oath of such Serjeant or Serjeants, or one or more credible Witness or Witnesses, at their Discretion, to award Execution, either against the Body or Goods of such Party or Parties, and Process shall issue thereupon, and be executed by the respective Serjeants, in Manner aforesaid, until the Party or Parties, at whose Suit such Execution shall be issued, shall be fully paid and satisfied: And that in case the said Commissioners shall at any Time, upon the Request, and for the Ease and Convenience of the Defendant or Defendants, order and decree the Debt due to the Plaintiff or Plaintiffs to be paid at several Payments, then, upon the first Default or Failure of any of the said Payments so ordered and decreed, the said Commissioners assembled in Court, or the major Part of them so assembled, shall and may, at the Instance of the Plaintiff or Plaintiffs, and upon due Proof of the said Default or Failure, award Execution for the whole Debt, or such Part thereof as shall then remain unpaid, together with such further Costs as to them shall seem reasonable, to be recovered by the same Ways and Means as are herein-before provided for the recovering of the Debt and Costs first ordered or decreed to be paid; the former Order, Decree, or Judgment, to the contrary notwithstanding.

and commit the Party.

When Debts are ordered to be paid at several Times, Commissioners may award Execution upon the first Default of Payment.

On Execution, Clerk to indorse the Debt and Costs.

In what Cases Executions shall be superseded.

XIV. And be it further enacted by the Authority aforesaid, That every Precept to be issued upon any Execution awarded against the Body or Goods of any Person or Persons whatsoever, the Clerk of the said Court who shall issue the same, shall indorse, or cause to be indorsed, the Sum or Sums of Money, and Costs, ordered and decreed to be paid; and if the Party or Parties, against whom such Execution shall be awarded, shall, before any actual Sale of his, her, or their Goods, or before he, she, or they, shall be apprehended, or before the Expiration of his, her, or their Imprisonment, pay, or cause to be paid, or tendered, unto the Clerk of the Court who shall issue such Precept, such Sum or Sums of Money, and Costs, together with one Shilling as a Reward for his Trouble in receiving and paying over such Debt and Costs to the Plaintiff or Plaintiffs, and entering Acknowledgment of Satisfaction in the Book or Register of the said Court, where such Order or Decree shall be made, for such Debt and Costs, and also the Sum of two Shillings and Sixpence for Gaol Fees, in case such Party or Parties shall have been committed to Prison, then, and in any of such Cases, the Execution shall be superseded, and the Body or Bodies, and Goods, of such Party or Parties, shall be discharged and set at Liberty.

Serjeants wilfully suffering an Escape, or Goods to be removed, to pay Debt and Costs.

XV. And be it further enacted by the Authority aforesaid, That if the Serjeant of the said Court, in any of the said Divisions, who shall be employed to serve or levy any Execution, shall, by wilful Connivance or Neglect, cause or suffer the Party, against whom such Execution shall be awarded, to escape or abscond, or the Goods of such Party or Parties to be carried away or secreted, so as such Execution shall not have

have its due Effect, it ſhall and may be lawful to and for the ſaid Commiſſioners, aſſembled in Court, or the Majority of them ſo aſſembled, upon Complaint and due Proof made, upon the Oath of one or more credible Witneſs or Witneſſes, to order ſuch Serjeant to pay the Sum or Sums of Money, for which the ſaid Execution was awarded, to the Party complaining, and to enforce the Payment thereof by the ſame Ways and Means as are herein provided for the Recovery of other Debts.

Qualification of future Commiſſioners.

XVI. Provided always, and be it enacted by the Authority aforeſaid, That no Perſon ſhall be capable of acting as a Commiſſioner in the Execution of this Act (except the Commiſſioners herein-before named and appointed), unleſs he be actually ſeiſed or poſſeſſed, in his own Right, or in the Right of his Wife, of thirty Pounds *per Annum* in real Eſtate; or of ſix hundred Pounds in perſonal Eſtate; nor ſhall any Perſon be capable of acting as a Commiſſioner in the Execution of this Act during ſuch Time as he ſhall keep any Victualling-houſe, Ale-houſe, or other Houſe of public Entertainment, or (except in the Choice of Clerks of the ſaid Court, at the firſt Meetings to be holden for the reſpective Diviſions) until he ſhall have taken an Oath, or (being of the People called *Quakers*) made an Affirmation, to the Effect following:

Commiſſioners Oath.

'I *A. B.* do ſwear (*or* affirm), That I will faithfully, impartially, and honeſtly, according to the beſt of my Judgment, hear and determine all ſuch Matters and Cauſes as ſhall be brought before me, by virtue of an Act of Parliament *for the more eaſy and ſpeedy Recovery of ſmall Debts within the* Iſle of Ely, *in the County of* Cambridge, without Favour, Affection, or Prejudice, to either Party.'

Which Oath the Clerks of the ſaid Court, within their reſpective Diviſions, or any of the Commiſſioners who ſhall have taken ſuch Oath, is and are hereby empowered and required to adminiſter in open Court; and a Memorial thereof ſhall be entered by the ſaid Clerks, in the Books to be kept for entering the Acts and Proceedings of the ſaid Court: And that any Perſon or Perſons preſuming to act as a Commiſſioner, being diſqualified, or not having ſuch Qualification as aforeſaid, ſhall, for every Time he ſhall ſo act, forfeit and pay the Sum of fifty Pounds, to any Perſon who ſhall ſue for the ſame, in any of his Majeſty's Courts of Record, or in the Court of Pleas of the Royal Franchiſe in the ſaid *Iſle of Ely*, wherein no Eſſoin, Protection, Privilege, Wager-of Law, or more than one Imparlance, ſhall be allowed; and the Perſon proſecuted ſhall prove that he is qualified as aforeſaid, or otherwiſe ſhall pay the ſaid Sum of fifty Pounds, without any other Proof on the Part of the Proſecutor, than that ſuch Perſon acted as a Commiſſioner in the Execution of this Act.

Memorial thereof to be regiſtered.

Any Perſon acting as Commiſſioner, not being duly qualified, ſhall forfeit 50 l.

No Attorney, &c. to plead, or have Privilege, in the Court.

XVII. And be it further enacted, That no Attorney at Law or Solicitor, of any Court whatſoever, ſhall be allowed to plead or maintain any Privilege againſt the Proceſs, Authority, Juriſdiction, or Judgment of the ſaid Court of Requeſts, or be admitted to appear in the ſaid Court of Requeſts as an Attorney or Advocate in Behalf of any Plaintiff or Defendant.

XVIII. And be it further enacted by the Authority aforeſaid, That the ſeveral Fees herein-after limited and expreſſed, and no other, ſhall be taken by the reſpective Clerks and Serjeants of the ſaid Court of Requeſts, for the Time being, in their ſaid ſeveral Diviſions, for their ſeveral and reſpective Services in the Execution of this Act; (that is to ſay)

Table of Fees:

*To the* CLERKS

For entering every Cauſe, Sixpence.
For iſſuing every Summons, Sixpence.
For every Subpœna, Sixpence.
For calling every Plaintiff or Defendant before the Court, Threepence.
For every Hearing or Trial, Sixpence.
For ſwearing every Witneſs, Plaintiff, or Defendant, Threepence.
For every Order, Judgment, or Decree, Sixpence.
For a Nonſuit, Sixpence.
For every Search in the Books, Threepence.
For paying Money into Court, Sixpence.
—— If by Inſtalments, Sixpence in the Pound more.
For taking Money out of Court, and acknowledging Satisfaction in the Clerk's Book, Sixpence.
For every Attachment, Sixpence.
For every Execution, Sixpence.
For every Warrant of Commitment for any Inſult or Miſbehaviour in Court, or to the Commiſſioners, Clerks, or Officers of the Court, one Shilling.

*To the* SERJEANTS.

For the Service of every Summons, Order, or Subpœna, if within one Mile of the Cathedral Church of *Ely*, or within one Mile of the reſpective Pariſh Churches of *Wiſbech Saint Peter's* and *Chatteris*, or within one Mile of the reſpective Market-places of *Whittleſey* and *March*, and attending the Court with the Return thereof, Sixpence.
—— If beyond that Diſtance from any of the ſaid reſpective Places, Ninepence for every Mile.
For calling every Plaintiff or Defendant before the Court, one Penny.
For executing every Attachment, Execution or Warrant, againſt the Body or Goods, one Shilling.
—— If within one Mile of the Cathedral Church of *Ely*, or within one Mile of the reſpective Pariſh Churches of *Wiſbech Saint Peter's* and *Chatteris*, or within one Mile of the reſpective Market-places of *Whittleſey* and *March*, Sixpence.
—— If beyond that Diſtance from any of the ſaid reſpective Places, Ninepence for every Mile.
For carrying every Plaintiff, Defendant, or Delinquent to Priſon, Sixpence for every Mile.

A Table

A Table of which Fees ſhall, from Time to Time, be hung up, by the Clerks of the ſaid Court, within their reſpective Diviſions, in ſome conſpicuous Part or Parts of the ſeveral Places where the ſaid Commiſſioners ſhall meet for the Purpoſes of this Act, ſo that all Perſons who ſhall attend the ſaid Court may ſee and read the ſame. To be hung up in the Court-houſe.

XIX. And be it further enacted by the Authority aforeſaid, That if any of the Clerks or Serjeants of the ſaid Court, for the Time being, or any of their Deputy or Deputies, or other Perſon or Perſons employed by or under them or any of them, ſhall take or demand any greater or other Fees or Reward than what are herein-before mentioned, for his or their Services in the Execution of this Act, he and they ſhall, for every ſuch Offence, forfeit and pay ſuch Fine, not exceeding the Sum of forty Shillings, nor leſs than ten Shillings, as the ſaid Commiſſioners, or any ſeven or more of them, or the Majority of them aſſembled in Court, ſhall aſſeſs and impoſe, to be levied (if not immediately paid on Demand) by Diſtreſs and Sale of the Offender's Goods, by Warrant under the Hands and Seals of the ſaid Commiſſioners, or any three or more of them, and to be applied to the Uſe of the Poor of the Pariſh where the Offence ſhall be committed; and that if, upon Complaint made by any Perſon or Perſons upon Oath, in open Court, againſt any Clerk or Serjeant appointed, or to be appointed, by virtue of this Act, for taking or demanding greater Fees than as above mentioned, or for any Miſbehaviour whatſoever in the Execution of his Office, it ſhall appear to the Commiſſioners then ſitting in Court, or the major Part of them, that ſuch Complaint is well-founded, then ſuch Commiſſioners, or the major Part of them ſo ſitting in Court as aforeſaid, ſhall, and they are hereby directed and required to cauſe the whole Number of Commiſſioners to be ſummoned, by an Advertiſement to be inſerted in ſome public Newſpaper uſually circulated within the *Iſle of Ely*, to meet at ſome convenient Time and Place, within the Diviſion for which ſuch Clerk or Serjeant ſhall be appointed as aforeſaid, to examine into the Merits of ſuch Complaint; and if it ſhall appear to the Commiſſioners then preſent, or the major Part of them, not being leſs than eleven in Number, that ſuch Clerk or Serjeant hath been guilty of any ſuch Miſbehaviour as aforeſaid, it ſhall and may be lawful to and for ſuch Commiſſioners, or the major Part of them ſo aſſembled, to diſmiſs or remove ſuch Clerk or Serjeant from his ſaid Office, and appoint another in his Room. Penalty on Officers taking greater Fees. Clerk and Serjeants may be diſplaced for Miſbehaviour.

XX. And be it further enacted by the Authority aforeſaid, That no Commiſſioner ſhall ſit or give Judgment in any Cauſe depending in the ſaid Court wherein he is a Party, or any Way intereſted; but that every Commiſſioner who ſhall be a Party to, or intereſted in, any ſuch Cauſe, after being heard therein, ſhall withdraw till the ſame is finally determined; and that no Clerk or Serjeant of the ſaid Court, who ſhall be a Party to, or intereſted in, any Cauſe depending in the ſaid Court, ſhall exerciſe his ſaid Office in ſuch Cauſe, or in any Thing relating thereto, but the ſaid Commiſſioners aſſembled in Court, or the major Part of them ſo aſſembled, ſhall and may depute and appoint another Perſon to exerciſe the Office of Clerk or Serjeant reſpectively in all Things relative to ſuch Cauſe. No Commiſſioner, &c. is to act where intereſted.

'XXI. And, for the better enforcing the Orders and Decrees to be made by the ſaid Commiſſioners, 'and that the ſaid Commiſſioners, and the Clerks and Officers of the ſaid Court, may be inveſted with 'proper Power and Authority, and be free and exempt from Inſult and Abuſe;' be it enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall affront, inſult, or abuſe, all or any of the Commiſſioners, Clerks, or Officers of the ſaid Court for the Time being, during their ſitting in the ſaid Court, or in going to or returning from the ſame, or ſhall interrupt the Proceedings of the ſaid Court, or at any Time ſhall affront, inſult, or abuſe, hinder, or obſtruct, or attempt or threaten to hinder or obſtruct, any of the Clerks or Serjeants, or any of their Deputies, in the lawful Execution of his or their reſpective Office or Offices, it ſhall and may be lawful to and for the ſaid Commiſſioners aſſembled in Court, or the major Part of them ſo aſſembled at the Time of ſuch Inſult or Miſbehaviour, or if not then ſitting, at the next Court to be holden in or neareſt the Town where ſuch Inſult or Miſdemeanor ſhall be committed, to cauſe a Warrant to be iſſued by the Clerk of the ſaid Court for the Diviſion where ſuch Offence ſhall happen, or his Deputy, directing the Serjeant of the ſaid Court, for ſuch Diviſion where ſuch Offender or Offenders ſhall be found, to take, or cauſe to be taken, ſuch Perſon or Perſons ſo offending as aforeſaid, before one or more of his Majeſty's Juſtice or Juſtices of the Peace for the ſaid *Iſle of Ely*; and upon the Fact alledged being duly proved, by the Oath of one or more credible Witneſs or Witneſſes, the ſaid Juſtice or Juſtices is and are hereby empowered and directed to puniſh ſuch Perſon or Perſons ſo offending as aforeſaid, by Fine, not exceeding the Sum of forty Shillings, nor leſs than five Shillings, to be paid immediately into the Hands of the Juſtice or Juſtices before whom ſuch Offender or Offenders ſhall be convicted, and to be applied to the Uſe of the Poor of the Pariſh where the Offence ſhall be committed; and that on Failure of immediate Payment of the ſaid Fine, it ſhall and may be lawful to and for the ſaid Juſtice or Juſtices, by Warrant under his or their Hand and Seal or Hands and Seals, to cauſe the ſame to be levied by Diſtreſs and Sale of the Offender's Goods, or to commit ſuch Perſon or Perſons, ſo offending as aforeſaid, to ſome Common Gaol or Houſe of Correction in the ſaid *Iſle of Ely*, there to remain for any Space of Time not exceeding three Calendar Months, or until he, ſhe, or they ſhall have paid the ſaid Fine. Penalty on inſulting the Court. The Offender, on Nonpayment of the Fine, to be committed.

'XXII. And, to the End that no Perſon may plead Ignorance of the laſt preceding Clauſe of this Act,' be it enacted by the Authority aforeſaid, That the Clerks of the ſaid Court, within their reſpective Diviſions, ſhall, from Time to Time, affix, or cauſe to be affixed and ſtuck up, true Copies of ſuch Clauſe, in ſome conſpicuous Parts of the reſpective Places where the ſaid Commiſſioners ſhall meet for the Purpoſes of this Act. Copy of preceding Clauſe to be ſtuck up in the Court-houſe.

XXIII. And be it further enacted by the Authority aforeſaid, That the reſpective Keepers, for the Time being, of the reſpective Common Gaols or Houſes of Correction within the ſaid *Iſle of Ely*, ſhall and may, and they are hereby required and commanded to receive and take into Cuſtody, reſpectively, all and every Perſon and Perſons who ſhall be committed, or ordered to ſtand committed, by any three or more of Gaolers, &c. to receive Perſons committed.

Penalty on Refusal, or permitting Escape.

the said Commissioners present in Court, or by virtue of any Warrant, Attachment, Execution, or other Process, issuing out of the said Court of Requests, within any of the said Divisions; and in case the Keepers of the said Gaols or Houses of Correction, respectively, or either of them, shall neglect or refuse to receive and take into his or their Custody, any Person or Persons committed by virtue of this Act, or, before the Expiration of the Time for which any Person or Persons shall be so committed to his or their Custody, shall discharge such Person or Persons, or wilfully permit and suffer such Person or Persons to go at large, without a Warrant, Order, or Authority for that Purpose, in Writing, signed in Court by three or more of the said Commissioners, every Keeper offending in any of the Cases aforesaid, and being thereof convicted before one or more of his Majesty's Justices of the Peace for the said *Isle of Ely*, upon the Oath of one or more credible Witness or Witnesses, or on his or their own Confession, shall forfeit, for every such Offence, any Sum not exceeding five Pounds, nor less than forty Shillings, at the Discretion of such Justice or Justices before whom the Person or Persons so offending shall have been convicted, and to be applied for the Use of the Poor of the Parish where such Offence shall be committed; and that in Default of immediate Payment as aforesaid, the Sum to be so forfeited shall and may be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal or Hands and Seals of such Justice or Justices.

No Action for any Debt, recoverable by this Act, to be brought in any other Court.

XXIV. And be it further enacted by the Authority aforesaid, That no Action or Suit for any Debt, not amounting to the Sum of forty Shillings, and recoverable by virtue of this Act in the said Court of Requests, shall be brought against any Person or Persons, residing or inhabiting within the Jurisdiction thereof, in any of the King's Courts at *Westminster*, or in any other Court whatsoever, or elsewhere out of the said Court of Requests; and that no Action or Suit commenced in the said Court of Requests, in pursuance of this Act, nor any Proceeding therein, shall or may be removed into any superior Court; but the Judgments, Decrees, and Proceedings of the said Court shall be final and conclusive, to all Intents and Purposes.

To what Debts this Act shall not extend.

XXV. Provided always, and be it enacted by the Authority aforesaid, That this Act, or any Thing herein contained, shall not extend to any Debt due on Specialty, or Action of Covenant; or to any Debt for Rent, upon any Lease or Contract, where the Title of any Lands, Tenements, or Hereditaments, can or may come in question, or in or upon any other real Contract; nor to any Debt that shall arise upon or by reason of any Cause concerning any last Will and Testament, or Matrimony, or any Thing properly belonging to the Ecclesiastical Courts; nor to any Debt for any Money or Thing won at, or by Means of any Horse-race, Cock-match, Wager, or any Kind of Gaming or Play; nor any Forfeiture upon any penal Statute or Bye-law; nor to any Debt whereof there hath not been a Contract, Acknowledgment, Undertaking, or Promise to pay, within six Years before the taking out of the Summons for the same, although such Debt shall be under the Value of forty Shillings.

Penalty on wilful Perjury.

XXVI. And be it further enacted by the Authority aforesaid, That if any Person or Persons, in making Oath, or giving Evidence, in any Cause or Matter depending in the said Court of Requests, pursuant to this Act, shall commit any wilful and corrupt Perjury, such Person or Persons being duly convicted thereof according to Law, shall incur and suffer such Pains and Penalties as any other Person or Persons convicted of wilful and corrupt Perjury is or are subject and liable to, by the Laws and Statutes of this Realm.

Penalty on not obeying a Subpœna.

XXVII. And be it further enacted by the Authority aforesaid, That in case any Person residing or being found within the said *Isle of Ely*, who shall be duly served with a Subpœna or Summons, to be issued out of the said Court of Requests, to give Evidence on Behalf of any Plaintiff or Defendant, shall neglect or refuse to appear, pursuant to such Subpœna or Summons, at the Time and Place therein mentioned, and due Proof, upon Oath, shall be made of the Service of such Subpœna or Summons, and no Cause be shewn to the Satisfaction of the Majority of the Commissioners present at the Court before which such Person shall by such Subpœna or Summons be required to appear, and Oath made before the said Commissioners, by the Party at whose Instance and on whose Behalf such Subpœna or Summons issued, that the Person served therewith was a material Witness for such Party, it shall and may be lawful to and for the said Commissioners assembled in Court, or the major Part so assembled, to impose and lay a Fine, not exceeding fifty Shillings, nor less than five Shillings, to be levied, if not immediately paid on Demand, by Distress and Sale of the Offender's Goods, by Warrant under the Hands and Seals of the said Commissioners, or any three or more of them; which Fine, when paid or levied, shall be paid to the Party at whose Instance such Subpœna or Summons issued.

No Writ to be sued out against a Commissioner until one Calendar Month's Notice shall have been given.

XXVIII. And be it further enacted by the Authority aforesaid, That no Writ shall be sued out against, nor a Copy of any Process served upon, any of the said Commissioners for the Time being, for any Thing done, or to be done, by him in the Execution of this Act, until one Calendar Month next after Notice in Writing shall have been delivered to him, or left at the usual Place of his Abode, by the Attorney or Agent for the Party who intends to sue out such Writ or Process as aforesaid, in which Notice shall be clearly and explicitly contained the Cause of Action against such Commissioner, with the Name and Place of Abode of such Attorney or Agent; and that a Fee of twenty Shillings shall be paid for the preparing and serving of every such Notice, and no more.

Commissioners may tender Amends.

XXIX. And be it further enacted, That it shall and may be lawful to and for any of the said Commissioners to whom such Notice shall be given as aforesaid, at any Time within one Calendar Month after such Notice shall have been given, to tender Amends to the Party complaining, or to his or her Agent or Attorney; and in case the same is not accepted, to plead such Tender in Bar to any Action to be brought against him, grounded on such Writ or Process, together with the Plea of Not Guilty, and other Plea, with Leave of the Court; and if, upon Issue joined thereon, the Jury shall find the Amends so tendered to have been sufficient, then they shall give a Verdict for the Defendant; and in such Case, or in case the Plaintiff shall become nonsuited, or discontinue his or her Action, or in case Judgment shall be given for such

ſuch Defendant upon Demurrer, ſuch Commiſſioner ſhall be entitled to the like Coſts as he would have been entitled to in caſe he had pleaded the General Iſſue only; and if upon Iſſue ſo joined the Jury ſhall find that no Amends were tendered, or that the ſame were not ſufficient, and alſo againſt the Defendant in ſuch other Plea or Pleas, then they ſhall give a Verdict for the Plaintiff, and ſuch Damages as they ſhall think proper, together with his or her Coſts of Suit.

No Plaintiff ſhall be permitted to produce Evidence, except ſuch as ſhall be contained in the Notice, &c. Commiſſioners may pay Money into Court before Iſſue joined.

XXX. Provided always, and be it further enacted, That no Plaintiff in any Caſe where an Action ſhall be grounded on any Act done by the Defendant, or ſome of the ſaid Commiſſioners, ſhall be permitted to produce any Evidence of the Cauſe of ſuch Action, except ſuch as ſhall be contained in the Notice to be given as aforeſaid, or ſhall recover any Verdict againſt ſuch Commiſſioner, unleſs he ſhall prove, on the Trial of ſuch Action, that ſuch Notice was given; and that in Default of ſuch Proof ſuch Commiſſioner ſhall recover a Verdict and Coſts as aforeſaid.

XXXI. And be it further enacted, That in caſe ſuch Commiſſioner ſhall neglect to tender any Amends, or ſhall have tendered inſufficient Amends, before the Action brought, it ſhall and may be lawful for him, by Leave of the Court where ſuch Action ſhall be brought, at any Time before Iſſue joined, to pay into Court ſuch Sum of Money as he ſhall ſee fit, whereupon ſuch Proceedings, Orders, and Judgments ſhall be had, made, and given, in and by ſuch Court, as in other Actions where the Defendant is allowed to pay Money into Court.

Limitation of Actions.

XXXII. And be it further enacted by the Authority aforeſaid, That if any Action or Suit ſhall be brought or commenced againſt any Perſon or Perſons for any Matter or Thing done or to be done in purſuance of this Act, ſuch Action or Suit ſhall be brought or commenced within ſix Calendar Months next after the Cauſe of Action ſhall ariſe, and not afterwards, and ſhall be laid in the *Iſle of Ely*, and not elſewhere; and the Defendant or Defendants ſhall and may plead the General Iſſue, and give this Act and the ſpecial Matter in Evidence at any Trial to be had thereupon: And if the Plaintiff or Plaintiffs ſhall become nonſuited, or diſcontinue his, her, or their Action or Suit, or if upon a Verdict or Demurrer Judgment ſhall be given againſt the Plaintiff or Plaintiffs, the Defendant or Defendants ſhall and may recover Treble Coſts, and have ſuch Remedies for the ſame as any Defendant or Defendants can or may have in other Caſes where Coſts are given by Law.

General Iſſue.

Treble Coſts.

Perſons aggrieved may ſearch the Regiſters.

XXXIII. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall think themſelves aggrieved by any Order, Judgment, Decree, or Execution, iſſued by the ſaid Commiſſioners, or any of them, it ſhall and may be lawful for ſuch Perſon or Perſons, his or their Attorney or Agent, to ſearch the Regiſters of ſuch Order, Judgment, Decree, or Execution, upon Demand made to the Clerk of ſuch reſpective Diviſion where the Cauſe is entered, by ſuch Perſon or Perſons, his, her, or their Attorney or Agent; and at his, her, and their own Expence to take Copies of ſuch Orders, Judgments, or Decree, as ſhall relate to ſuch Perſon or Perſons only, with the Date of the ſaid Order, Judgment, or Decree, and the Chriſtian and Surname of the Commiſſioners who made the ſame: And if ſuch Clerk ſhall refuſe to let ſuch Perſon or Perſons, his, her, or their Attorney or Agent, ſearch and take ſuch Copies as aforeſaid, ſuch Clerk ſhall forfeit the Sum of twenty Pounds, to be recovered, by the Party grieved by ſuch Refuſal, in the ſaid Court of Pleas in the ſaid *Iſle of Ely*, or in any of his Majeſty's Courts of Record, with Coſts of Suit; and if ſuch Officer or Clerk ſhall refuſe to produce the ſaid original Books in Court, upon the Trial of any Cauſe to be commenced againſt any Perſon or Perſons for any Thing done under this Act, upon reaſonable Notice given to him by the Plaintiff in ſuch Suit, and a Tender made to him of his reaſonable Expences for travelling and attending with ſuch Books, he ſhall forfeit the ſaid Sum of twenty Pounds, to be recovered by the Party grieved, as aforeſaid.

Penalty on Clerk refuſing ſuch Search, &c.

Public Act.

XXXIV. And be it further enacted by the Authority aforeſaid, That this Act ſhall be deemed, adjudged, and taken to be a public Act; and ſhall be taken Notice of as ſuch by all Judges, Juſtices, and other Perſons whomſoever, without ſpecially pleading the ſame.

## CAP. XXXVII.

An Act for paving Parts of the Footpaths on the Sides of the great Road, called *Whitechapel Road*, in the County of *Middleſex*; and alſo the ſeveral Streets, Lanes, Roads, and Paſſages, opening into the ſame; and for preventing Obſtructions, Nuiſances, and Annoyances therein, and near thereto.

## CAP. XXXVIII.

An Act for raiſing a certain Sum of Money by Loans or Exchequer Bills, for the Service of the Year one thouſand ſeven hundred and ſeventy-eight. 1,500,000 *l.*

## CAP. XXXIX.

An Act to indemnify ſuch Perſons as have omitted to qualify themſelves for Offices and Employments; and to indemnify Juſtices of the Peace, or others, who have omitted to regiſter or deliver in their Qualifications within the Time limited by Law, and for giving further Time for thoſe Purpoſes; and to indemnify Members and Officers, in Cities, Corporations, and Borough Towns, whoſe Admiſſions have been omitted to be ſtamped according to Law, or, having been ſtamped, have been loſt or miſlaid; and for allowing them Time to provide Admiſſions duly ſtamped; and to give further Time to ſuch Perſons as have omitted to make and file Affidavits of the Execution of Indentures of Clerks to Attornies and Solicitors.

" Preamble. Perſons who have omitted to qualify themſelves agreeable to Act 1 *Geo.* I. Act 13 *Car.* II. " Act 25 *Car.* II. Act 30 *Car.* II. Act 8 *Geo.* I. Act 9 *Geo.* II. Act 18 *Geo.* II. and Act 6 *Geo.* III. before

" the passing of this Act; and who shall, on or before *Dec.* 25, 1778, qualify themselves, shall be indemnified against Forfeitures. Not to indemnify any Person for any Penalty incurred by neglecting to qualify himself. Persons producing Appointments and Admissions before *Dec.* 25, 1778, shall be confirmed, and qualified to act as Clerk, Officer, or Member of Corporations, *&c.* may enjoy all Offices into which they have been elected; and shall be indemnified from all Penalties and Damages incurred by reason of Omissions. Not to extend to restore Persons to any Office avoided by Judgment. Persons who shall cause Affidavits to be filed before *Michaelmas* Term, 1778, are indemnified and discharged from Penalties. Persons prosecuted and hereby meant to be indemnified, may plead the General Issue.

## CAP. XL.

An Act to repeal such Part of an Act, made in the last Session of Parliament, as relates to the Manner of discharging Bonds given for the due Exportation of certain Goods from *Great Britain* to foreign Parts; and to extend such Part of the same Act, as obliges the Master of *British* or *Irish* Ships, sailing from any of his Majesty's Dominions into the *Baltic*, to deliver a Manifest of their Cargoes to the *British* Consul residing there, to the like Vessels sailing into *Denmark*, *Norway*, and *Archangel*.

Preamble. 17 Geo. III. Cap. 41. recited,

'WHEREAS by an Act made in the last Session of Parliament (intituled, *An Act to prevent the clandestine unshipping from and receiving Goods at Sea on board Vessels employed in the* East India *Company's Service; for ascertaining the Manner of discharging Bonds given for the due Exportation of certain Goods from* Great Britain *to foreign Parts; and to oblige the Masters of* British *or* Irish *Ships, sailing from any of his Majesty's Dominions into the* Baltic, *to deliver a Manifesto of their Cargoes to the* British *Consul residing there)*, it is amongst other Things enacted, That no Bond, given in pursuance of any Act or Acts of Parliament, for the due and regular Exportation of any Goods, which are or may be prohibited to be worn, or used, in *Great Britain*, or which are or may be intitled to any Drawback, Bounty, or Premium, payable out of any Money arising by the Revenue of Customs, upon Exportation from this Kingdom into foreign Parts, shall be delivered up, cancelled, or discharged, until Certificates shall be produced of the Exportation to, and landing such Goods at, the Ports and Places mentioned in such Bond, or until Proof be made upon Oath in relation thereto, in such Manner and Form as in the said recited Act is directed: And whereas it has been found very prejudicial to the Trade of this Kingdom, and in many Cases impracticable for the Exporters of such Goods to obtain the Certificates, and make the Proof, in the Manner required by the said Act;' for Remedy whereof, be it enacted by the King's most excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, from and after the passing of this Act, such Part of the said recited Act, as requires Certificates to be produced, and Proof to be made, for the Discharge of any Bonds entered into in this Kingdom, for the due Exportation of the Goods therein mentioned to any foreign Parts, shall be, and the same is hereby repealed.

and, in Part, repealed.

Part of the said Act relating to the Ports in the Baltic, extended to Denmark, &c.

II. And be it further enacted by the Authority aforesaid, That, from and after the twenty-fourth Day of *June*, one thousand seven hundred and seventy-eight, such Part of the said recited Act, as requires the Master, Commander, or other Person having the Charge of any *British* or *Irish* Ship or Vessel, sailing from *Great Britain* or *Ireland*, or any other Part of his Majesty's Dominions, to any Port or Place in the *Baltic*, to deliver to the *British* Consul residing there, or to such other Person or Persons as shall be appointed for that Purpose by him, a true Manifest, in Writing, upon Oath, specifying the Particulars of the whole Cargo of such Ship or Vessel, with the Marks and Numbers of the Package containing the same, shall extend, and be construed to extend, to such *British* or *Irish* Ships or Vessels, as shall sail from *Great Britain* or *Ireland*, or any other Part of his Majesty's Dominions, to any of the Ports of *Denmark*, *Norway*, and *Archangel*, in the same Manner, and under the same Restrictions, in all Respects, as is and are directed and required by the said recited Act, with regard to such Vessels sailing to any Port or Place in the *Baltic*.

## CAP. XLI.

An Act for uniting the Free Grammar School of *James* King of *England*, within the Town of *Henley upon Thames*, in the County of *Oxford*, with the Charity School founded in the same Town by Dame *Elizabeth Periam* Widow; and for the better Regulation and Management of the said Endowments.

" The Preamble recites the Letters Patent of King *James* I, and the Will of *William Gravett*; Dame " *Elizabeth Periam*'s Foundation of a Charity School; the present annual Income of the two Schools; the " present Governors of the Free Grammar School; and of Dame *Elizabeth Periam*'s; Inconveniencies at- " tending the present Establishment. It is then enacted that the two Charities shall be consolidated, and " united together, by the Title of *The United Charity Schools in* Henley, *in the County of* Oxford. The " Governors of both Schools united together as Trustees for the new Establishment; who are to be a Body " Corporate: Their Name, and Powers. Estates and Effects of both Schools vested in the Trustees; " who are empowered to dispose of the same for the Purposes of this Act. Expences of this Act to be first " paid. To promote and facilitate the Sale and Exchange of the Estates, Purchasers are to hold the Lands, " discharged from all Uses, Trusts, *&c.* Trustees authorised to grant building or repairing Leases for " long Terms of Years, without taking Fines, *&c.* Masters, Ushers, and Assistants, to be appointed by " the Trustees; who are to allow them Salaries. Trustees to direct how many Boys shall be admitted, " *&c.* and may make Bye-laws; to be allowed by the Bishop of *Oxford*. Trustees on Vacancies in the

" Conſtruction of any Rule or Bye-law, &c. may apply in a ſummary Way to the Court of Chancery. " Surplus Money to be placed out at Intereſt. Power to diſpoſe of the Surplus Money. When Truſtees " die, or refuſe to act, new ones to be choſen. Each Truſtee ſhall be accountable only for his own Act " and Deed. Truſtees to reimburſe themſelves their Expences in executing this Act. Public Act. " General Saving.

## CAP. XLII.

An Act to enable the Corporation of *Trinity Houſe of Deptford Strond* to eſtabliſh and maintain a Light-houſe on the Rocks called *The Smalls*, in *Saint George's Channel*.

Preamble. Act 8 Eliz. recited.

Letters Patent of 36 Eliz. recited.

'WHEREAS by an Act of Parliament, made in the eighth Year of the Reign of our late Sovereign Queen *Elizabeth*, intituled, *An Act concerning Sea-marks and Mariners*, the Maſter, Wardens, and Aſſiſtants, of the Corporation of *Trinity Houſe of Deptford Strond*, are empowered to erect and ſet up Beacons, Marks, and Signs for the Sea, needful for avoiding of Dangers, and to renew, continue, and maintain the ſame, in ſuch Manner as in the ſaid Act is mentioned: And whereas, by certain Letters Patent, granted by her ſaid late Majeſty, bearing Date at *Weſtminſter*, the eleventh Day of *June*, in the thirty-ſixth Year of her Reign, the Office of Beaconage and Buoyage was granted to the ſaid Corporation and their Succeſſors for ever, together with all Fees, Advantages, Profits, and Rights, payable or appertaining to that Office: And whereas there are certain Rocks dangerous to Navigation, called *The Smalls*, lying in *Saint George's Channel*; upon one of which ſaid Rocks a Light-houſe hath been erected: And whereas the ſaid Light-houſe hath lately been greatly damaged by the Force of the Sea, owing to its not being ſufficiently elevated: And whereas many hundreds of Merchants, Traders, Owners, and Maſters of Ships, of the Kingdoms of *Great Britain* and *Ireland*, uſing, or intereſted in, the Navigation of *Saint George's* and the *Briſtol Channels*, having requeſted the ſaid Corporation to cauſe the ſaid Light-houſe, which hath been erected on one of the ſaid Rocks, to be repaired, or a new one inſtead thereof to be erected, as they ſhould adjudge to be moſt beneficial to Navigation, and declared their Conſent, that, for defraying the Charges and Expences attending the ſame, and the Management thereof, and of Lights therein, reaſonable Duties might be impoſed and taken for or in reſpect of all *Britiſh*, *Iriſh*, and foreign Ships and other Veſſels, which ſhould paſs within the Limits herein-after mentioned; they the ſaid Maſter, Wardens, and Aſſiſtants, having conſidered of the ſaid Requeſt, have therefore reſolved to cauſe the ſaid preſent Light-houſe to be repaired, improved, and ſupported, and a Light to be exhibited therein, in caſe they ſhall be enabled to defray the Expences attending the ſaid Light-houſe, and the Maintenance thereof, by Receipt of ſuch reaſonable Duties as have been ſo conſented and agreed to be impoſed and taken as aforeſaid: And whereas ſuch Light-houſe will be of great Utility, and tend to the Safety and Preſervation of his Majeſty's Navy, and of the Ships, Goods, and Lives, of his Subjects, and others, navigating *Saint George's* and the *Briſtol Channels*, and paſſing within ſuch Limits as herein-after mentioned: And, foraſmuch as the ſpeedy Repair of the ſaid Light-houſe is abſolutely neceſſary: 'To the End therefore that a Work of ſuch public Nature, and ſo greatly beneficial to Navigation, may 'have all due Encouragement;' may it pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That for ever, from and after the kindling or placing a Light, for the Benefit of Shipping, in a Light-houſe on one of the ſaid Rocks called *The Smalls*, there ſhall be paid to the Maſter, Wardens, and Aſſiſtants, of *Trinity Houſe* of *Deptford Strond*, their Succeſſors and Aſſigns, for every *Britiſh* or *Iriſh* Ship, or other Veſſel whatſoever (except Ships or Veſſels of War of his Majeſty, his Heirs and Succeſſors), which ſhall paſs to, from, by, or near the ſaid Rock, or which ſhall paſs between *Cape Clear*, in the Kingdom of *Ireland*, and the *Land's End*, in the County of *Cornwall*, and ſo up the *Briſtol Channel*, Eaſtward of the *Iſle of Lundy*, or to *Milford Haven*, or *Linney Point*, in the County of *Pembroke*, or the ſaid Rocks of *The Smalls*, in any Direction, within twelve Leagues of the ſaid Light houſe, or which ſhall or may have any Benefit of the ſaid Light-houſe or Light, the following ſeveral Tolls or Duties; (that is to ſay)

After a Light ſhall be placed in a Light-houſe on one of the Rocks called The Smalls, Duties may be collected by the Maſter, &c. of Trinity Houſe.

The Duties.

For every ſuch *Britiſh* or *Iriſh* Ship or other Veſſel, not being a Ship of War belonging to his Majeſty, his Heirs or Succeſſors, bound to or from any Port or Place in *Great Britain* or *Ireland*, from or to any foreign Port or Place (neither of the ſaid Kingdoms to be for this Purpoſe deemed to be foreign, with reſpect to Ships or Veſſels bound only from the one to the other of them), the Toll or Duty of one Penny for each Ton of the Burthen of every ſuch Ship or Veſſel, for every ſuch Paſſage as aforeſaid.

For every Ship or Veſſel of Aliens, bound to or from any Port or Place in either of the ſaid Kingdoms, or from one foreign Port to another, a Toll or Duty of Twopence for each Ton of the Burthen of every ſuch laſt-mentioned Ship or Veſſel, for every ſuch Paſſage as aforeſaid.

And for every *Britiſh* or *Iriſh* Ship, or other Veſſel, bound coaſtwiſe from one Port to another in either of the ſaid Kingdoms, or from any Port or Place in either of the ſaid Kingdoms to any Port or Place in the other of the ſaid Kingdoms, and returning without making any foreign Voyage, the Toll or Duty of one Halfpenny for each Ton of the Burthen of every ſuch laſt-mentioned Ship or Veſſel, for every Paſſage as aforeſaid.

Duties to be paid by the Maſters of Veſſels.

The ſaid ſeveral Tolls or Duties to be paid, by the reſpective Maſters or Commanders of ſuch Ships or Veſſels reſpectively, to ſuch Perſon or Perſons as the ſaid Maſter, Wardens, and Aſſiſtants, or their Succeſſors or Aſſigns, ſhall from Time to Time authoriſe and appoint to collect the ſame, in ſuch Port or Place, in either of the ſaid Kingdoms of *Great Britain* and *Ireland*, whence any ſuch Ship or other Veſſel ſhall ſet forth, or where any ſuch Ship or other Veſſel ſhall arrive, before the loading or unloading the

Goods therein; all which ſaid Tolls or Duties ſhall and may be recovered by Action of Debt in any of his Majeſty's Courts of Record in either of the ſaid Kingdoms; wherein no Eſſoin, Wager of Law, or Protection, ſhall be allowed, nor more than one Imparlance.

All Cuſtomers, &c. to take Care that theſe Duties are paid.

'II. And, to the Intent the ſaid Tolls or Duties may be truly anſwered and paid,' be it further enacted by the Authority aforeſaid, That no Cuſtomer, Collector of his Majeſty's Cuſtoms, Comptroller, Receiver of Entries of Ships, Surveyor, or Searcher, Waiter, or other Officer whatſoever, of or concerning the ſaid Cuſtoms for the Time being, or their or any of their Deputies or Clerks, at any Port, Harbour, Road, Creek, Haven, or Place, within either of the ſaid Kingdoms of *Great Britain* and *Ireland*, where any ſuch Ship or other Veſſel, liable as aforeſaid, ſhall ſet ſail or arrive, ſhall at any Time hereafter give or make out, or cauſe, permit, or ſuffer, to be given or made out, any Docket, or other Diſcharge whatſoever; or receive or take any Entry or Cocket, or give any Certificate, Return Bills, or other Diſcharge whatſoever, reſpectively; or permit any Goods or Stores to be laid on Land, or diſcharged or ſhipped out from or on any of the ſaid Ships or other Veſſels; or ſuffer any Ship or other Veſſel, either *Britiſh*, *Iriſh*, or Stranger, liable or ſubject to the Payment of any of the ſaid Tolls or Duties, to paſs by or from them or any of them, until a Receipt, Ticket, or Note be produced, under the Hand of the Collector to be authoriſed by the ſaid Corporation, their Succeſſors or Aſſigns, to collect the ſaid Tolls or Duties at ſuch Port or other Place where ſuch Ship or other Veſſel ſhall ſet forth or arrive, teſtifying the Payment of the ſaid Tolls or Duties for or in reſpect of ſuch Ship or other Veſſel.

Exemptions from the Duties.

III. Provided always nevertheleſs, and it is hereby further enacted and declared, That nothing in this Act contained ſhall extend, or be conſtrued, deemed, or taken to extend, to charge or make liable any Perſon or Perſons with or to the Payment of any of the ſaid Tolls or Duties, any longer than the ſaid Light-houſe ſhall continue to be ſupported, and a Light exhibited thereon during the Night Seaſon, or for or in reſpect of any Ship or Veſſel taking in or loading any Coals or Culm, in any Place lying in *Bride's Bay*, and carrying the ſame to any Port or Place within the Principality of *Wales*, or in carrying Lime-ſtones from one Port or Place to another.

The Grant of the Rocks to Mr. Phillips, by Letters Patent, declared void.

IV. And be it further enacted by the Authority aforeſaid, That certain Letters Patent, under the Seal of his Majeſty's Exchequer at *Weſtminſter*, bearing Date the fifth Day of *Auguſt*, in the fifteenth Year of the Reign of his preſent Majeſty, containing a Grant unto *John Phillips*, of *Liverpool* in the County of *Lancaſter*, Eſquire, of the ſaid Rocks called *The Smalls*; alſo Liberty, Licence, Power, and Authority, of erecting, ſupporting, and maintaining, a Light-houſe or Light-houſes, Beacon or Beacons, in or upon the ſaid Rocks, and to collect and take certain Duties, in the ſame Letters Patent mentioned, for the Term of fifty Years from the Date thereof; and all the Eſtate, Right, Title, Term of Years, Powers, and Authorities derived, or which can or may be claimed, or pretended to be derived, under or by virtue of the ſame Letters Patent, and every Matter, Clauſe, and Thing therein contained, ſhall, and the ſame are hereby enacted and declared to be, from and immediately after the paſſing of this preſent Act, null, void, and of none Effect, to all Intents and Purpoſes whatſoever.

The Rocks veſted in the Corporation of Trinity Houſe, ſubject to a yearly Rent of 5 l. payable to his Majeſty.

V. And be it further enacted by the Authority aforeſaid, That the ſaid Rocks called *The Smalls* ſhall, and the ſame are hereby enacted and declared to be, by virtue of this preſent Act, from and immediately after the paſſing thereof, veſted in the ſaid Maſter, Wardens, and Aſſiſtants, and their Succeſſors and Aſſigns for ever, for the Purpoſe of erecting, ſupporting, and maintaining the ſaid Light-houſe; ſubject nevertheleſs to the Payment to his Majeſty, his Heirs and Succeſſors, of the clear yearly Rent or Sum of five Pounds of lawful Money of *Great Britain*; which ſaid Rent of five Pounds ſhall be paid into the Receipt of his Majeſty's Exchequer at *Weſtminſter*, or into the Hands of his Majeſty's Receiver-general of *South Wales* for the Time being, by four equal quarterly Payments, at or upon the Feaſt Days or Times in every Year herein next after mentioned; (that is to ſay) *The Annunciation of the Bleſſed Virgin* Mary, *Saint* John *the Baptiſt*, *Saint* Michael *the Archangel*, and the *Birth of our Lord* Chriſt; the firſt Payment thereof to begin and be made on ſuch of the ſaid Feaſt Days as ſhall next happen after the paſſing of this preſent Act.

Limitation of Actions.

VI. And be it further enacted by the Authority aforeſaid, That if any Action or Suit ſhall be brought or commenced againſt any Perſon or Perſons, for any Thing done in purſuance of this Act, every ſuch Action or Suit ſhall be brought or commenced within ſix Calendar Months next after the Fact committed, and not afterwards, and ſhall be laid and brought in the County or City where the Cauſe of ſuch Action or Suit ſhall ariſe, and not elſewhere; and ſhall not be removed by *Certiorari*, or any other Writ or Proceſs whatſoever; and the Defendant or Defendants in ſuch Action or Suit may plead the General Iſſue, and give this Act and the ſpecial Matter in Evidence upon any Trial to be had thereupon, and that the ſame was done in purſuance and by the Authority of this Act: And if it ſhall appear to have been ſo done, or any ſuch Action or Suit ſhall be brought after the Time ſo limited for bringing the ſame, or ſhall be brought in any County or Place otherwiſe than as aforeſaid, then, and in any ſuch Caſe, the Jury ſhall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs ſhall become nonſuit, or ſuffer a Diſcontinuance of his, her, or their Action or Actions, Suit or Suits, after the Defendant or Defendants ſhall have appeared, or if a Verdict ſhall paſs againſt the Plaintiff or Plaintiffs, or if upon Demurrer or otherwiſe Judgment ſhall be given againſt the Plaintiff or Plaintiffs, the Defendant or Defendants ſhall and may recover Treble Coſts of Suit, and ſhall have ſuch Remedy for recovering the ſame, as any Defendant or Defendants hath or have for Coſts of Suit in any other Caſes by Law.

General Iſſue.

Treble Coſts.

Public Act.

VII. And be it further enacted by the Authority aforeſaid, That this Act ſhall be taken and allowed, in all Courts of Law or Equity within the Kingdoms of *Great Britain* and *Ireland*, as a public Act; and all Judges and Juſtices are hereby required to take Notice thereof as ſuch, without ſpecially pleading the ſame.

CAP.

## CAP. XLIII.

An Act to repeal an Act, paſſed in the laſt Seſſion of Parliament, *for the Recovery of Small Debts, within the ſeveral Pariſhes of* Surfleet, Goſberton, Quadring, Donnington, Bicker, Swineſhead, Wigtoft, Sutterton, Algarkirke, Foſdyke, Kirton, Frampton, Wiberton, *and* Brothertoft, *within the Hundred of* Kirton, *and County of* Lincoln.

Preamble. 17 Geo. III. cap. 62. recited,

'WHEREAS an Act was paſſed in the laſt Seſſion of Parliament, intituled, *An Act for the more eaſy and ſpeedy Recovery of ſmall Debts, within the ſeveral Pariſhes of* Surfleet, Goſberton, Quadring, Donnington, Bicker, Swineſhead, Wigtoft, Sutterton, Algarkirke, Foſdyke, Kirton, Frampton, Wiberton, *and* Brothertoft, *within the Hundred of* Kirton, *in the Parts of* Holland, *in the County of* Lincoln: And whereas the Right Honourable *Brownlow* Earl of *Exeter* and Baron of *Burghley*, Lord of the Soke of *Kirton*, in the County of *Lincoln* aforeſaid, and his Anceſtors, Lords of the ſaid Soke for the Time being, have for a great Length of Time had and been entitled unto a Court of Pleas every three Weeks, or ſo often as was requiſite, for the Recovery of Debts or Damages under forty Shillings, in all perſonal Actions ariſing within the ſaid ſeveral Pariſhes of *Surfleet*, *Goſberton*, *Quadring*, *Donnington*, *Bicker*, *Swineſhead*, *Wigtoft*, *Sutterton*, *Algarkirke*, *Foſdyke*, *Kirton*, *Frampton*, *Wiberton*, and *Brothertoft*, as Parcel of the Soke of *Kirton* aforeſaid: And whereas the ſaid Act has unneceſſarily, and without any public Utility, taken away the Juriſdiction of the ſaid Court, and thereby deſtroyed the Right and Inheritance of the ſaid Earl of *Exeter* therein;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That, from and after the paſſing of this Act, the aforeſaid Act, and the ſeveral Matters and Things therein contained, ſhall be, and is and are hereby repealed. and repealed.

This Act not to extend to any Order or Decree made for Payment of Money.

II. Provided always, and be it enacted by the Authority aforeſaid, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to affect any Order or Decree, made by virtue of the aforeſaid Act, for Payment of Money; but that ſuch Order or Decree ſhall ſtand, continue, and be in full Force, and be carried into Execution, in the ſame Manner as if this Act had not paſſed; any Thing herein contained to the contrary thereof in any wiſe notwithſtanding.

## CAP. XLIV.

An Act for building a Stone Bridge acroſs the River *Tyne*, oppoſite the Town of *Hexham*, in the County of *Northumberland*, and for making proper Roads and Avenues to and from the ſame.

Preamble.

'WHEREAS, at the General Quarter Seſſions of the Peace of our Lord the King, held by Adjournment in and for the County of *Northumberland*, at the Houſe of *James Hindell* in *Cambo*, on *Thurſday* the ſixth Day of *February*, which was in the Year of our Lord one thouſand ſeven hundred and ſeventy-ſeven, before *Gawen Aynſley*, *Walter Trevelyan*, *John Tweddell*, *William Charleton*, *Francis Tweddell*, *William Bainbridge*, *Gabriel Hall*, *James Allgood*, *Shafto Vaughan*, *Ralph Smith*, and *Bacon William Waſtell*, Eſquires, his Majeſty's Juſtices of the Peace, aſſigned to keep the Peace in and for the ſaid County, *Henry Errington* of *Sandoe* Eſquire, then and there propoſed to the ſaid Court, That he would, for the Conſiderations after mentioned, build and erect, or cauſe to be built and erected, a Stone Bridge acroſs the River *Tyne*, oppoſite to *Hexham*, at about fifty Yards below the Boat-way, and nearly in a Line with a little Bridge that croſſes the Mill Leet, and to land on the North End upon the Cloſe, Eaſt of the Boat-houſe, that is ſituated betwixt that and the Lane; and which ſaid Bridge, when built and finiſhed, ſhould conſiſt of nine Arches, and ſhould be of the following Dimenſions; (that is to ſay) To extend between the Abutments five hundred and eighteen Feet, and, including the Abutment Walls, five hundred and ſixty eight Feet; to be twenty Feet wide over all, and about eighteen Feet between the Parapets; to be gravelled over in the Manner of a good Turnpike Road; and the Heighth of the Road over the Middle Arch to be thirty-one Feet above the Surface of the River, in its ordinary State, with proper Aſcents to be formed at each End of the Bridge; that at the South End to be wharfed up with Walls extending fifty Yards, with a Breaſtwork or rough Parapet thereon, ſo that the Slope ſhould not be ſteeper than one in twelve; with a ſingle Arch acroſs the Mill Leet; the Whole to be executed in a ſubſtantial Manner, and according to a Plan of the ſame to be delivered in by *John Smeaton* Eſquire; and that the ſame ſhould be built, and the Works carried on, from Time to Time, under the Direction and Inſpection of the ſaid *John Smeaton*; and that he the ſaid *Henry Errington* would complete the Whole, and find and provide all neceſſary Materials for the ſame, over and above all the Timber, Stone, Iron, and other Materials whatſoever, which had been prepared and provided by and at the Expence of the ſaid County, for the Purpoſe of building a Bridge a little higher up the ſaid River, upon Payment of the Sum of five thouſand ſeven hundred Pounds by the ſaid County, and to be allowed all the ſaid Timber, Stone, Iron, and other Materials, as above mentioned; the ſame to be paid in Manner following; (that is to ſay) Three hundred Pounds within one Month after the Execution of the Agreement; two hundred and eighty Pounds on finiſhing each Pier and Abutment, reſpectively, Springer Heighth; and two hundred and fifty Pounds at the keying-in or cloſing each Arch; and the Remainder when the ſaid whole Bridge ſhould be completed agreeable to the ſaid Plan: And alſo, at the ſaid Seſſions, *John Donkin* of *Sandoe* Gentleman, Agent to the ſaid *Henry Errington*, did then and there (for and on the Behalf of

Mr. Errington's Propoſal to Quarter Seſſions for Northumberland, Feb. 6, 1777, to build a Bridge over the Tyne at Hexham,

and a Bridge of one Arch acroſs the Mill Leet.

Mr. Errington's Agent propoſed to make a pub-

'the

The Road from the Bridge to the Alemouth Road.

Mr. Errington proposes to give Bond to finish the Bridge, &c. by Lady-day, 1780, and to support the same for seven Years.

The Proposals were agreed to by the Sessions, and Articles entered into on June 2, 1777.

Dimensions of the Bridge.

The new Road.

Sums of Money to be paid for building the Bridge, &c.

and the Times of Payment.

'the said *Henry Errington*) propose and undertake to procure and make a good, sufficient, and substantial 'Road, from the North End of the said Bridge (when built according to the Proposal by the said *Henry* '*Errington*) to the *Alemouth* Road, and of the same Breadth thereof, for the Sum of four hundred Pounds; 'and that the said Road, when made, should for ever thereafter be a public High Road for all Persons 'whatever, with their Horses, Cattle, Carts, and Carriages, or otherwise, at their Will and Pleasure, 'to pass, go, return, and labour; and also, that he the said *Henry Errington* would enter into a Bond, 'in the penal Sum of nine thousand one hundred Pounds, to the said County, conditioned for building, 'making, finishing, and completing the said Bridge and Road, on or before the twenty-fifth Day of '*March*, one thousand seven hundred and eighty, and for upholding and maintaining the same respec- 'tively for the Term of seven Years from the Time of completing the same respectively: Which said 'Proposals were at the said Sessions accepted of and agreed to by the said Justices then present, on Behalf 'of the said County of *Northumberland*: And whereas, by certain Articles of Agreement, bearing Date 'on or about the second Day of *June*, in the Year of our Lord one thousand seven hundred and seventy- 'seven, and made between the said *Gawen Aynsley*, *John Tweddell*, and *Bacon William Wastell*, Esquires, 'three of his Majesty's Justices of the Peace in and for the said County of *Northumberland*, of the one 'Part, and the said *Henry Errington* of the other Part, reciting the said Order of Sessions of the sixth of '*February*, one thousand seven hundred and seventy-seven, to the Effect herein before mentioned; it was 'by the said Articles witnessed, That, for the Considerations therein after mentioned, he the said *Henry* '*Errington*, for himself, his Heirs, Executors, and Administrators, did thereby contract, covenant, pro- 'mise, and agree, to and with the said *Gawen Aynsley*, *John Tweddell*, and *Bacon William Wastell*, their 'Executors, Administrators, and Assigns, that he the said *Henry Errington*, his Heirs, Executors, or Ad- 'ministrators, should and would, at his and their own proper Costs and Charges, on or before the twenty- 'fifth Day of *March*, which will be in the Year of our Lord one thousand seven hundred and eighty, 'well, sufficiently, and effectually build, or cause to be built, a good and substantial Stone Bridge across 'the River *Tyne*, according to the Plan to the said Articles annexed, opposite to *Hexham*, at a Place exa- 'mined and approved by *John Smeaton* Esquire, and which is about fifty Yards below the Boat-way, and 'nearly in a Line with a little Bridge that crosses the Mill Leet, and to land on the North End upon a 'Close, East of the Boat-house that is situated betwixt that and the Lane; and that the said *Henry Erring-* '*ton*, his Heirs, Executors, or Administrators, would complete the whole Work and Business thereby 'intended to be done and performed, in a good, substantial, and workman-like Manner, in the Manner 'and Form therein and herein after mentioned; (that is to say) The Bridge to consist of nine Arches, 'and to extend between the Abutments five hundred and eighteen Feet, and including the Abutment 'Walls five hundred and sixty-eight Feet; to be twenty Feet wide over all, and about eighteen Feet be- 'tween the Parapets; to be gravelled over in the Manner of a good Turnpike Road; and the Heighth 'of the Road over the Middle Arch to be thirty-one Feet above the Surface of the River in its ordinary 'State, with proper Ascents to be formed at each End of the Bridge; that at the South End to be wharfed 'up with Walls, extending fifty Yards, with a Breastwork or rough Parapet thereon, and so that the 'Slope should not be steeper than one in twelve; with a single Arch across the Mill Leet; and also that 'he the said *Henry Errington*, his Heirs, Executors, or Administrators, should, at his and their like 'proper Costs and Charges, find and provide all Materials, of what Nature or Kind soever, necessary for 'building of the said Bridge, and should execute and perform, or cause to be executed and performed, all 'the Work, effectually, substantially, sufficiently, and in a good and workman-like Manner: And also 'should procure and make a good, sufficient, and substantial Road, from the North End of the said 'Bridge, when built, to the *Alemouth* Road, and the same Breadth thereof; and that the same Road 'should be a High Road for ever thereafter, for all Persons, on Foot or on Horseback, with Horses, 'Cattle, Carts, and Carriages, at their Will and Pleasure, to have and use: And also, that he the said '*Henry Errington*, his Heirs, Executors, and Administrators, should, at his and their own proper Costs 'and Charges, from Time to Time, and at all Times, as often as Need or Occasion should be or re- 'quire, during the Term of seven Years, uphold, support, repair, maintain, rebuild, and keep in good 'and sufficient Repair, the said Bridge and Road for the said Term of seven Years, to be computed from 'the Time that the said Bridge and Road shall have been certified for, to the General Quarter Sessions, 'under the Hands of two of his Majesty's Justices of the Peace, to have been built, made, finished, and 'completed: And in Consideration of the Covenants and Agreements therein before contained, on the 'Part and Behalf of the said *Henry Errington* to be done and performed, they the said *Gawen Aynsley*, '*John Tweddell*, and *Bacon William Wastell*, for and on Behalf of the said County, did, in and by the 'said Articles, covenant, promise, and agree, to and with the said *Henry Errington*, his Heirs, Execu- 'tors, and Administrators, That the Treasurer for the said County of *Northumberland*, for the Time 'being, should pay unto the said *Henry Errington*, his Heirs, Executors, or Administrators, the Sum of 'five thousand seven hundred Pounds, for the building, finishing, and upholding the said Bridge; and also 'the Sum of four hundred Pounds for the procuring, making, and up[illegible]ding the said Road, in Manner 'therein and herein after mentioned; (that is to say) The Sum of [illegible]ee hundred Pounds within one 'Month after the Execution of the said now reciting Articles; the further Sum of two hundred and eighty 'Pounds at the finishing each Pier and Abutment, respectively, Spring [illegible] Heighth; the further Sum of 'two hundred and fifty Pounds at the keying-in or closing each Arch; a[illegible] the remaining Part of the said 'Sums of five thousand seven hundred Pounds, and four hundred Pound[illegible] when the said Bridge and Road 'should be completed agreeable to the said Plan, and in Manner herein[illegible] fore mentioned and certified as 'aforesaid: And it was, in and by the said now reciting Articles, furth[illegible] declared, That it should and 'might be lawful for the said *Henry Errington*, his Heirs, Executors, or [illegible]dministrators, and his and their 'Servants, Agents, or Workmen, to have, take, and use, as they sh[illegible]ld think fit, all the Timber, 'Stone, Iron, and every other Material, of what Nature or Kind soever, belonging to the said County, 'and

'and which had theretofore been prepared for the building of a Bridge acroſs the ſaid River near to *Hexham* aforeſaid, without any Payment or Satisfaction for the ſame: And whereas, by an Order made at the General Quarter Seſſions of the Peace held at *Morpeth*, in and for the ſaid County of *Northumberland*, the fourteenth Day of *January*, one thouſand ſeven hundred and ſeventy-eight, before *Gawen Aynſley*, *Stephen Watſon*, *William Lowes*, *Shafto Vaughan*, *Matthew Forſter*, *Thomas Carr*, *Walter Trevelyan*, and *Gabriel Hall*, Eſquires, his Majeſty's Juſtices of the Peace in and for the ſaid County, reciting, That at the then laſt General Quarter Seſſions of the Peace for the ſaid County, holden at *Alnwick*, the eighth Day of *October* laſt, a Complaint was made to the Court by the Grand Jury, on Behalf of themſelves and of ſeveral principal Gentlemen, Freeholders, and Farmers, of the ſaid County of *Northumberland*, that ſeveral conſiderable Sums of Money had been expended in building new Bridges, where no County Bridges ever were before, and in repairing ſeveral Bridges within the County, without having been preſented by the Grand Jury, as the Law directs; and that the Court of Seſſions then aſſembled had agreed to take the ſaid Complaint into Conſideration: And alſo reciting, in and by the ſaid Order of Seſſions now in Recital, that a like Complaint had been again made to the ſaid Court; and the ſame having been fully conſidered, it was by the ſaid now reciting Order of the Court of Seſſions, of the fourteenth Day of *January*, one thouſand ſeven hundred and ſeventy-eight, ordered, That an alphabetical Liſt of all the Bridges within the ſaid County, repaired at the Expence of the County, be printed; and that for the future, at every General Quarter Seſſions of the Peace to be held for the ſaid County, one of ſuch Liſts be delivered to the Foreman of the Grand Jury, to enable them to know the Number of the County Bridges, and where they are ſituated, in order that ſuch Preſentments as the Law requires might be made reſpecting the ſame: And it was alſo, in and by the ſaid Order of Seſſions now in Recital, further ordered, That, for the future, no Part of the Money then already raiſed, and in the Treaſurer's Hands, or that ſhould be raiſed or collected purſuant to the Statute of the twelfth Year of King *George* the Second, Chapter the Twenty-ninth, ſhould be applied to the erecting any new Bridge as a County Bridge, within the ſaid County of *Northumberland*, without an expreſs Act of Parliament for that Purpoſe; nor ſhould any Bridge or Bridges within the ſaid County be rebuilt or repaired until Preſentment be made by the Grand Jury, at the Aſſizes or Seſſions, of the Inſufficiency, Inconvenience, or Want of Reparation of ſuch Bridge or Bridges (ſave and except ſuch Bridges, the Repairs whereof then were or thereafter ſhould be contracted for, purſuant to the ſaid Statute of the twelfth Year of King *George* the Second; and ſave and except ſuch Sum and Sums of Money as ſhould become payable for completing a new Bridge then building acroſs the River *Tyne*, at *Hexham*): And, in order that the Contract for building ſuch Bridge might be proceeded in, and the Legality thereof never called in Queſtion, it was, by the ſaid Order of Seſſions now in Recital, further ordered, That Application be immediately made to Parliament, for an Act to enable the Juſtices of the Peace for the ſaid County of *Northumberland* to carry into Execution and fulfil the ſaid Agreement entered into by them with the ſaid *Henry Errington*, bearing Date the ſecond Day of *June*, one thouſand ſeven hundred and ſeventy-ſeven, and herein before particularly mentioned and recited, for building a Bridge acroſs the River *Tyne*, at *Hexham* aforeſaid, and for making and completing the neceſſary Avenues or Highways to and from ſuch Bridge: And whereas it would be very beneficial and advantageous, not only to Perſons reſiding in or near *Hexham* aforeſaid, but alſo of very great public Utility, if the ſaid recited Articles of Agreement of the ſecond Day of *June*, one thouſand ſeven hundred and ſeventy-ſeven, were eſtabliſhed and confirmed, and the ſame carried into Execution, and a new Stone Bridge built acroſs the River *Tyne*, oppoſite to *Hexham* aforeſaid; alſo a new Road made from the North End of the ſaid Bridge (when built) unto the *Alemouth* Road, purſuant to the ſaid recited Articles of Agreement; alſo a new Road from the ſaid North End of the ſaid Bridge, over Part of the ſaid Cloſe Eaſtward, to the Roads and Lanes leading from the ſaid River towards the North and Eaſt; and alſo a new Road from the South End of the ſaid Bridge, over the Waſte or Common called *Mill-iſland*, to and over the ſaid Arch to be erected acroſs the Mill Leet: But as the ſaid ſeveral Purpoſes cannot be effectually carried into Execution without the Aid and Authority of Parliament,' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid recited Articles of Agreement of the ſecond Day of *June*, one thouſand ſeven hundred and ſeventy-ſeven, herein-before mentioned, ſhall be, and the ſame are hereby abſolutely eſtabliſhed and confirmed, to all Intents and Purpoſes whatſoever, according to the true Intent and Meaning thereof.

In conſequence of a Complaint of the Grand Jury, relating to Bridges,

it was ordered by the Quarter Seſſions, Jan. 14, 1778, that a Liſt of the County Bridges ſhould be always delivered to the Foreman of the Grand Jury, &c.

And it was likewiſe ordered, that an Application be made to Parliament to enable the Seſſions to fulfil their Agreement with Mr. Errington.

The Articles of Agreement of June 2, 1777, confirmed.

II. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid *Gawen Aynſley*, *John Tweddell*, and *Bacon William Waſtell*, Eſquires, and all others his Majeſty's Juſtices of the Peace in and for the ſaid County of *Northumberland* for the Time being, and they are hereby enabled, authoriſed, and empowered, by themſelves, or the ſaid *Henry Errington*, their or his Agents, Officers, Workmen, Servants, and others, to build, or cauſe to be built, a Stone Bridge acroſs the River *Tyne* aforeſaid, oppoſite to *Hexham* aforeſaid, or at any other Place near thereunto, as to them ſhall ſeem moſt convenient; and alſo an Arch acroſs the ſaid Mill Leet; and alſo to make and maintain a good and ſufficient Road, to lead from the North End of the ſaid Bridge (when built) into the preſent *Alemouth* Road, for the Paſſage of all Perſons on Foot or on Horſeback, and for all Horſes, Cattle, Carts, and Carriages whatſoever, in ſuch Manner, and according to ſuch Terms, Stipulations, and Agreements, as are expreſſed in the ſaid recited Articles of Agreement; alſo to make and maintain a good and ſufficient Road from the ſaid North End of the ſaid Bridge, over Part of the ſaid Cloſe Eaſtward, to the Roads and Lanes leading from the ſaid River towards the North and Eaſt; and alſo a good and ſufficient Road from the South End of the ſaid Bridge (when built) over the Waſte or Common called the *Mill-iſland*, to and over the ſaid Arch to be built acroſs the Mill Leet aforeſaid, for the Paſſage of all Perſons, on Foot or

The Seſſions, and Mr. Errington, empowered to build the Bridge, &c. and make Roads.

on

on Horſeback, and for all Horſes, Cattle, Carts, and Carriages whatſoever, without making any Satisfaction for ſuch Parts of the Common or Waſte Ground as ſhall be laid into and made a Part of the ſaid Roads reſpectively.

Powers veſted in them for that Purpoſe.

'III. And, for the more effectually carrying the ſaid recited Articles of Agreement, and this Act, into 'Execution,' be it further enacted by the Authority aforeſaid, That the ſaid *Gawen Aynſley*, *John Tweddell*, and *Bacon William Waſtell*, and all others his Majeſty's Juſtices of the Peace in and for the ſaid County of *Northumberland* for the Time being, ſhall be, and are hereby authoriſed and empowered to build, complete, and maintain the ſaid Bridge acroſs the ſaid River *Tyne*, and alſo the ſaid Arch acroſs the Mill Leet aforeſaid, and alſo to make and keep, or cauſe to be made and kept, in good and ſufficient Repair, the ſaid Road, to lead from the North End of the ſaid Bridge (when built) into the preſent *Alemouth* Road, in Manner aforeſaid; alſo the ſaid Road to lead from the ſaid North End of the ſaid Bridge, Eaſtward; and alſo the ſaid Road to be made over the ſaid *Mill-iſland* as aforeſaid; and for putting in Execution the ſeveral Powers and Authorities in and by this Act given and granted; and for that Purpoſe ſhall have full Power and Authority, by themſelves, or the ſaid *Henry Errington*, and their or his Agents, Servants, Workmen, and others, to remove any Shelves or other Obſtructions in the ſaid River, and to dig up, take, and carry away, all Beds of Gravel, Sand, Mud, or any other Impediment whatſoever, and alſo to cut, dig, and level the Banks of the ſaid River, where the ſaid Bridge is to be built, in ſuch Manner as ſhall be neceſſary and proper for the building the ſaid Bridge; and to erect and make in and over the ſaid River, and the Lands adjoining or near to the ſame, any Sheds, Trenches, and Landing-places; and, from Time to Time, and at all Times, to do all other Matters and Things neceſſary and convenient for making, erecting, ſupporting, and maintaining, the ſaid Bridge, and the aforeſaid Roads to lead to and from the ſame, and for making and doing the ſeveral other Matters and Things in and by this Act authoriſed to be done, doing as little Damage as may be, and firſt making Satisfaction and Recompence to the Owners, Proprietors, or Occupiers, of any Lands or Grounds that ſhall be made uſe of, damaged, or prejudiced, by, for, or upon account of erecting and maintaining the ſaid Bridge, or by, for, or upon account of laying out and making the ſaid Road, which is to lead from the North End thereof to the *Alemouth* Road, and the ſaid other Road which is to lead from the North End of the ſaid Bridge Eaſtwards, or by, for, or upon account of the doing and performing any other Act, Matter, or Thing, hereby authoriſed to be done and performed for carrying the Purpoſes of this Act into Execution.

They may make Trenches, Landing-places, &c. on adjoining Lands, making Satisfaction to all Parties injured.

Directions relating to the Road to lead from the Bridge to the Alemouth Road.

IV. And be it further enacted by the Authority aforeſaid, That one proper and commodious Road or Avenue ſhall be made to lead from the North End of the ſaid Bridge (when built) into, and to have Communication with, the preſent *Alemouth* Road, and ſhall be made of the ſame Breadth therewith; and that the ſame Road, when made, ſhall at all Times, for ever thereafter, be deemed a public High Road for the Paſſage of all Perſons whatſoever, either on Foot or on Horſeback, or with Horſes, Cattle, Carts, and Carriages, at their free Will and Pleaſure; which ſaid Road or Avenue ſhall, at the Expence of the ſaid *Henry Errington*, his Heirs, Executors, or Adminiſtrators, be fenced off and ſeparated from the adjoining Lands with Quickſets or otherwiſe, as ſhall be found neceſſary, with proper and ſufficient Gates to open into and out of the ſaid Road or Avenue, through which the reſpective Owners and Occupiers of the ſaid Lands, and their Servants and Agents, ſhall and may, at all Times thereafter, have free Ingreſs, Egreſs, and Regreſs, to paſs and repaſs, with their Horſes, Teams, and Cattle; and the ſaid Bridge acroſs the River *Tyne*, when built, as alſo the ſaid Arch acroſs the Mill Leet, and the ſame Roads and Avenues, ſhall be made, and at all Times afterwards maintained and repaired, in ſuch Manner as herein-after for that Purpoſe is particularly mentioned and directed.

Proviſo.

V. Provided always, That in caſe the ſaid Road, ſo to be made from the North End of the ſaid Bridge, when built, ſhall go through the *Hermitage* Eſtate to the *Alemouth* Road, the ſame ſhall go on the North Side of the *Hermitage* Houſe.

Incapacitated Perſons empowered to ſell and convey Lands.

VI. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Feoffees in Truſt, Executors, Adminiſtrators, Huſbands, Guardians, Committees, and other Truſtees whatſoever, for and on Behalf of themſelves, their Heirs and Succeſſors, Femes-covert, Infants, or Iſſue unborn, Lunatics, Idiots, or *Ceſtuique* Truſts, and other Perſons whatſoever, and to and for all Femes-covert who are or ſhall be ſeiſed in their own Right, and to and for all Tenants for Life, and all and every other Perſon and Perſons whomſoever, who are or ſhall be ſeiſed or poſſeſſed of any Lands or Grounds, of any Tenure whatſoever, to be uſed or taken for the Purpoſes of this Act, to treat, contract, or agree with the ſaid Juſtices, or any three or more of them, or the ſaid *Henry Errington*, his Heirs, Executors, or Adminiſtrators, for the Sale thereof, or any Part thereof, and to ſell and convey the ſame, as Occaſion ſhall be or require, for the Purpoſes of this Act; and all Contracts, Agreements, Sales, and Conveyances, which ſhall be ſo made, ſhall be valid, to all Intents and Purpoſes, any Law, Statute, Uſage, or any other Matter or Thing whatſoever, to the contrary thereof in anywiſe notwithſtanding; and all Feoffees in Truſt, Executors, Adminiſtrators, Huſbands, Guardians, and Truſtees, Corporations Aggregate or Sole, and all other Perſons, are and ſhall be hereby indemnified for what they ſhall do by virtue or in purſuance of this Act.

If Juſtices and Parties cannot agree, the Commiſſioners of the Land Tax to determine.

'VII. And, in caſe the ſaid Juſtices, or any three or more of them, or the ſaid *Henry Errington*, his 'Heirs, Executors, or Adminiſtrators, cannot agree with the reſpective Owners, Occupiers, or Perſons 'intereſted as aforeſaid,' be it further enacted by the Authority aforeſaid, That the Commiſſioners of the Land Tax for the ſaid County of *Northumberland*, or any five or more of them together aſſembled, ſhall be, and are hereby conſtituted and appointed Commiſſioners reſpectively, for ſettling, determining, and adjuſting, with the Conſent of the Parties, all Differences which ſhall happen to ariſe between the ſaid Juſtices, or the ſaid *Henry Errington*, his Heirs, Executors, or Adminiſtrators, and all and every Perſon and Perſons, Bodies Politic and Corporate, touching and concerning the Recompence and Satisfaction which ſhall be made to them, or any of them, for the Damages they or any of them ſhall ſuſtain by and

upon account of the erecting and maintaining the said Bridge, or by, for, or on account of turning, altering, or making any Highways, Foot-bridge, Foot-path, Stiles, or Horse-paths, or the doing and performing of any of the Matters or Things herein-before authorised to be done and performed; and the said Commissioners, or any five or more of them, are hereby authorised and required, by Writing under their Hands and Seals, to adjust, settle, and determine, what Satisfaction all and every Person and Persons, Bodies Politic or Corporate respectively, shall have for such Lands or Grounds, and adjust and settle what Share and Proportion of such Recompence or Satisfaction every Tenant, or other Person having a particular Estate, Term, or Interest, in any of the Premises, shall have and receive for his, her, or their respective Interest and Damages; and in case the said Justices, or the said *Henry Errington*, his Heirs, Executors, or Administrators, or any Person or Persons, Bodies Politic or Corporate, interested in the Premises, shall be dissatisfied with any such Determination of the said Commissioners, or shall decline such Determination; or in case any Person or Persons, Bodies Politic or Corporate, shall, for the Space of ten Days next after Notice shall be given to him, her, or them, or to the Head Officer of any such Bodies Politic or Corporate, or to the Tenant or Tenants in Possession of any of the Premises (in case such Party or Parties so interested cannot be found), neglect or refuse to treat and agree with the said Justices, or the said *Henry Errington*, his Heirs, Executors, or Administrators, or through Disability, by reason of Nonage, Coverture, or Estate Tail, or other Impediment whatsoever, cannot make any effectual or valid Agreement, or by reason of Absence shall be prevented from treating; then, and in every such Case, it shall and may be lawful to and for the said Commissioners, or any five or more of them, and they are hereby impowered and authorised to issue a Warrant or Warrants, Precept or Precepts, directed to the Sheriff of the County of *Northumberland*; who is hereby authorised and directed accordingly to impannel and return a Number of substantial and disinterested Persons, Inhabitants of the said County, and qualified to serve on Juries, not less than thirty-six, nor more than forty-eight; and out of such Persons so impannelled and returned, a Jury of twelve Persons shall be drawn by such Commissioners, or any five or more of them, or some Person to be by them, or any five or more of them, appointed, in such Manner as Juries for the Trials of Issues joined in his Majesty's Courts at *Westminster*, by an Act passed in the third Year of the Reign of his late Majesty King *George* the Second, intituled, *An Act for the better Regulation of Juries*, are directed to be drawn; which Persons, so to be impannelled and returned, are hereby required to appear before the said respective Commissioners, or any five or more of them, at such Time and Place as in such Warrant or Warrants, Precept or Precepts, shall be directed and appointed, and to attend them from Day to Day, till they shall be discharged by such Commissioners, or any five or more of them; and all Parties concerned shall and may have their lawful Challenges against any of the said Jurymen, but shall not be at Liberty to challenge the Array for Affinity, or any other Cause whatsoever; and that the said Commissioners, or any five or more of them, are hereby authorised and empowered, by Precept or Precepts under their Hands, from Time to Time, as Occasion shall require, to call before them any Person or Persons, in order to be examined as a Witness or Witnesses upon Oath, before the said Commissioners, or any five of them, or such Jury, touching and concerning the Premises; and such Commissioners, or any five or more of them, if they shall think fit, shall and may likewise cause the said Jury to view the Place or Places, Matter or Matters in question, and shall have Power to adjourn such Meeting from Day to Day, as Occasion shall require, and to command such Jury, Witnesses, and Parties, to attend until all the Matters for which they were summoned shall be concluded; and the said Jury, upon their Oaths (which Oaths, as also the Oaths to such Person or Persons as shall be called upon to give Evidence, the said Commissioners, or any five of them, are hereby empowered and required to administer), shall inquire into the Value of such Lands or Grounds, and of the respective Estate and Interest of all Persons, Bodies Politic or Corporate, seised or possessed of, or interested therein, or of or in any Part thereof, or the Damages which shall or may be done to any Lands or Grounds by the doing or performing of any of the Matters and Things herein-before authorised to be done and performed; and shall assess the Sum or Sums to be paid to every such Person or Persons, Bodies Politic or Corporate, for the Purchase of such their Estates and Interests, or as a Recompence and Satisfaction for the Damages they shall sustain as aforesaid; and the said Commissioners, or any five or more of them, shall and may give Judgment for such Sum or Sums of Money so to be assessed: And the Verdicts of such Juries, and the Judgment or Decrees thereupon (Notice in Writing being given as aforesaid to the Person or Persons so interested, or to the Officer or Officers of such Bodies Politic or Corporate so interested, at least ten Days before the Time of such Meeting, declaring the Time and Place of the Meeting of the Commissioners and Jury, or being left at the Dwelling-house of such Person or Persons, Head Officer or Officers, or at his or their last usual Place or Places of Abode, or with the Tenant or Occupier of the Premises, in case such Party cannot be found), shall be binding and conclusive to all Intents and Purposes whatsoever, against all and every Person and Persons, Bodies Politic and Corporate, claiming any Estate, Right, Title, Trust, Use, or Interest, in, to, or out of, such Lands or Grounds, either in Possession, Reversion, Remainder, or Expectancy, as well Infants and Issue unborn, Lunatics, Idiots, and Femes-covert, under any legal Incapacity or Disability, and all other *Cestuique* Trusts, his, her, and their Heirs, Successors, Executors, and Administrators, as against all other Persons whatsoever: And two Transcripts of all such Verdicts, Judgments, and Decrees, and all other Proceedings of the Commissioners and Juries, so to be made, given, and pronounced, as aforesaid, shall be fairly written on Parchment, and signed and sealed by five or more of the Commissioners making and pronouncing the same, one of which Transcripts, so signed and sealed, shall be forthwith transmitted to the said *Henry Errington*, his Executors or Administrators, and the other to the Clerk of the Peace of the said County of *Northumberland*, to be preserved among the Records of the said County; and the said Transcripts, so signed and sealed, shall be deemed and taken to be Records, to all Intents and Purposes whatsoever; and the Copies thereof signed, and proved to be signed by the said Clerk of the Peace, shall be deemed good and effectual Evidence in any Court of Law or Equity whatsoever;

In case Parties are dissatisfied with such Determination, &c. the Matter to be settled by a Jury.

Jurors may be challenged.

Witnesses may be examined on Oath.

Verdicts of Juries, &c. to be binding.

Two Transcripts of all Verdicts, &c. to be made, and signed by the Commissioners;

and shall be deemed Records,

whatſoever; and all Perſons may have Recourſe to the ſame *gratis*, and take Copies thereof, paying for every Copy, not exceeding the Sum of Fourpence for every ſeventy-two Words, and ſo proportionably for any greater Number of Words: And upon Payment of the Sum or Sums of Money ſo aſſeſſed by ſuch Juries, and adjudged and deemed by the ſaid Commiſſioners to the Party or Parties concerned, or legal Tender thereof made to him, her, or them, or in caſe ſuch Party or Parties cannot be found, or ſhall refuſe to accept the ſame, then upon Payment thereof into the Hands of ſuch Perſon or Perſons as the ſaid Commiſſioners, or any five or more of them, ſhall, by any Writing under their Hands, appoint, for the Uſe of the Party or Parties intereſted as aforeſaid, and to be paid to him, her, or them, upon Demand, without Fee or Reward, it ſhall then, and not before, or otherwiſe, be lawful to and for the ſaid Juſtices, or the ſaid *Henry Errington*, his Heirs, Executors, or Adminiſtrators, to make uſe of ſuch Lands or Grounds for the Purpoſes of this Act, and they the ſaid Juſtices ſhall have, hold, uſe, and enjoy the ſame, to and for the Purpoſes of this Act; and this Act ſhall be ſufficient to indemnify as well the ſaid Commiſſioners as the ſaid Juſtices, and all and every Perſon or Perſons by them or any of them authoriſed and empowered therein, or acting under them, againſt ſuch Owners, Proprietors, Occupiers, and Perſons intereſted, their Heirs, Succeſſors, Executors, Adminiſtrators, and Aſſigns, and againſt all and every other Perſon and Perſons, to all Intents and Purpoſes whatſoever.

Upon Payment or Tender of the Money aſſeſſed, &c. Juſtices may make uſe of the purchaſed Lands.

In Default of Jurymen appearing, others to be procured.

Commiſſioners empowered to impoſe a Fine on Sheriff and others for Neglect of Duty.

VIII. And be it further enacted by the Authority aforeſaid, That in caſe of any Default of a ſufficient Number of Jurymen to be ſworn for the Purpoſes of this Act, the ſaid Sheriff, or his Deputy, ſhall return other honeſt and indifferent Men of the Standers-by, or that can be ſpeedily procured to attend that Service, to the Number of twelve; and that all Perſons concerned ſhall, from Time to Time, have their lawful Challenges againſt any ſuch Jurymen when they come to be ſworn; and that the ſaid Commiſſioners, or any five or more of them, acting in the Premiſes, ſhall have full Power, from Time to Time, to impoſe any reaſonable Fine on ſuch Sheriff, or his Deputy, Bailiffs, or Agents, reſpectively, making Default in the Premiſes, or upon any Perſon or Perſons who ſhall be ſummoned and returned on any ſuch Juries and ſhall not appear, or who ſhall refuſe to be ſworn on the ſaid Jury or Juries, or being ſo ſworn ſhall not give his or their Verdict, or in any other Manner wilfully neglect his or their Duty in the Premiſes, contrary to the true Intent and Meaning of this Act; and likewiſe upon ſuch Perſon or Perſons (not being a Peer or Peereſs of *Great Britain*) ſummoned as aforeſaid to give Evidence, who ſhall neglect or refuſe to appear at ſuch Time or Times, Place or Places, as ſhall be appointed for that Purpoſe as aforeſaid, or appearing ſhall refuſe to be ſworn or give Evidence, or to be examined by or before the ſaid Commiſſioners, or any five or more of them; and from Time to Time to levy ſuch Fine or Fines by Diſtreſs and Sale of the Goods and Chattels of any Perſon or Perſons offending in any Matters or Things as aforeſaid, by Warrant or Warrants under the Hands and Seals of ſuch five of the acting Commiſſioners, to be directed to the Conſtable or other Officer of the Townſhip, Pariſh, or Place, where ſuch Offender or Offenders ſhall live (which Conſtable or other Officer is hereby required to execute the ſame), ſo that no ſuch Fine exceed the Sum of forty Shillings; which Fines ſhall be paid to the Treaſurer of the County of *Northumberland* for the Time being, to be applied and accounted for by him as Part of the County Rates.

Fines may be levied by Diſtreſs.

Perſons not to act where intereſted.

IX. Provided always, That no Perſon or Perſons whomſoever ſhall ſit or act as a Commiſſioner or Commiſſioners in any Caſe where he or they is or are in any wiſe, directly or indirectly, intereſted or concerned in the Matter or Matters in queſtion; nor ſhall any Perſon whomſoever be ſworn to ſerve on any Jury, or be examined as a Witneſs, where he or ſhe is in any wiſe, directly or indirectly, intereſted in any Matter in queſtion; nor ſhall any Perſon or Perſons whomſoever (being a Commiſſioner or Commiſſioners of the Land Tax) who ſhall have acted as a Juſtice of the Peace in the Execution of the Powers and Authorities of this Act, be capable of acting as a Commiſſioner or Commiſſioners in the ſettling and adjuſting ſuch Diſputes or Matters in queſtion as laſt herein-before mentioned.

Perſons ſuſtaining Damage by the Default of Mr. Errington, the Recompence to be aſcertained by the Commiſſioners.

X. Provided always, and be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall ſuſtain any Damage or Injury in his, her, or their Lands or Grounds, by virtue of the Powers given by this Act, for which he, ſhe, or they ſhall have had no Recompence, by any Act, Neglect, or Default of the ſaid *Henry Errington*, his Executors or Adminiſtrators, or his or their Agents or Workmen, then and in ſuch Caſe the ſaid Commiſſioners, or any five or more of them, ſhall enquire of and aſcertain ſuch Damage and Recompence, by a Jury to be impannelled and returned as aforeſaid, in like Manner and Form as Damages and Recompence are herein-before appointed to be aſſeſſed and adjudged; and in Default of Payment thereof by a certain Day, to be appointed by the ſaid Commiſſioners, or any five or more of them, the ſaid Commiſſioners, or any five or more of them, ſhall and may, by Warrant under their Hands and Seals, authoriſe and impower ſuch Perſon or Perſons as they ſhall think fit to levy the ſame by Diſtreſs and Sale of the Goods and Chattels of the ſaid *Henry Errington*, his Executors or Adminiſtrators, together with ſuch Coſts and Charges as the ſaid Commiſſioners, or any five or more of them, ſhall in ſuch their Warrant direct, rendering to the ſaid *Henry Errington*, his Executors or Adminiſtrators, the Overplus (if any be) after deducting the Charges of ſuch Diſtreſs and Sale; or otherwiſe, ſuch Party or Parties ſo aggrieved may have Remedy for ſuch Sum and Sums of Money ſo aſſeſſed, and not paid according to the Judgment of the ſaid Commiſſioners as aforeſaid, by Action of Debt, in any of his Majeſty's Courts of Record at *Weſtminſter*, againſt the ſaid *Henry Errington*, his Heirs, Executors, or Adminiſtrators.

Commiſſioners Meetings to be within four Miles of the Places in queſtion.

XI. And be it further enacted by the Authority aforeſaid, That no Meeting ſhall be held by the ſaid Commiſſioners, or any five of them, for carrying into Execution any of the Powers of this Act, at any Place which ſhall be above four Miles diſtant from the Place where the Controverſy, or the Matter to be enquired of, ſhall ariſe or be.

On making a new Road over the Hermitage Eſtate, former Roads over the ſame to ceaſe.

XII. And be it further enacted and declared, That, from and immediately after the completing and finiſhing the ſaid Road, to lead from the North End of the ſaid Bridge (when built) to the ſaid *Alemouth* Road (provided ſuch Road ſhall lead through or along any Part of the Fields, Cloſes, or Grounds, commonly called *The Hermitage Eſtate*) all other public and private Ways, Roads, Paths, and Paſſages, now

or at any Time heretofore uſed by any Perſon or Perſons whomſoever, through the ſaid Fields, Cloſes, or Grounds, called *The Hermitage Eſtate*, ſhall ceaſe and be no longer uſed as ſuch; and that the Soil and Inheritance of the Land and Ground where ſuch Ways, Roads, Paths, and Paſſages now are, ſhall from thenceforth be, and be deemed and taken to be, Part and Parcel of the Fields, Cloſes, and Grounds, through or along which the ſame lie, and for ever thereafter be held and enjoyed as ſuch by the Owners of the ſaid Fields, Cloſes, and Grounds; and that the ſame ſhall be eſtimated, deemed, and taken, as Part of the Conſideration, and towards making a Satisfaction and Recompence for the Ground to be taken from the *Hermitage* Eſtate, to be laid in and made a Part of the intended new Road, to lead from the North End of the ſaid Bridge (when built) to the *Alemouth* Road: Provided always, That nothing herein contained ſhall extend, or be conſtrued to extend, to alter or prejudice any Road or Roads, or Right of Paſſage, now uſed, through, over, or along any Lands or Grounds lying weſtward from the Mill called *The Hermitage Mill*.

XIII. Provided always, and it is hereby enacted and declared, That nothing herein contained ſhall be conſtrued to extend to take away any Road now uſed and enjoyed through the *Hermitage* Eſtate, on the North Side of the Road intended to be made from the North End of the ſaid Bridge to the *Alemouth* Road. Proviſo.

XIV. And be it further enacted by the Authority aforeſaid, That the Coſts, Charges, and Expences, of building and finiſhing the ſaid Bridge, and alſo the Arch acroſs the Mill Leet aforeſaid, and alſo of making and completing the ſaid Road or Highway, to lead from the North End of the ſaid Bridge (when built) into the preſent *Alemouth* Road, and to join the ſame, and all other neceſſary and incidental Expences attending the ſame, reſpectively, ſhall be paid, borne, and defrayed by the ſaid *Henry Errington*, his Heirs, Executors, or Adminiſtrators, purſuant to the ſaid recited Articles of Agreement. All Expences of building, &c. to be paid by Mr. Errington.

'XV. And whereas the Treaſurer for the ſaid County of *Northumberland*, by the Order and Direction 'of the Juſtices of the ſaid County of *Northumberland*, hath already, by and out of the Money ariſing from 'the County Rates, advanced and paid ſeveral conſiderable Sums of Money towards defraying the Coſts and 'Charges, Damages and Expences of building a Bridge or Bridges acroſs the River *Tyne*, at or near *Hexham* 'aforeſaid, and for other Purpoſes relative thereto;' be it therefore further enacted by the Authority aforeſaid, That the ſaid Juſtices, and the ſaid Treaſurer, ſhall from henceforth, for ever, be and remain indemnified of, from, and againſt, all ſuch Sum and Sums of Money which they have ſo expended, laid out, and diſburſed, for the Purpoſes aforeſaid, by and out of the Money ariſing from the ſaid County Rate, and alſo of, from, and againſt, all Coſts, Charges, Damages, and Expences, which they or any of them may have ſuſtained for or by Reaſon or Means thereof reſpectively. Juſtices and Treaſurer of the County indemnified for Money already expended on account of the Bridge;

XVI. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Juſtices of the Peace for the County of *Northumberland*, for the Time being, at their General Quarter Seſſions of the Peace, or any Adjournment thereof, from Time to Time, to order and direct the Payment of any Sum or Sums of Money that ſhall be received and collected by and from the ſaid County Rates and Aſſeſſments, and in the Hands of the Treaſurer of the County for the Time being, that ſhall be neceſſary and requiſite for defraying the Expences of building the ſaid Bridge, and making the ſaid Road or Avenue, purſuant to the ſaid recited Articles of Agreement; and for procuring, making, and maintaining the ſaid Road, from the North End of the ſaid Bridge Eaſtward, to the Roads and Lanes leading from the ſaid River towards the North and Eaſt; and alſo for making and maintaining the ſaid Road over the ſaid Waſte called *The Mill-iſland*; and for erecting the ſaid Arch acroſs the ſaid Mill Leet, and for other the Purpoſes of this Act mentioned; and alſo of obtaining and paſſing this Act. and Juſtices to order further Expences to be paid.

'XVII. And whereas the Juſtices of the Peace for the ſaid County of *Northumberland* have, at a conſi- 'derable Expence, prepared and provided a great Quantity of Timber, Stone, Iron, and other Materials, 'for the Purpoſe of building a Bridge a little higher up the ſaid River *Tyne*, as in the ſaid recited Articles 'of Agreement is mentioned,' be it therefore further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid *Henry Errington*, his Executors, Adminiſtrators, and Aſſigns, Deputies, Workmen, Agents, or Servants, from Time to Time, and at all Times, at his and their free Wills and Pleaſures, with Horſes, Carts, Teams, Waggons, and other Carriages, to have, uſe, take, and carry away, all ſuch Timber, Stone, Iron, and other Materials ſo prepared for the Purpoſes aforeſaid, without paying or making any Payment or Satisfaction to the ſaid Juſtices for the ſame, purſuant to the ſaid recited Articles of Agreement of the ſecond Day of *June*, one thouſand ſeven hundred and ſeventy ſeven, excluſive of and in Addition to any Sum or Sums of Money in and by the ſaid Articles of Agreement covenanted and agreed to be paid by the ſaid Juſtices to him the ſaid *Henry Errington*. Juſtices having provided Materials with Intent to build the Bridge, Mr. Errington to have them gratis, purſuant to the Agreement June 2, 1777.

XVIII. And be it further enacted by the Authority aforeſaid, That the ſaid Bridge acroſs the River *Tyne*, and alſo the ſaid Arch acroſs the ſaid Mill Leet, when ſo reſpectively finiſhed and completed, ſhall reſpectively be deemed County Bridges, and (from and after the Term of ſeven Years mentioned in the ſaid recited Articles of Agreement) ſhall, from Time to Time, and at all Times for ever thereafter, be repaired, or maintained and kept in Repair, as County Bridges. The Bridges when finiſhed to be deemed County Bridges;

XIX. And be it hereby further enacted and declared by the Authority aforeſaid, That when and ſo ſoon as the ſaid Road, ſo to be made from the North End of the ſaid Bridge (when built) to the *Alemouth* Road, the ſaid Road ſo to be made from the ſaid North End of the ſaid Bridge Eaſtward, and the ſaid Road over the ſaid *Mill-iſland*, reſpectively, ſhall be completed, the ſame ſhall reſpectively from thenceforth for ever thereafter be public Roads, for the Paſſage of all Perſons, on Foot or on Horſeback, and for all Horſes, Cattle, Carts, and Carriages, whatſoever: And that, from and after the Expiration of the Term of ſeven Years, mentioned in the ſaid recited Articles of Agreement herein before recited, the ſaid Road, ſo to be made from the North End of the ſaid Bridge (when built) to the *Alemouth* Road, ſhall, from Time to Time, and at all Times for ever thereafter, be deemed and conſidered as Part of the *Alemouth* Turnpike Road, and ſhall be continually repaired, amended, and kept in Repair as ſuch, as fully and effectually, to all and the Roads deemed public Roads. The North Road to be conſidered as Part of the Alemouth Turnpike Road.

all Intents and Purpoſes whatſoever, as if the ſaid Road had originally been Part of the ſaid *Alemouth* Turnpike Road; any Law, Statute, or Uſage to the contrary thereof, in anywiſe notwithſtanding.

The Road leading from the South End of the Mill Leet Arch, &c. to be deemed Part of the Alemouth Turnpike Road.

'XX. And whereas no Proviſion is made by this Act for amending and keeping in Repair the Road 'leading from the South End of the ſaid Arch (ſo to be built acroſs the ſaid Mill Leet, as aforeſaid) South-'eaſtward, to that Part of the *Glenwhelt* Road which leads to the Eaſt End of the Town of *Hexham* afore-'ſaid,' be it therefore enacted by the Authority aforeſaid, That the ſaid Road leading from the South End of the ſaid Arch South-eaſtward, to that Part of the *Glenwhelt* Road which leads to the Eaſt End of the Town of *Hexham* aforeſaid, ſhall, from Time to Time, and at all Times for ever hereafter, be deemed and conſidered as Part of the *Alemouth* Turnpike Road, and ſhall be continually repaired, amended, and kept in Repair, as ſuch, as fully and effectually, to all Intents and Purpoſes whatſoever, as if the ſame had originally been Part of the ſaid *Alemouth* Turnpike Road, inſtead of ſuch Part of the *Alemouth* Turnpike Road which leads from the ſaid Town of *Hexham* to the new Road intended to be made from the North End of the ſaid Bridge into the ſaid *Alemouth* Road; and that the Act of Parliament under which the ſaid *Alemouth* Turnpike Road is regulated, ſhall be, and the ſame is hereby declared to be repealed, ſo far as the ſame relates to the ſaid Road ſo leading from the Town of *Hexham* aforeſaid to the ſaid intended new Road to lead from the North End of the ſaid Bridge, when built, where the ſame ſhall come into the ſaid *Alemouth* Road.

No Toll-bar to be erected.

XXI. And be it enacted and declared by the Authority aforeſaid, That no Toll-bar or Toll-gate ſhall at any Time or Times hereafter be erected or ſet up in the Town of *Hexham*, or acroſs or upon the ſaid Road leading from the North End of the ſaid Bridge (when built) to the *Alemouth* Road, nor acroſs or upon the ſaid Road leading from the South End of the ſaid Arch ſo to be built acroſs the ſaid Mill Leet, to the Eaſt End of the Town of *Hexham* aforeſaid, where the ſaid *Glenwhelt* Road joins the ſaid Town.

Perſons deſtroying the Works ſhall be puniſhed as Felons.

XXII. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall wilfully and maliciouſly blow up, burn, pull down, or deſtroy, the ſaid Bridge or Arch, or any Part thereof, or any of the Works belonging thereto reſpectively, ſuch Perſon or Perſons, being lawfully convicted thereof, ſhall be adjudged guilty of Felony, and ſhall be ſubject and liable to the like Pains and Penalties as in Caſes of Felony; and the Court before whom ſuch Perſon or Perſons ſhall be tried and convicted, ſhall and may, and they are hereby authoriſed and empowered to order and direct ſuch Perſon or Perſons to be tranſported to ſome or one of his Majeſty's Plantations in *America* for the Term of ſeven Years; or otherwiſe it ſhall and may be lawful to and for ſuch Court to ſentence ſuch Perſon or Perſons to be kept to hard Labour, for any Term not exceeding the Term of three Years, in Manner directed in and by an Act paſſed in the ſixteenth Year of the Reign of his preſent Majeſty, intituled, *An Act to authoriſe, for a limited Time, the Puniſhment, by hard Labour, of Offenders who, for certain Crimes, are or ſhall become liable to be tranſported to any of his Majeſty's Colonies and Plantations.*

Penalty on Perſons damaging the Works.

XXIII. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall wilfully hurt, damage, injure, or deface, the ſaid Bridge or Arch, or any of the Works belonging thereto reſpectively, and ſhall be lawfully convicted thereof, on the Oath of one or more credible Witneſs or Witneſſes, before any one or more of his Majeſty's Juſtices of the Peace for the County of *Northumberland* (which Oath ſuch Juſtice or Juſtices is and are hereby authoriſed and empowered to adminiſter), ſuch Perſon or Perſons ſhall forfeit and pay, into the Hands of the Treaſurer for the County of *Northumberland* for the Time being, the Sum of forty Shillings, in caſe the Damage or Injury occaſioned to the ſaid Bridge or Arch, or the Works belonging thereto, reſpectively, ſhall not exceed the Sum of forty Shillings; but in caſe ſuch Damage or Injury ſhall exceed the Sum of forty Shillings, then ſuch Juſtice or Juſtices ſhall and may award ſuch Offender or Offenders to pay to the ſaid Treaſurer ſuch Sum or Sums as ſuch Juſtice or Juſtices, in his or their Diſcretion, ſhall think fit, not exceeding double the Value of the Damage proved on Oath to be done to the ſaid Bridge or Arch, or the Works belonging thereto reſpectively.

Commencement of the Powers of this Act. Penalties and Forfeitures how to be recovered and applied.

XXIV. And be it further enacted by the Authority aforeſaid, That all the Powers hereby given and granted (except ſuch Powers, the Commencement whereof is herein otherwiſe provided for) ſhall commence and take Effect upon the firſt Day of *July*, one thouſand ſeven hundred and ſeventy-eight; and that all Penalties and Forfeitures hereby inflicted, the Manner of levying and recovering whereof is not otherwiſe by this Act particularly directed, ſhall, upon Proof of the Offences reſpectively, before any one Juſtice of the Peace for the ſaid County of *Northumberland*, either by the Confeſſion of the Offender or Offenders, or by the Knowledge of ſuch Juſtice, or by the Oath of one or more credible Witneſs or Witneſſes (which Oath ſuch Juſtice is hereby empowered and required to adminiſter), be levied by Diſtreſs and Sale of the Goods and Chattels of ſuch Offender or Offenders, by Warrant or Warrants under the Hand and Seal of ſuch Juſtice (which Warrant he is hereby empowered and required to grant), and the Overplus (if any) after ſuch Penalties and Forfeitures, and the Charges of ſuch Diſtreſs and Sale, are deducted, ſhall be returned, upon Demand, to the Owner or Owners of ſuch Goods and Chattels; and the Penalties and Forfeitures, when paid or levied, ſhall, from Time to Time (if not otherwiſe directed to be applied by this Act), be paid to the County Treaſurer, and be accounted for by him as of the County Rates; and in caſe a ſufficient Diſtreſs ſhall not be found, it ſhall be lawful for any ſuch Juſtice of the Peace, by Warrant or Warrants under his Hand and Seal, to cauſe ſuch Offender or Offenders to be committed to the common Gaol of the County of *Northumberland*, for any Time not exceeding three Calendar Months, nor leſs than one Calendar Month, unleſs ſuch Penalties and Forfeitures, and all reaſonable Charges, ſhall be ſooner paid and ſatisfied.

Perſons aggrieved may appeal to the Quarter Seſſions;

XXV. Provided always, and be it enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall think himſelf or herſelf aggrieved by any Thing done in purſuance of this Act, and for which no particular Method of Relief is hereby otherwiſe given, ſuch Perſon or Perſons may appeal to the Juſtices of the Peace at any General Quarter Seſſions of the Peace to be held for the ſaid County of *Northumberland*, within four Calendar Months after the Cauſe of Complaint ſhall have ariſen, ſuch Appellant firſt giving, or cauſing to

to be given, ten Days Notice, in Writing, of his or her Intention to bring such Appeal, and of the Cause or Matter thereof, to the Clerk of the Peace for the said County, or his Deputy; and within three Days after such Notice entering into a Recognizance before some Justice of the Peace for the said County, with two sufficient Sureties, conditioned to try such Appeal at, and abide the Order of, the said Sessions; and the Justices at such Session, upon due Proof of such Notice having been given, and of the entering into such Recognizance, shall hear, and finally determine the Matter of such Appeal, in a summary Way; and if they see Cause may, by their Order, mitigate, at their Discretion, all or any of the said Penalties or Forfeitures, or vacate or set aside any Conviction or Convictions (but not for Want of Form only), or otherwise may ratify and confirm the same, and award such Costs, as they shall think proper; and the Determination of the said Justices at such Sessions shall be binding and conclusive, to all Intents and Purposes, and shall not be liable to be removed by *Certiorari*, or other Process whatsoever, into any of his Majesty's Courts of Record. giving ten Days Notice.

XXVI. Provided nevertheless, and it is hereby further enacted and declared, That no Justice or Justices of the Peace who shall have been present or in anywise have acted in the Transaction which shall have occasioned any Complaint or Grievance, for Redress whereof any such Appeal or Appeals shall be made or brought, shall be capable of acting as a Justice of the Peace in the determining or deciding such Controversy, Dispute, or Grievance, for a Redress whereof any Appeal shall arise or be brought at such Sessions. Justices concerned in the Appeal not to sit at Sessions.

XXVII. And be it further enacted, That if any Action, Suit, or Information, shall be commenced or prosecuted against any Person or Persons for any Thing done or to be done in pursuance of this Act, the same shall be commenced within six Calendar Months next after the Fact committed, and not afterwards, and shall be laid in the County of *Northumberland*, and not elsewhere; and the Defendant or Defendants in such Action or Suit shall and may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act: And if it shall appear so to be done, or that such Action or Suit shall be brought or commenced after the Time before limited, or shall be laid in any other County or Place than as aforesaid, that then the Jury shall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs shall become nonsuited, or discontinue his, her, or their Action or Suit, or if a Verdict shall pass against the Plaintiff or Plaintiffs, or upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall recover Treble Costs, and shall have such Remedy for the same as any Defendant or Defendants hath or have for Costs of Suit in other Cases by Law. Limitation of Actions. General Issue. Treble Costs.

XXVIII. And be it further enacted, That this Act shall be deemed and taken to be a Public Act; and shall be judicially taken Notice of as such, by all Judges, Justices, and other Persons whomsoever, without specially pleading the same. Public Act.

## CAP. XLV.

An Act to continue the several Laws therein mentioned, relating to the Allowance upon the Exportation of *British*-made Gunpowder; to the further encouraging the Manufacture of *British* Sail Cloth, and to the Duties payable on Foreign Sail Cloth; to the granting a Liberty to carry Sugars of the Growth, Produce, or Manufacture, of any of his Majesty's Sugar Colonies, directly to Foreign Parts, in Ships built in *Great Britain*, and navigated according to Law; to the further Punishment of Persons going armed or disguised, in Defiance of the Laws of Customs or Excise; to the prohibiting the Importation of Light Silver Coin of this Realm from Foreign Countries into *Great Britain* or *Ireland*, and to restrain the Tender thereof beyond a certain Sum; to the granting a Bounty upon Flax seed imported into *Ireland*; to the better regulating of Pilots for the conducting of Ships and Vessels from *Dover*, *Deal*, and *Isle of Thanet*; and to revive and continue so much of an Act, made in the fixteenth Year of his present Majesty's Reign, as relates to allowing the Exportation of certain Quantities of Wheat, and other Articles, to his Majesty's Sugar Colonies in *America*.

'WHEREAS the Laws herein-after mentioned have, by Experience, been found useful and beneficial, and are near expiring;' may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That an Act, made in the fourth Year of the Reign of his late Majesty King *George* the Second, (intituled, *An Act for granting an Allowance upon the Exportation of* British-*made Gunpowder*), which was to continue in Force for five Years, from the twenty-fourth Day of *June*, one thousand seven hundred and thirty-one, and from thence to the End of the then next Session of Parliament; and which, by several subsequent Acts, made in the tenth, sixteenth, twenty-fourth, and thirty-first Years of his said Majesty's Reign, and the fourth and twelfth Years of his present Majesty's Reign, was further continued until the twenty-ninth Day of *September*, one thousand seven hundred and seventy-eight, and from thence to the End of the then next Session of Parliament, shall be, and the same is hereby further continued, from the Expiration thereof, until the twenty-ninth Day of *September*, one thousand seven hundred and eighty-five, and from thence to the End of the then next Session of Preamble. Act 4 Geo. II. for granting an Allowance on Exportation of British-made Gunpowder, further continued till Sept. 29, 1785, &c.

II. And be it further enacted by the Authority aforesaid, That an Act, made in the ninth Year of the Reign of his late Majesty King *George* the Second (intituled, *An Act for further encouraging and regulating the Manufacture* Act 9 Geo. II. for encouraging the Manufacture of British Sail Cloth,

*Manufacture of* British *Sail Cloth, and for the more effectual securing the Duties now payable on Foreign Sail Cloth imported into this Kingdom)*, which was to continue in Force from the twenty-fourth Day of *June*, one thousand seven hundred and thirty-six, for the Term of five Years, and from thence to the End of the then next Session of Parliament; and which, by several subsequent Acts, made in the thirteenth, twenty-fourth, and thirty-first Years of his said Majesty's Reign, and the fourth and twelfth Years of his present Majesty's Reign, was further continued until the twenty-ninth Day of *September*, one thousand seven hundred and seventy-eight, and from thence to the End of the then next Session of Parliament, shall be, and the same is hereby further continued, from the Expiration thereof, until the twenty-ninth Day of *September*, one thousand seven hundred and eighty-five, and from thence to the End of the then next Session of Parliament.

further continued till Sept. 29, 1785, &c.

Act 12 Geo. II. granting a Liberty to carry Sugars from the Sugar Colonies to foreign Parts,

III. And be it further enacted by the Authority aforesaid, That an Act, made in the twelfth Year of the Reign of his late Majesty King *George* the Second (intituled, *An Act for granting a Liberty to carry Sugars, of the Growth, Produce, or Manufacture, of any of his Majesty's Sugar Colonies in* America, *from the said Colonies directly to Foreign Parts, in Ships built in* Great Britain, *and navigated according to Law)*, which was to continue in Force for five Years, from the twenty-ninth Day of *September*, one thousand seven hundred and thirty-nine, and from thence to the End of the then next Session of Parliament; and which, by several subsequent Acts, made in the seventeenth, twenty-fourth, and thirty-first Years of his said Majesty's Reign, and the fourth and twelfth Years of his present Majesty's Reign, was further continued until the twenty-ninth Day of *September*, one thousand seven hundred and seventy-eight, and from thence to the End of the then next Session of Parliament, shall be, and the same is hereby further continued, from the Expiration thereof, until the twenty-ninth Day of *September*, one thousand seven hundred and eighty-five, and from thence to the End of the then next Session of Parliament.

further continued till Sept. 29, 1785, &c.

Part of an Act 19 Geo. II. for punishing Persons going armed or disguised, in Defiance of Excise Laws, &c.

IV. And be it further enacted by the Authority aforesaid, That so much of an Act, made in the nineteenth Year of the Reign of his late Majesty King *George* the Second (intituled, *An Act for the further Punishment of Persons going armed or disguised, in Defiance of the Laws of Customs or Excise, and for indemnifying Offenders against those Laws, upon the Terms therein mentioned; and for the Relief of Officers of the Customs in Informations upon Seizures)*, as relates to the further Punishment of Persons going armed or disguised, in Defiance of the Laws of Customs or Excise, and to the Relief of Officers of the Customs in Informations upon Seizures, which was to continue in Force for seven Years, from the twenty-fourth Day of *July*, one thousand seven hundred and forty-six, and from thence to the End of the then next Session of Parliament; and which, by several subsequent Acts, of the twenty-sixth and thirty-second Years of the Reign of his said late Majesty, and the fourth and eleventh Years of the Reign of his present Majesty, was further continued until the twenty-ninth Day of *September*, one thousand seven hundred and seventy-eight, and from thence to the End of the then next Session of Parliament, shall be, and the same is hereby further continued, from the Expiration thereof, until the twenty-ninth Day of *September*, one thousand seven hundred and eighty-five, and from thence to the End of the then next Session of Parliament.

further continued till Sept. 29, 1785, &c.

Act 14 Geo. III. to prohibit the Importation of light Silver Coin, &c.

V. And be it further enacted by the Authority aforesaid, That an Act, made in the fourteenth Year of the Reign of his present Majesty (intituled, *An Act to prohibit the Importation of light Silver Coin of this Realm from Foreign Countries into* Great Britain *or* Ireland, *and to restrain the Tender thereof beyond a certain Sum)*, which was to continue in Force until the first Day of *May*, one thousand seven hundred and seventy-six, and from thence to the End of the then next Session of Parliament; and which, by another Act, made in the sixteenth Year of the Reign of his present Majesty, was continued until the first Day of *May*, one thousand seven hundred and seventy-eight, and from thence to the End of the then next Session of Parliament, shall be, and the same is hereby further continued, from the Expiration thereof, until the first Day of *May*, one thousand seven hundred and eighty-three, and from thence to the End of the then next Session of Parliament.

further continued till May 1, 1783, &c.

Part of an Act 15 Geo. III. relating to a Bounty on Flax-seed imported into Ireland;

and an Act of 16 Geo. III. granting a similar Bounty,

further continued for two Years.

VI. And be it further enacted by the Authority aforesaid, That so much of an Act, made in the fifteenth Year of the Reign of his present Majesty (intituled, *An Act for allowing the Clothing and Accoutrements necessary for his Majesty's Forces, paid out of his Majesty's Revenues arising in the Kingdom of* Ireland, *to be exported from thence to the Places where such Forces are ordered to serve; and for granting a Bounty upon Flax-seed imported into* Ireland, *for a limited Time)*, as relates to the granting a Bounty upon Flax-seed imported into *Ireland* for a limited Time, which was to continue in Force for two Years from the first Day of *January*, one thousand seven hundred and seventy-six, and from thence to the End of the then next Session of Parliament; and also another Act, made in the sixteenth Year of the Reign of his present Majesty (intituled, *An Act for granting a Bounty upon Flax seed, the Growth of the* United Provinces, *or of the* Austrian Netherlands, *imported into* Ireland, *for a limited Time)*, which was to continue in Force for two Years, from the first Day of *January*, one thousand seven hundred and seventy six, and from thence to the End of the then next Session of Parliament, shall be, and the same are hereby further continued, from the Expiration thereof, for the further Term of two Years, and from thence to the End of the then next Session of Parliament.

Act 3 Geo. I. for better regulating Pilots,

and a Clause in an Act of 7 Geo. I.

VII. And be it further enacted by the Authority aforesaid, That an Act, made in the third Year of the Reign of King *George* the First (intituled, *An Act for the better regulating of Pilots for the conducting of Ships and Vessels from* Dover, Deal, *and the* Isle of Thanet, *up the Rivers of* Thames *and* Medway), which was to continue in Force for seven Years, from the first Day of *August*, one thousand seven hundred and seventeen, and from thence to the End of the then next Session of Parliament; and also a Clause in an Act of the seventh Year of his said Majesty's Reign, *for further regulating the Pilots of* Dover, Deal, *and the* Isle of Thanet, which was to continue in Force during the Continuance of the said Act of the third Year of his said Majesty's Reign; which said Act, together with the said Clause, were, by several subsequent Acts, of the tenth Year of the Reign of his said Majesty, and of the eighth and twenty-third Years of the Reign of

of his late Majesty King *George* the Second, and the fourth Year of the Reign of his present Majesty, further continued until the twenty-fifth Day of *March*, one thousand seven hundred and seventy-eight, and from thence to the End of the then next Session of Parliament, shall be, and the same are hereby further continued, from the Expiration thereof, until the twenty-fifth Day of *March*, one thousand seven hundred and ninety-two, and from thence to the End of the then next Session of Parliament.

further continued till March 25, 1792.

VIII. And be it further enacted by the Authority aforesaid, That so much of an Act, made in the sixteenth Year of the Reign of his present Majesty (intituled, *An Act for allowing the Exportation of certain Quantities of Wheat, and other Articles, to his Majesty's Sugar Colonies in* America, *and to the Island of* Saint Helena, *and to the other Settlements belonging to the United Company of Merchants of* England *trading to the* East Indies, *and of Biscuit and Pease to* Newfoundland, Nova Scotia, Bay Chaleur, *and* Labrador; *and for indemnifying all Persons with respect to advising or carrying into Execution his Majesty's Orders of Council already made for allowing the Exportation of Wheat, and other Articles)*, as relates to allowing the Exportation of certain Quantities of Wheat and other Articles to his Majesty's Sugar Colonies in *America*, which was to continue in Force until the first Day of *January*, one thousand seven hundred and seventy-seven; which, by another Act, made in the seventeenth Year of the Reign of his present Majesty, was revived and continued until the twenty-fifth Day of *March*, one thousand seven hundred and seventy-eight, shall, from and after the passing of this Act, be revived, and the same is hereby revived, and shall continue in full Force and Virtue, until the first Day of *May*, one thousand seven hundred and seventy-nine.

So much of an Act of 16 Geo. III. as relates to the Exportation of Wheat, &c. to the Sugar Colonies,

revived; and to continue in Force till May 1, 1779.

## CAP. XLVI.

An Act for allowing further Time for Inrollment of Deeds and Wills made by Papists, and for Relief of Protestant Purchasers. [*Further Time given till Jan.* 1, 1779.]

## CAP. XLVII.

An Act to amend such Part of an Act, made in the forty-third Year of the Reign of Queen *Elizabeth*, intituled, *An Act for the Relief of the Poor*, as relates to the binding of Parish Apprentices.

Preamble.

'WHEREAS in and by an Act, made in the forty-third Year of the Reign of Queen *Elizabeth* (intituled, *An Act for the Relief of the Poor*), it was enacted, That it should be lawful for the Churchwardens and Overseers therein mentioned, or the greater Part of them, by the Assent of any two Justices of the Peace, to bind the Children of all such Parents who shall not, by the said Churchwardens and Overseers, or the greater Part of them, be thought able to keep and maintain their Children, to be Apprentices, where they shall see convenient, till such Man-child shall come to the Age of four and twenty Years, and such Woman-child to the Age of one and twenty Years, or Day of Marriage: And whereas it has been found by Experience, that the said Term respecting Men-children is longer than is necessary, and that if such Man-child was bound to be an Apprentice only till he came to the Age of one and twenty Years, all the Benefits intended by the said Act would be preserved, the Hardships brought on such Parish Apprentices, by the Length of their Apprenticeship, would be avoided, and the good Harmony between Master and Apprentice would be better maintained;' may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, from and after the passing of this Act, when any Man-child shall be bound to be an Apprentice by virtue of and under the Authority of the said Act, made in the forty-third Year of Queen *Elizabeth*, such Child shall be bound to be an Apprentice for no longer Term than till such Child shall come to the Age of twenty-one Years.

Act 43 Eliz. recited.

No Child apprenticed by virtue of the recited Act, to continue an Apprentice after the Age of twenty-one.

## CAP. XLVIII.

An Act for empowering the Mayor, Aldermen, and Commons, of the City of *London*, in Common Council assembled, to raise, upon the Credit of the Surplusses to arise out of a certain Fund, commonly called *The Orphans Fund*, the Sum of forty thousand Pounds, towards discharging the Debt incurred in rebuilding the Gaol of *Newgate*, and a *Sessions-house* adjoining, and for completing the said Gaol, and building an Infirmary thereto; and other the Purposes therein mentioned.

Preamble.

'WHEREAS by an Act, made and passed in the fifth and sixth Years of the Reign of King *William* and Queen *Mary*, intituled, *An Act for Relief of the Orphans and other Creditors of the City of* London, it was among other Things enacted, That for and towards raising a perpetual Fund to pay the yearly Interest of four Pounds for every one hundred Pounds principal Money, and the Interest thereof, then due to any Orphan of the said City, or the Executors, Administrators, or Assigns of any such Orphan, or any other the Creditor or Creditors of the said Mayor and Commonalty and Citizens, or the Executors, Administrators, or Assigns, of such Creditors, all and every the City's Estates and Revenues (except as therein excepted) should be charged for ever with the clear annual Sum of eight thousand Pounds; and the said Act did also appropriate to the Fund and Purposes aforesaid the Rents and Profits of the said City's Aqueducts (except as therein excepted), and the Sum of two thousand Pounds was thereby directed to be annually raised upon the personal Estates of the several Inhabitants

Recital of Acts 5 and 6 Gul. & Mar.;

within

'within the said City and Liberties towards the said Fund; and for the further Increase thereof, the Sum 'of two Shillings and Sixpence was directed to be paid upon the binding of every Apprentice within the 'said City, and five Shillings by every Person who should be admitted to be a Freeman thereof; and the 'said Act imposed upon all Sorts of Wine imported into the Port of the said City, or the Members thereof, 'by way of Merchandise, a Duty of four Shillings *per* Ton over and above the Duties then payable 'thereon; and for every Chaldron of Coals and Culm imported into the said Port, or the River of *Thames* 'within the Liberty of the said City upon the said River, to be sold, the Sum of Four-pence for Metage 'for ever; and also for all Coals or Culm, usually sold by the Chaldron, for every Chaldron thereof 'which should be imported into the said Port, or the Members thereof, from and after the twenty-ninth 'Day of *September*, one thousand seven hundred (over and above all other Impositions and Duties, and 'the said Sum of Four-pence Metage), the Sum of Sixpence; and for such Coals as were sold by the 'Ton, for every Ton thereof the like Sum of Sixpence; the said Imposition of Sixpence to continue
11 Geo. II.; 'from the said twenty-ninth Day of *September* for and during the Term of fifty Years: And whereas by 'an Act, made and passed in the twenty-first Year of the Reign of his late Majesty King *George* the Se-'cond, intituled, *An Act for the further Relief of the Orphans and other Creditors of the City of* London, *and 'for other Purposes therein mentioned*, the said Imposition of Sixpence for every Chaldron or Ton of Coals 'was further continued during the Term of thirty-five Years from the Expiration of the said Term of 'fifty Years; and out of the Money arising from the said Imposition so continued, the yearly Sum of 'three thousand Pounds was directed to be paid during the said Term of thirty-five Years to the Wardens 'and Commonalty of the Mystery of Mercers of the City of *London*, in the Manner and for the Purposes 'in the said Act mentioned; and the Residue of the said Monies was thereby appropriated to make Part 'of the Fund for paying the Interest to the said Orphans and other Creditors of the said City: And it was 'thereby directed, That, from and after the twenty-ninth Day of *September*, one thousand seven hundred 'and fifty, the said City's Estates and Revenues should be charged towards the said Fund with the yearly 'Sum of two thousand Pounds, and no more, over and above the said yearly Sum of eight thousand 'Pounds wherewith they then stood charged; and that the Surpluses arisen or to arise from the Fund, so 'appropriated for Payment of the said Interest, should be applied to the Payment of the said capital Debt, 'with a Proviso in the said Act contained, that no Orphan of the said City under the Age of twenty-one 'Years should be paid off, so long as there should be any Person not an Orphan under that Age Pro-
29 Geo. II.; 'prietor of any Part of the said principal Debt: And whereas by an Act, made and passed in the twenty-'ninth Year of the Reign of his late Majesty King *George* the Second, intituled, *An Act for building a 'Bridge cross the River* Thames *from* Blackfriars, *in the City of* London, *to the opposite Side in the County of* 'Surry, the Mayor, Aldermen, and Commons of the said City, in Common Council assembled, were 'empowered to build the said Bridge, and to make, enlarge, or improve Streets, Ways, and Passages, 'on each Side of the said River, to and from the said Bridge, and to light and watch the same when built, 'and to take certain Tolls for the Passage over the same, and upon the Credit thereof to raise any Sum
and 7 Geo. III. 'not exceeding one hundred and sixty thousand Pounds: And whereas by an Act, made and passed in 'the seventh Year of the Reign of his present Majesty, intituled *An Act for completing the Bridge cross the 'River* Thames *from* Black-friars, *in the City of* London, *to the opposite Side in the County of* Surry, *and 'the Avenues thereto on the* London Side; *for redeeming the Tolls on the said Bridge, and on* London-bridge; *'for rebuilding the Gaol of* Newgate *in the said City; for repairing the* Royal Exchange *within the same; 'for embanking Part of the North Side of the said River, within certain Limits; and for further continuing, 'towards these Purposes, the Imposition of Sixpence per Chaldron or Ton of Coals and Culm imported into the Port 'of the said City, established by an Act of the fifth and sixth Years of the Reign of King* William *and Queen* 'Mary; *and also for carrying on the new Pavements in the City and Liberties of* Westminster, *and Parishes 'adjacent, and in the Town and Borough of* Southwark; *and for other Purposes therein mentioned*; reciting '(among other Things) to the Effect herein-before recited, and that the said Mayor, Aldermen, and 'Commons, in Common Council assembled, had proceeded in the Execution of the said Act, and to-'wards the Purposes thereof had borrowed and raised the Sum of one hundred and forty-four thousand 'Pounds, besides contributing the Sum of sixteen thousand two hundred Pounds, which two Sums, to-'gether with the Profits made by the Dividends and Sale of the public Funds wherein Part of the said 'Monies was invested, and by the Sale of old Materials, and otherwise, did, upon the fifth Day of *July*, 'in the Year one thousand seven hundred and sixty-six, amount to the Sum of one hundred seventy-three 'thousand and forty Pounds seven Shillings and Sixpence; and that upon the said fifth Day of *July*, one 'thousand seven hundred and sixty-six, there had been laid out and expended, in the Execution of the 'said Act of the twenty-ninth Year of the Reign of his late Majesty King *George* the Second, the Sum 'of one hundred and forty thousand five hundred and ninety-five Pounds nineteen Shillings and Ten-'pence Halfpenny; so that there remained in the Chamber of the said City a Balance of thirty-two thou-'sand four hundred and forty-four Pounds seven Shillings and Seven-pence Halfpenny, which Balance, 'by some Receipts then expected, was likely to be raised to the Sum of thirty-three thousand and eighty-
On July 5, 1766, 58. 5001 wanted to com-plete Black-friars-bridge. 'nine Pounds twelve Shillings and Seven-pence Halfpenny; and that by Estimates of the necessary Ex-'pences which, upon the said fifth Day of *July*, one thousand seven hundred and sixty-six, remained to 'be incurred for the complete Execution of the said last-mentioned Act (exclusive of the Roads on the '*Surry* Side), and of the Charge of making, widening, enlarging, or improving, Streets and Ways ne-'cessary for a more convenient and ready Passage to the said then intended Bridge from several Parts of 'the said City, there would be wanted for the said several Purposes, over and above the said last-mentioned 'Balance, the further Sum of fifty-eight thousand five hundred Pounds; and that it would be of general 'Advantage that the Passage over the said intended Bridge should be freed and exempted as soon as might 'be from the Payment of the Tolls granted by the said Act, in which Case it would be necessary to pro-'vide some other sufficient Funds, as well for Repayment of the said one hundred and forty-four thousand

Pounds,

'Pounds, with the Intereſt thereof, and raiſing the ſaid fifty-eight thouſand five hundred Pounds, as for 'defraying the Expences of lighting, watching, cleanſing, and repairing, the ſaid Bridge when built; 'and that it would tend to remove many Inconveniencies if the Ground and Soil of the ſaid River of 'Thames, between the Weſt Corner of *Powell's Wharf* near *Puddle dock*, in the ſaid City of *London*, and 'the Eaſt Corner of *Robert's Wharf* near *Milford-lane*, in the ſaid County of *Middleſex*, was incloſed and 'embanked, the Expence of making which Embankment was eſtimated at the Sum of ſeven thouſand 'five hundred Pounds; and that the Paſſage over *London bridge* was ſubject to a preſcriptive Toll, ap- 'propriated to the Support of the ſaid Bridge, upon all Carts, Waggons, and other Carriages, paſſing 'over the ſame to and from the ſaid City, loaden with any kind of Goods or Proviſions, which Toll was 'at that Time in Leaſe for twenty-one Years at a Fine of two thouſand one hundred Pounds, and under 'a yearly Rent of ſeven hundred and thirty-five Pounds; and that it would alſo be of general Advantage 'that the Paſſage over the ſaid Bridge ſhould be freed and exempted as ſoon as might be from the Payment 'of ſuch Tolls; the Redemption of which Tolls, and the Purchaſe of which Leaſe, were eſtimated at the 'Sum of thirty thouſand Pounds: And alſo reciting, That the then Gaol of *Newgate*, which is not only 'the County Gaol of *Middleſex* as well as of *London*, but alſo the General Priſon for Smugglers, and 'Debtors to the Crown, from all Parts of the Kingdom, was ſo ill-contrived as not to admit of a ſufficient 'Supply of freſh Air and Water, from which Circumſtances the ſame was in general unhealthy, and 'often viſited with a malignant Fever called *The Gaol Diſtemper*, the fatal Effects of which had ſometimes 'extended beyond the Priſon Walls; and that the ſaid Gaol was ſo old and ruinous as to be incapable of 'any effectual Alteration or Repair, and the Charge of building a more airy and commodious one in its 'Stead was eſtimated at the Sum of fifty thouſand Pounds; and alſo reciting, That the Houſe or Building 'called *The Royal Exchange*, within the ſaid City of *London* (the daily Place of Reſort of Merchants, 'Traders, Mariners, and others, from all Parts of this Kingdom, and from many foreign Countries), 'was ſo much decayed, that the utter Ruin thereof was apprehended unleſs the ſame ſhould be ſpeedily 'and effectually repaired, which neceſſary Reparations were eſtimated at the Sum of ten thouſand Pounds, 'for which the Funds then ſubſiſting were inſufficient; and that the ſaid ſeveral Sums of fifty-eight thou- 'ſand five hundred Pounds, ſeven thouſand five hundred Pounds, thirty thouſand Pounds, fifty thouſand 'Pounds, and ten thouſand Pounds, amounting together to the Sum of one hundred and fifty-ſix thou- 'ſand Pounds, could not be raiſed, nor any new Fund provided for Repayment of the ſaid Sum of one 'hundred and forty-four thouſand Pounds, with the Intereſt thereof, without the Aid and Authority of 'Parliament: And alſo reciting, That the Surpluſſes which, at the Time of paſſing the ſaid Act, made 'and paſſed in the twenty-firſt Year of the Reign of his late Majeſty King *George* the Second, had ariſen, 'and the Surpluſſes which had ſince ariſen from the ſaid Fund, had been applied according to the Direc- 'tions of the ſaid Act, and thereby the ſaid Capital Debt, due to the Orphans and other Creditors of the 'ſaid City of *London*, was, on the twenty-fourth Day of *June*, in the ſaid Year one thouſand ſeven hun- 'dred and ſixty-ſix, reduced to the Sum of ſix hundred and ten thouſand eighty-four Pounds ſix Shillings 'and Ten-pence, and that (computing the future Surpluſſes at a Medium of the laſt five Years) the 'Whole might be expected to be paid off and diſcharged by the twenty-fifth Day of *March*, which will 'be in the Year one thouſand eight hundred and three: And that if the ſaid Impoſition of Sixpence for 'every Chaldron or Ton of Coals or Culm was to be further continued to the twenty-ninth Day of *Sep- 'tember*, which will be in the Year one thouſand eight hundred and thirty-one, the ſaid Fund created by 'the ſaid Act of the fifth and ſixth Years of King *William* and Queen *Mary*, with the Addition thereto 'of one thouſand five hundred Pounds *per Annum*, would (it was computed) be ſufficient in that Time to 'diſcharge the Principal and Intereſt not only of the ſaid Debt due to the ſaid Orphans and other Cre- 'ditors of the ſaid City, but of the ſaid further Sums of one hundred and fifty-ſix thouſand Pounds, and 'one hundred and forty-four thouſand Pounds: And further reciting, That the ſaid Mayor and Com- 'monalty and Citizens were willing and deſirous that the City's Eſtates and Revenues ſhould, from and 'after the twenty-fourth Day of *June*, in the Year one thouſand ſeven hundred and ſixty-ſeven, until the 'ſaid twenty-ninth Day of *September*, one thouſand eight hundred and thirty-one, be charged with the 'Payment of the ſaid yearly Sum of one thouſand five hundred Pounds towards the Increaſe of the ſaid 'Fund for the Purpoſes aforeſaid, over and above the ſeveral Sums with which the ſaid Eſtates and Re- 'venues then ſtood charged; it was thereby enacted (amongſt other Things), That it ſhould and might 'be lawful to and for the Mayor, Aldermen, and Commons, of the City of *London*, in Common Council 'aſſembled, and they were thereby empowered and required, with all convenient Speed, to pull down the 'ſaid Gaol of *Newgate*, and to remove, diſpoſe of, or deſtroy, the Materials thereof as they ſhould think 'fit (having a Regard to the Health and Safety of his Majeſty's Subjects), and to build a ſpacious and 'commodious new Gaol upon or near the Place where the then Gaol ſtood; provided always, That the 'Money which ſhould ariſe from the Sale of ſuch of the Materials as ſhould be thought expedient to be 'ſold, ſhould be applied towards the Expence of ſuch new Gaol: And to render the Acceſs as well to the 'ſaid new Gaol, as to the Seſſions-houſe in the *Old Bailey*, more eaſy and convenient, the ſaid Mayor, 'Aldermen, and Commons, in Common Council aſſembled, were thereby alſo empowered and authoriſed 'to widen, enlarge, or improve, ſuch of the Streets, Ways, and Paſſages, adjoining or leading to the 'ſaid then intended new Gaol and Seſſions-houſe, or either of them, as they ſhould judge neceſſary for 'that Purpoſe: And it was thereby provided and enacted, That the ſaid new Gaol when built ſhould be 'the County Gaol of and for the ſaid City of *London*, and of and for the County of *Middleſex*, in like 'Manner as the then Gaol was by Law, Uſage, or Preſcription; and the ſaid Mayor, Aldermen, and 'Commons, in Common Council aſſembled, were thereby inveſted with proper Powers for the Purpoſe 'of building the ſaid then intended Gaol, and for the Purchaſe of ſuch Houſes, Lands, Tenements, or 'Hereditaments, as they ſhould judge fit to be purchaſed, removed, or pulled down, for that Purpoſe: 'And it was thereby enacted, That it ſhould and might be lawful to and for the ſaid Mayor, Aldermen, 'and

7,500 l. for embanking the Thames;

30,000 l. for redeeming the Tolls of London-bridge;

50,000 l. for building Newgate;

and 10,000 l. for repairing the Royal Exchange.

Recital of the Powers granted to the Corporation of London by the Act of 7 Geo. III.

156,000 l. to be borrowed, at

3 l. 10 s. per Cent. per Ann. for the Purposes before mentioned.

‘ and Commons, in Common Council assembled, and they were thereby authorised and empowered, at ‘ any Time or Times from and after the twenty-fourth Day of *June*, one thousand seven hundred and ‘ sixty-seven, to borrow and raise any Sum or Sums of Money, not exceeding in the Whole the Sum of ‘ one hundred and fifty-six thousand Pounds, upon the Credit of the Fund so by the said Act of the fifth ‘ and sixth Years of King *William* and Queen *Mary* established, and by the said Act of the twenty first ‘ Year of King *George* the Second in Part further continued, and by the said Act of the seventh Year of ‘ the Reign of his present Majesty, herein recited, in Part further continued and augmented; the said ‘ Monies to be paid into the Receipt of the Chamber of the said City of *London* by such Instalments, in ‘ such Proportions, and at such Times, as the said Mayor, Aldermen, and Commons, in Common ‘ Council assembled, should think fit and agree; and that the Persons who should contract to advance or ‘ contribute any Part of the said Monies, should, in respect of the Sums which they should so respectively ‘ contract to advance, be intitled to Annuities at and after the Rate of three Pounds ten Shillings *per Cen-* ‘ *tum per Annum*, to commence and be computed from the Payment of the first of the said Instalments, ‘ and to be thenceforth paid and payable every six Months, until Redemption thereof by Payment of each ‘ respective principal Sum; and that no Part of the Monies so to be lent or advanced, nor any of the said ‘ Annuities so to take place in respect thereof, should be rated or assessed to any Tax or Assessment what- ‘ soever: And it was thereby enacted, That the said Mayor, Aldermen, and Commons, in Common ‘ Council assembled, should cause a Bond or Note, or other Security in Writing, under the Common ‘ Seal of the said City, to be delivered to every Person advancing the said Monies for the Payment of such ‘ Annuities in respect thereof, until redeemed as is herein-after mentioned, which Bonds, Notes, or other

The Fund established by Act 5 & 6 Gul. & Mar. charged with the Payment of Monies thentofore borrowed, and also the said Sum of 156,000 l.:

‘ Securities, should be assignable by proper Words to be written or indorsed thereon: And to the Intent ‘ that the said then intended Bridge at *Black-friars* might in due Time be freed and exempted from the ‘ Payment of any Toll for the Passage over the same, it was further enacted, That the said Fund, by the ‘ said Act of the fifth and sixth Years of King *William* and Queen *Mary* established, and by the said Act ‘ of the twenty-first Year of King *George* the Second in Part further continued, and by the said Act of the ‘ seventh Year of his present Majesty, herein recited, in Part further continued and augmented, should, ‘ from and after the said twenty-fourth Day of *June*, one thousand seven hundred and sixty-seven, be ‘ charged and chargeable with the Payment of the Principal and Interest of the said Sum of one hundred ‘ and forty-four thousand Pounds so borrowed and raised for the Purposes of the said Bridge as aforesaid, ‘ over and above the Debt then remaining due to the said Orphans and other Creditors of the said City, ‘ and the said Sum of one hundred and fifty-six thousand Pounds to be raised and borrowed upon the Credit

And to render the said Fund sufficient to pay off the said Debts, the Duty of 6 d. per Chaldron on Coals and Culm was further continued for forty-six Years, &c.

‘ thereof as aforesaid: And it was thereby further enacted, That (for and towards rendering the said Fund ‘ sufficient and effectual to pay off and discharge, not only the Principal and Interest of the Debt so re- ‘ maining due to the said Orphans and other Creditors of the said City, but likewise of the said Sum of ‘ one hundred and forty-four thousand Pounds so charged thereon by the said Act of the seventh Year of ‘ his present Majesty, and also to pay and redeem the Annuities which would be payable in respect of the ‘ said Sum of one hundred and fifty-six thousand Pounds so to be raised and borrowed upon the Credit ‘ thereof), the said Imposition of Sixpence for every Chaldron or Ton of Coals or Culm, so by the said ‘ Act of the fifth and sixth Years of King *William* and Queen *Mary* granted during a Term of fifty Years, ‘ and by the said Act of the twenty-first Year of King *George* the Second further continued for a Term of ‘ thirty-five Years, should be, and the same was thereby continued for a further Term of forty-six Years ‘ from the Expiration of the said Term of thirty-five Years; and that all and every the Powers, Autho- ‘ rities, Directions, and Provisions, contained in the said two Acts, or either of them, for the collecting, ‘ levying, and recovering of the said Imposition, and all the Penalties thereby imposed and Regulations ‘ therein respectively made for preventing Fraud and Covin, should remain and be in Force, and by virtue ‘ of the said Act, of the seventh Year of his present Majesty, herein recited, should and might be exer- ‘ cised and put in Use for collecting, levying, and recovering the said Imposition for and during all the ‘ Time by the same Act limited and appointed for the Payment thereof, as if the same were therein ex- ‘ pressly mentioned and repeated and at large re-enacted; and that all Monies to be received upon account ‘ of the said Imposition thereby continued should, from Time to Time, be paid into the Receipt of the ‘ Chamber of the said City of *London* for and towards the Increase of the said Fund: And it was thereby ‘ further enacted, That for and towards the further Increase of the said Fund, all and every the Manors, ‘ Messuages, Lands, Tenements, Markets, Fairs, and the Duties thereof, and all other the Revenues of ‘ and belonging to the said City of *London*, in Possession or Reversion, should (from and after the said ‘ twenty-fourth Day of *June*, one thousand seven hundred and sixty-seven, and unto the twenty-fourth ‘ Day of *June*, which will be in the Year one thousand eight hundred and thirty-one) stand and be ‘ charged with the full yearly Sum of one thousand five hundred Pounds, and no more, over and above ‘ the several yearly Sums of eight thousand Pounds and two thousand Pounds, with which they then re- ‘ spectively stood charged; which said yearly Sum of one thousand five hundred Pounds was thereby ap- ‘ propriated and directed to be applied to the same Uses to which the said yearly Sums of eight thousand ‘ Pounds and two thousand Pounds were by the said former Acts, or by the said Act of the seventh Year

The Order in which the different Payments were to be made out of the Fund.

‘ of his present Majesty, herein recited, made liable: And it was thereby further enacted, That the said ‘ Fund, created by the said Act of the fifth and sixth Years of King *William* and Queen *Mary*, and by ‘ the said Act of the twenty-first Year of King *George* the Second, and by the said Act of the seventh Year ‘ of his present Majesty, herein recited, in Part further continued and augmented, should be, and the ‘ same was thereby appropriated, in the first place, to pay the Interest on the said principal Debt remain- ‘ ing due to the said Orphans and other Creditors of the said City; and after Payment thereof, then to ‘ pay the Interest on the said principal Sum of one hundred and forty-four thousand Pounds so by the said ‘ Act of the seventh Year of his present Majesty, herein recited, charged upon the said Fund; and also ‘ the Annuities which should be payable in respect of the said Sum of one hundred and fifty-six thousand

'Pounds ſo to be borrowed and raiſed upon the Credit thereof: And for diſcharging the Principal of the ſaid Sum of one hundred and forty-four thouſand Pounds, and redeeming the Annuities which ſhould be ſo payable in reſpect of the ſaid Sum of one hundred and fifty-ſix thouſand Pounds, as well as the ſaid principal Debt then due to the ſaid Orphans and other Creditors of the ſaid City of *London*, it was thereby further enacted, That the future Surpluſſes of the ſaid Fund ſo created, continued, and augmented, as aforeſaid (after reſerving ſo much Money as ſhould be ſufficient to ſatisfy the Intereſt which ſhould at any Time be due to the ſaid Orphans and other Creditors of the ſaid City, as alſo to ſatisfy the Intereſt which ſhould at any Time be due on the ſaid Sum of one hundred and forty-four thouſand Pounds, and the ſaid Annuities in reſpect of the ſaid Sum of one hundred and fifty-ſix thouſand Pounds) ſhould from Time to Time, by Order of the Court of Mayor and Aldermen of the ſaid City of *London* (which Order the ſaid Court was thereby authoriſed and directed to make), be, by the Chamberlain of the ſaid City for the Time being, applied towards the Payment and Diſcharge of the Principal as well of the ſaid Sums of one hundred and forty-four thouſand Pounds, and one hundred and fifty-ſix thouſand Pounds, as of the ſaid Debt due to the ſaid Orphans and other Creditors of the ſame City, in Manner following; (that is to ſay) For and during the Space of four Years, to be computed from the ſaid twenty-fourth Day of *June*, one thouſand ſeven hundred and ſixty-ſeven, towards the Payment and Diſcharge of the ſaid principal Debt due to the ſaid Orphans and other Creditors of the ſaid City as aforeſaid, or of ſo much of the ſaid principal Debt as the ſaid Surpluſſes ſhould, during the ſaid four Years, amount unto; and from and after the Expiration of the ſaid four Years, then towards the Payment and Diſcharge of the ſaid principal Sum of one hundred and forty-four thouſand Pounds; and from and after the Payment and Diſcharge thereof, then towards the Payment and Diſcharge of ſo much of the ſaid principal Debt as ſhould then remain due to the ſaid Orphans and other Creditors of the ſaid City; and from and after the Payment and Diſcharge of the Whole of ſuch Debt, then towards Redemption of all and every the Annuities ſo to be granted in reſpect of the ſaid Sum of one hundred and fifty-ſix thouſand Pounds; the Payment of which ſaid ſeveral Sums ſhould and might be made in ſuch Order as the ſaid Court of Mayor and Aldermen ſhould think fit, but within the reſpective Times ſo as aforeſaid limited for the making thereof reſpectively: And it was thereby provided and enacted, That the ſaid Court of Mayor and Aldermen ſhould give, or cauſe to be given, ſix Calendar Months Notice of their Intention to pay off ſuch reſpective principal Sums, or to redeem ſuch Annuities, to the Perſon or Perſons to whom the ſame ſhould reſpectively belong, at the End of which ſix Months, upon Payment or Tender of the reſpective Sums ſo due, or for which ſuch Annuities ſhould have been granted, to or for the Perſon or Perſons to whom ſuch Notice ſhould be given, at the Office of the Chamberlain of the ſaid City of *London* for the Time being, in the *Guildhall* of the ſame City, and from thenceforth the Intereſt or Annuity payable to ſuch Perſon or Perſons, to whom ſuch Notice and Payment or Tender ſhould have been ſo given or made as aforeſaid, ſhould ceaſe and determine; nevertheleſs the Money ſo tendered ſhould be paid to ſuch Perſon or Perſons, upon his, her, or their Demand, and giving a Diſcharge for the ſame; and the ſaid Debts or Sums ſo charged on the ſaid Fund and paid off as aforeſaid ſhould be annihilated: And it was thereby further provided and enacted, That for and during the ſaid Space of four Years, to be computed from the ſaid twenty-fourth Day of *June*, one thouſand ſeven hundred and ſixty-ſeven, the Surpluſſes ariſing and to ariſe of the ſaid Fund ſhould be applied to the reſpective Purpoſes aforeſaid yearly at the End of each Year, but that from and after the Expiration of the ſaid four Years the ſaid Surpluſſes ſhould be ſo applied at the End of every Half Year: And it was thereby further provided and enacted, That if the ſaid Fund ſhould at any Time or Times then after prove inſufficient to pay off and diſcharge the Intereſt of the ſaid reſpective principal Debts, and the Annuities ſo charged thereon, then, and in every ſuch Caſe, and ſo often as the ſame ſhould happen, the Sum which ſhould be wanting to complete the Payment and Diſcharge of ſuch Intereſt and Annuities ſhould be advanced and paid out of the Chamber of the ſaid City, and be made good and ſupplied out of the next Surpluſſes ariſing or to ariſe of the ſaid Fund: And it was thereby further enacted, That a Sum not exceeding fifty thouſand Pounds, Part of the ſaid Sum of one hundred and fifty-ſix thouſand Pounds, ſhould be iſſued and applied for or towards the pulling down the ſaid Gaol of *Newgate*, and building a new Gaol inſtead thereof, and for or towards purchaſing ſuch Houſes and Lands as ſhould by the ſaid Mayor, Aldermen, and Commons, in Common Council aſſembled, be judged neceſſary for the Purpoſe of rendering ſuch new Gaol more airy, extenſive, and commodious; or for making, widening, enlarging, or improving, any of the Streets, Ways, or Paſſages, adjoining or leading to the ſaid then intended new Gaol and Seſſions-houſe; and that other Parts of the ſaid Sum of one hundred and fifty-ſix thouſand Pounds ſhould be applied for the ſeveral other Purpoſes therein mentioned; and that no Part of any of the ſaid ſeveral Sums ſhould be applicable or applied to or for any other Uſe, Intent, or Purpoſe whatſoever, than to or for or towards the ſeveral Purpoſes to which the ſame were reſpectively appropriated by the ſaid Act; and that if any Surplus ſhould remain of any of the ſaid Sums over and above what ſhould be applied to the ſeveral and reſpective Uſes and Purpoſes therein mentioned, all and every ſuch Surplus ſhould be applied and appropriated for or towards the Increaſe of the Fund by the ſaid Act of the fifth and ſixth Years of King *William* and Queen *Mary* eſtabliſhed, and by the ſaid Act of the twenty-firſt Year of King *George* the Second, and the ſaid Act of the ſeventh Year of his preſent Majeſty, in Part continued and augmented, as aforeſaid, to and for the ſeveral Uſes and Purpoſes thereof by the ſaid Acts, or any of them, reſpectively declared or appointed: And it was thereby provided and enacted, That nothing therein contained ſhould extend, or be conſtrued to extend, to leſſen or affect the Security of any of the then Creditors of the ſaid Mayor and Commonalty and Citizens further or otherwiſe than is therein expreſsly directed and enacted: And whereas, in purſuance of the Powers given by the ſaid Act of the ſeventh Year of his preſent Majeſty, the ſaid Mayor, Aldermen, and Commons, in Common Council aſſembled, have proceeded in the Erection of a new, ſpacious, and commodious Gaol, and for that Purpoſe have given up

How the Surpluſſes were to be diſpoſed of.

Court of Aldermen were to give ſix Months Notice of their Intention to pay the reſpective Sums borrowed, or to redeem the Annuities, &c.

In caſe of any Deficiency in the ſaid Fund, the ſame to be ſupplied out of the Chamber of London.

Recital of the Progreſs made in building a new Gaol, and the Expence thereof.

'to the Public the Freehold of a very large and extenſive Tract of Ground of conſiderable Value, and in 'the Proſecution of this great Buſineſs the ſaid Mayor, Aldermen, and Commons, in Common Council 'aſſembled, have already laid out the ſaid Sum of fifty thouſand Pounds: And whereas the ſaid Mayor, 'Aldermen, and Commons, in Common Council aſſembled, have alſo, out of the Caſh of the ſaid City, 'expended the Sum of fifteen thouſand Pounds in erecting a new Seſſions houſe, and the further Sum of 'ſix thouſand two hundred Pounds for the Purchaſe of ſeveral Houſes in the *Old Bailey*, in order to make 'the new Gaol more healthy, and the Avenues thereto more convenient: And whereas if an Infirmary to 'the ſaid Gaol was built, the ſame would greatly contribute to the Health of the Priſoners, and thereby 'be of great public Utility: And whereas the Mayor and Commonalty and Citizens of the City of *London*, 'are ſeized of and well intitled to the Inheritance in Fee-ſimple in Poſſeſſion of and in a Piece or Parcel of 'Ground near or adjoining to the ſaid new Gaol proper for the Scite of ſuch Infirmary, whereupon they 'propoſe and are deſirous that the ſame ſhould be erected and built: And whereas great and unforeſeen 'Expences have been incurred in the erecting the ſaid Gaol, and in purchaſing Houſes, Lands, and Tene-'ments, for that Purpoſe, and in widening, enlarging, and improving, divers Streets, Ways, and Paſ-'ſages, adjoining and leading thereto, in purſuance and Exerciſe of the Powers and Authorities given by 'the ſaid Act of the ſeventh Year of his preſent Majeſty: And whereas, by Eſtimates delivered to the ſaid 'Mayor, Aldermen, and Commons, in Common Council aſſembled, there will be required (over and 'above the ſaid ſeveral Sums of fifteen thouſand Pounds, and ſix thouſand two hundred Pounds, ſo ex-'pended out of the Caſh of the ſaid City) an additional Sum of twenty thouſand Pounds for the Purpoſe 'of building ſuch Infirmary, and completing the ſaid Gaol, with the Appurtenances; and if the ſaid 'Mayor, Aldermen, and Commons, in Common Council aſſembled, were enabled to raiſe ſuch further 'Sum of twenty thouſand Pounds, to be applied for the Purpoſe of building ſuch Infirmary, and com-'pleting the ſaid Gaol, with the Appurtenances, and the like further Sum of twenty thouſand Pounds, to 'be applied towards reimburſing the ſaid City the ſaid ſeveral Sums of fifteen thouſand Pounds, and ſix 'thouſand two hundred Pounds, ſo expended out of the Caſh of the ſaid City as aforeſaid, upon the Cre-'dit of the Surpluſſes to ariſe from the ſaid Fund, it appears that ſuch further Charges, as well as the 'Whole of the Debt and Sums of Money already charged thereon, will be paid off and diſcharged within 'the Time for which the ſaid Duty or Impoſition of Sixpence for every Chaldron or Ton of Coals or 'Culm was continued by the ſaid laſt-mentioned Act:' Therefore, upon the Petition of the ſaid Mayor, Aldermen, and Commons, of the City of *London*, in Common Council aſſembled, may it pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That it ſhall and may be lawful to and for the ſaid Mayor, Aldermen, and Commons, in Common Council aſſembled, and they are hereby required, with all convenient Speed, to complete the ſaid new Gaol, and to build a ſpacious and commodious Infirmary thereto upon the ſaid Piece or Parcel of Ground near or adjoining to the ſaid Gaol.

An Infirmary wanted.

Common Council empowered to complete the new Gaol, and to build an Infirmary adjoining thereto; and for that Purpoſe to raiſe 40,000 l. upon the Orphans Fund.

II. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Mayor, Aldermen, and Commons, in Common Council aſſembled, and they are hereby authoriſed and empowered, at any Time or Times from and after the paſſing of this Act, to borrow and raiſe the Sum of forty thouſand Pounds (over and above the ſaid Sum of one hundred and fifty-ſix thouſand Pounds, which they were empowered to borrow and raiſe by the ſaid Act of the ſeventh Year of his preſent Majeſty) upon the Credit of the Fund ſo by the ſaid Act of the fifth and ſixth Years of King *William* and Queen *Mary* eſtabliſhed, and by the ſaid Act of the twenty-firſt Year of King *George* the Second, in Part further continued, and by the ſaid Act of the ſeventh Year of his preſent Majeſty in Part further continued and augmented, the ſaid Monies to be paid into the Receipt of the Chamber of the ſaid City of *London* by ſuch Inſtalments, in ſuch Proportions, and at ſuch Times, as the ſaid Mayor, Aldermen, and Commons, in Common Council aſſembled, ſhall think fit and agree; and the Perſons who ſhall contract to advance or contribute any Part of the ſaid Monies ſhall, in reſpect of the Sums which they ſhall ſo reſpectively contract to advance, be intitled to Annuities at and after the Rate of four Pounds ten Shillings *per Centum per Annum*, to commence and be computed from the twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-ſeven; the firſt Payment of the ſaid Annuities, computed from the Time aforeſaid, to be made on the twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-eight, and the ſubſequent Payments of the ſaid Annuities to be thenceforth made, by equal half-yearly Portions, on the twenty-fifth Day of *December*, and the twenty-fourth Day of *June*, in every Year, until Redemption thereof by Payment of each reſpective principal Sum; and that no Part of the Monies ſo to be lent or advanced, nor any of the ſaid Annuities ſo to take place in reſpect thereof, ſhall be rated or aſſeſſed to any Tax or Aſſeſſment whatſoever.

Contributors to be intitled to redeemable Annuities at 4 l. 10 s. per Cent. per Ann.

III. And be it further enacted, That the ſaid Mayor, Aldermen, and Commons, in Common Council aſſembled, ſhall cauſe a Bond or Note, or other Security in Writing, under the common Seal of the ſaid City, to be delivered to every Perſon advancing the ſaid Monies for the Payment of ſuch Annuities in reſpect thereof, until redeemed, as is herein-after mentioned; which Bonds, Notes, or other Securities ſhall be aſſignable by proper Words to be written or indorſed thereon.

Common Council to give Bonds for ſuch Annuities, aſſignable by Indorſement.

IV. And be it further enacted, That the ſaid Fund, created by the ſaid Act of the fifth and ſixth Years of King *William* and Queen *Mary*, and by the ſaid Act of the twenty-firſt Year of King *George* the Second, and by the ſaid Act of the ſeventh Year of his preſent Majeſty in Part further continued and augmented, ſhall be, and the ſame is hereby charged and made chargeable with the Annuities which ſhall be payable in reſpect of the ſaid Sum of forty thouſand Pounds ſo to be borrowed and raiſed upon the Credit thereof under or by virtue of this Act; ſubject nevertheleſs, and without Prejudice to the Payment of the Intereſt on the ſaid principal Debt remaining due to the ſaid Orphans and other Creditors of the ſaid City, and of the Intereſt on the ſaid principal Sum of one hundred and forty-four thouſand Pounds ſo by the ſaid Act of the ſeventh Year of his preſent Majeſty charged upon the ſaid Fund, and alſo the Annuities which are or ſhall be

The Annuities to be charged on the Orphans Fund.

be payable in reſpect of the ſaid Sum of one hundred and fifty-ſix thouſand Pounds directed to be borrowed and raiſed upon the Credit thereof by the ſaid laſt-mentioned Act, according to the true Meaning of the ſame Act.

Surpluſſes of ſaid Fund how to be applied.

V. And be it further enacted, That out of the future Surpluſſes of the ſaid Fund ſo created, continued, and augmented as aforeſaid (after reſerving ſo much Money as ſhall be ſufficient to ſatisfy the Intereſt due, and which ſhall at any Time be due to the ſaid Orphans and other Creditors of the ſaid City; as alſo to ſatisfy the Intereſt due and which ſhall at any Time be due on the ſaid Sum of one hundred and forty-four thouſand Pounds; and the ſaid Annuities in reſpect of the ſaid Sum of one hundred and fifty-ſix thouſand Pounds, as the ſame ſhall grow due and become payable reſpectively), the Annuities in reſpect of the ſaid Sum of forty thouſand Pounds to be borrowed and raiſed under and by virtue of this Act, and alſo ſuch Annuities as may be granted and become payable in reſpect of any other Sum or Sums of Money which, by virtue of any Act or Acts of Parliament paſſed or to be paſſed during this preſent Seſſion of Parliament, ſhall be raiſed and charged upon the ſaid Fund, ſhall be paid from Time to Time, as the ſame ſhall grow due, before any Part of ſuch Surpluſſes ſhall be otherwiſe applied, as by the ſaid Act of the ſeventh Year of his preſent Majeſty is directed; and that the Reſidue of ſuch Surpluſſes, after ſuch Payments as by the ſaid laſt-mentioned Act are directed to be made out of the Surpluſſes of the ſaid Fund, and which ſtill remain unſatisfied, ſhall be ſatisfied thereout, ſhall, from Time to Time, by Order of the Court of Mayor and Aldermen of the City of *London* (which Order the ſaid Court are hereby authoriſed and directed to make), be, by the Chamberlain of the ſaid City for the Time being, applied towards the Redemption of all and ſingular the Annuities to be payable in reſpect of the ſaid Sum of forty thouſand Pounds, and of ſuch other Sums as ſhall be granted or become payable in reſpect of any other Sum or Sums of Money which, by virtue of any Act or Acts of Parliament paſſed or to be paſſed during this preſent Seſſion of Parliament, ſhall be raiſed and charged upon the ſaid Fund, in ſuch Order as the ſaid Court of Mayor and Aldermen ſhall think fit.

Upon ſix Months Notice of Redemption of Annuities, and Tender of the Money, the Annuities to ceaſe;

but the Principal to be ſtill payable.

VI. Provided always, and be it further enacted, That the ſaid Court of Mayor and Aldermen ſhall give or cauſe to be given ſix Calendar Months Notice of their Intention to pay off ſuch Annuities, to be granted in reſpect of the ſaid Sum of forty thouſand Pounds to the Perſon or Perſons to whom the ſame ſhall reſpectively belong; at the End of which ſix Months, upon Payment or Tender of the reſpective Sums, for which ſuch Annuities ſhall have been granted, to or for the Perſon or Perſons to whom ſuch Notice ſhall be given, at the Office of the Chamberlain of the ſaid City of *London* for the Time being, in the *Guildhall* of the ſame City, and from thenceforth, the Annuity and Annuities payable to ſuch Perſon or Perſons, to whom ſuch Notice and Payment or Tender ſhall have been ſo given or made as aforeſaid, ſhall ceaſe and determine; nevertheleſs the Monies ſo tendered ſhall be paid to ſuch Perſon or Perſons upon his, her, or their Demand, and giving a Diſcharge for the ſame, and the Monies ſo paid conſidered as a Debt from or Charge upon the ſaid Fund ſhall be annihilated.

Deficiencies in Payment of Intereſt, to be ſupplied out of the Chamber of London.

VII. Provided always, and be it further enacted, That if the Surpluſſes of the ſaid Fund charged with the Annuities which ſhall be payable in reſpect of the ſaid Sum of forty thouſand Pounds, ſhall at any Time or Times hereafter prove inſufficient to pay off and diſcharge the ſame, then and in every ſuch Caſe, and ſo often as the ſame ſhall happen, the Sum which ſhall be wanting to complete the Payment and Diſcharge of ſuch Annuities ſhall be advanced and paid out of the Chamber of the ſaid City, and be made good and ſupplied out of the like future Surpluſſes of the ſaid Fund.

The 40,000 *l.* to be applicable only for the Purpoſes of this Act:

VIII. And be it further enacted, That the Sum of twenty thouſand Pounds, Part of the ſaid Sum of forty thouſand Pounds ſo to be raiſed and borrowed as aforeſaid, ſhall be applied for or towards completing the ſaid Gaol of *Newgate*, with the Appurtenances, and building an Infirmary thereto; and the Sum of twenty thouſand Pounds, Reſidue thereof, ſhall be applied towards reimburſing the ſaid City the ſaid ſeveral Sums of fifteen thouſand Pounds, and ſix thouſand two hundred Pounds, expended out of the Caſh of the ſaid City; and that no Part of the ſaid Sum of forty thouſand Pounds ſhall be applicable or applied to or for any other Uſe, Intent, or Purpoſe whatſoever, than to or for or towards the Purpoſes for which the ſame is appropriated by this Act: And if any Surplus ſhall remain of the ſaid Sum of forty thouſand Pounds, over and above what ſhall be applied to the ſeveral Uſes and Purpoſes aforeſaid, ſuch Surplus ſhall be applied and appropriated for or towards the Increaſe of the ſaid Fund by the ſaid Act of the fifth and ſixth Years of King *William* and Queen *Mary* eſtabliſhed, and by the ſaid Act of the twenty-firſt Year of King *George* the Second, and the ſaid Act of the ſeventh Year of his preſent Majeſty in Part continued and augmented as aforeſaid.

The Surplus (if any) to be applied to increaſe the Fund.

Chamberlain to keep Accounts of Receipts and Diſburſements,

IX. And be it further enacted, That from Time to Time there ſhall be provided and kept, by the Chamberlain of the ſaid City of *London* for the Time being, one or more Book or Books of Vellum or Parchment, in which all the Monies, which by virtue of this preſent Act ſhall be raiſed or borrowed upon the Credit of the Fund aforeſaid, ſhall from Time to Time, as the ſame ſhall be received, be entered and ſet down; and wherein alſo all the Monies to be paid and diſburſed out of the Monies to be received ſhall from Time to Time be entered and ſet down; and ſuch Entry ſhall expreſs the Time when, the Occaſions for which, and the Names of the Perſons to whom, the ſame ſhall be ſo paid, and the Account of ſuch Receipts and Payments ſhall be yearly audited and allowed by the ſaid Mayor, Aldermen, and Commons, in Common Council aſſembled, or by any Committee by them to be appointed for carrying the Purpoſes of this Act into Execution, and which they are hereby authoriſed and empowered to appoint.

Common Council empowered to appoint Officers;

and allow them Salaries.

X. Provided always, and be it further enacted, That it ſhall and may be lawful to and for the ſaid Mayor, Aldermen, and Commons, in Common Council aſſembled, and they are hereby authoriſed and empowered, from Time to Time, to nominate and appoint ſuch and ſo many Clerks and other Officers under them as ſhall be neceſſary to be employed in or about the Execution of all or any the Purpoſes aforeſaid, and out of the ſaid Monies to be raiſed by virtue or in purſuance of this Act to make ſuch Allowances to

to the ſaid Clerks and Officers reſpectively for their Care and Pains in the Execution of their reſpective Offices as they ſhall think reaſonable; any Thing herein contained to the contrary thereof in anywiſe notwithſtanding.

Officers concerned in the Receipt of Money to give Security.

XI. And be it further enacted, That all and every Officer and Officers, or other Perſon or Perſons whomſoever concerned or to be concerned in the Receipt of the Money by this Act appropriated to the Uſes aforeſaid, before he or they ſhall be admitted to take upon him or them the Execution of any of the ſaid Office or Offices, ſhall be bound with ſufficient Sureties to the ſaid Mayor and Commonalty and Citizens for the juſt and faithful Execution of ſuch Office or Employment, in ſuch reaſonable Sum or Sums as by the Court of Mayor and Aldermen of the ſaid City, or by any Committee to be appointed by them as aforeſaid, ſhall be thought fitting, having regard to the Truſt repoſed or to be repoſed in ſuch Officer or Officers.

Penalty on Officers miſapplying any of the ſaid Monies.

XII. And be it further enacted, That if any Chamberlain of the ſaid City of *London*, or other Officer or Perſon aforeſaid, ſhall, after Receipt of any of the ſaid Monies, divert or miſapply the ſame, or any Part thereof, contrary to the true Intent and Meaning of this Act, then ſuch Chamberlain, or other Officer or Perſon aforeſaid, ſo diverting or miſapplying the ſaid Money, ſhall forfeit Treble the Sum ſo miſapplied; which ſaid Forfeitures ſhall be recovered by any of the Creditors of the ſaid City claiming under or by virtue of the ſaid Act of the fifth and ſixth Years of King *William* and Queen *Mary*, or by the Executors, Adminiſtrators, or Aſſigns of any of them, who ſhall ſue for the ſame, by Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record, wherein no Eſſoin, Protection, or Wager of Law, or more than one Imparlance ſhall be allowed.

City anſwerable in caſe of any Miſapplication by them.

XIII. And be it further enacted, That if the ſaid Sum of forty thouſand Pounds, or any Part thereof, ſhall happen to be miſapplied or converted to any other Uſe than as aforeſaid, by the ſaid Mayor and Commonalty and Citizens of *London* for the Time being, or any of their Officers, or any other Perſon, by Colour of any Warrant or Authority by, from, or under them, then and in ſuch Caſe the ſaid Mayor and Commonalty and Citizens ſhall be anſwerable for the ſame, out of the Revenues of the ſaid Corporation, in any Action to be brought by any of the ſaid Creditors, their Executors, Adminiſtrators, or Aſſigns; which ſaid Sum ſo recovered ſhall be applied to the ſame Uſes as the ſame Sums (if not miſapplied) ſhould or might have been, excepting the Coſts of Suit, which ſhall be to and for the Benefit of him, her, or them ſo ſuing.

Amerciaments, &c. againſt the City to be applicable to the Uſes of this Act, and not to be diſcharged, &c.

XIV. Provided always, and be it further enacted, That all Amerciaments, Fines, Iſſues, or Diſtreſſes, againſt the ſaid Corporation of the ſaid Mayor and Commonalty and Citizens, had, charged, or levied, in or upon account of ſuch Suits or Actions brought, ſhall be applied to the Uſes aforeſaid, and to no other Uſe whatſoever; nor ſhall the ſame be pardoned, acquitted, or diſcharged, by any Letters of Signet, Privy Seal of his Majeſty, his Heirs or Succeſſors, or otherwiſe howſoever; any Law or Uſage to the contrary notwithſtanding.

Diſburſements of the 40,000 l. to be included in the Chamberlain's annual Account.

XV. And be it further enacted, That in the annual Account, in and by the ſaid Act of the ſeventh Year of his preſent Majeſty, directed to be by the Chamberlain of the ſaid City of *London* for the Time being laid before each Houſe of Parliament, as by the laſt-mentioned Act is directed, ſhall be included an Account of the Diſburſements of the ſaid Sum of forty thouſand Pounds, or of ſo much thereof as ſhall have then been raiſed and borrowed.

Bonds, &c. not liable to any Duty.

XVI. Provided always, and be it further enacted, That no Bond, Note, Contract, Agreement, Aſſignment, Entry, Copy, or Proceeding, by this Act directed or authoriſed to be executed, made, or given, ſhall be charged or chargeable, or ſubject or liable to any Duty whatſoever.

This Act not to affect any of the City's preſent Creditors.

XVII. Provided alſo, and be it further enacted, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to leſſen or affect the Security of any of the preſent Creditors of the ſaid Mayor and Commonalty and Citizens further or otherwiſe than is herein expreſsly directed and enacted.

Priſoners may be removed.

XVIII. And be it further enacted, That, from and after the paſſing of this Act, the Sheriffs of the City of *London* and the Sheriff of the County of *Middleſex* reſpectively are and is hereby authoriſed and empowered to remove to, keep, and detain in the new Gaol of *Newgate*, although the Whole of the ſaid Gaol ſhall not be then completed, all or any of the Priſoners committed or hereafter to be committed to the County Gaol of the ſaid City and County; and that the Removal of all or any of ſuch Priſoners ſhall not be deemed or conſtrued to be an Eſcape in the ſaid Sheriffs of the ſaid City or in the Sheriff of the ſaid County; any Law to the contrary thereof notwithſtanding.

Limitation of Actions.

XIX. And be it further enacted by the Authority aforeſaid, That if any Action ſhall be brought or Suit commenced againſt any Perſon or Perſons for any Thing done in purſuance of this Act, or in relation to the Premiſes, or any of them, every ſuch Action or Suit ſhall be laid or brought within ſix Calendar Months next after the Fact done, and ſhall be laid or brought in the ſaid City of *London*, and not elſewhere; and

General Iſſue.

the Defendant or Defendants in ſuch Action may plead the General Iſſue, and give this Act and the ſpecial Matter in Evidence at any Trial to be had thereupon, and that the ſame was done in purſuance and by the Authority of this Act: And if the ſame ſhall appear to have been ſo done, or if any ſuch Action or Suit ſhall not be brought within the Time before limited, or ſhall be brought in any other City, County, or Place, than as aforeſaid, then the Jury ſhall find for the Defendant or Defendants; or if the Plaintiff or Party ſhall become nonſuited, or ſuffer a Diſcontinuance of his, her, or their Action or Actions, or if Judgment

Treble Coſts.

ſhall be given againſt the Plaintiff or Plaintiffs, the ſaid Defendants ſhall have Treble Coſts, and ſhall have ſuch Remedy for recovering the ſame as any Defendant or Defendants hath or have for Coſts in other Caſes by Law.

Public Act.

XX. And be it further enacted by the Authority aforeſaid, That this Act ſhall be allowed in all Courts whatſoever as a public Act; and all Judges, Juſtices, and other Perſons, are hereby required to take Notice thereof as ſuch, without ſpecially pleading the ſame.

CAP.

## CAP. XLIX.

An Act for applying the Sum of one thouſand Pounds, to ariſe out of the Surpluſſes of a certain Fund commonly called *The Orphans Fund*, for the Purpoſe of opening Communications between *Wapping-ſtreet* and *Ratcliff-highway*, and between *Old Gravel-lane* and *Virginia-ſtreet*, within the Pariſhes of *Saint George* and *Saint John* of *Wapping*, in the County of *Middleſex*.

Preamble. Recital of 17 Geo. III. Cap. 22; and Act 5 & 6 Gul. & Mar.

'WHEREAS an Act was made in the laſt Seſſion of Parliament *for opening Communications between* 'Wapping-ſtreet *and* Ratcliff-highway, *and between* Old Gravel-lane *and* Virginia-ſtreet; *and for* 'paving certain Streets intended to be built, and alſo certain other Streets and public Paſſages and Places within 'the Pariſhes of Saint George *and* Saint John *of* Wapping, *in the County of* Middleſex; whereby the Com- 'miſſioners thereby appointed are directed to do and perform certain Works which will be attended with 'a conſiderable Expence: And whereas an Act of Parliament was made in the fifth and ſixth Years of the 'Reign of King *William* and Queen *Mary*, intituled, *An Act for Relief of the Orphans and other Creditors* 'of the City of London, whereby a Fund was eſtabliſhed for the Purpoſes therein mentioned; which ſaid 'Fund, and the Receipts and Diſburſements thereof, are under the Management and Direction of the 'Court of Mayor and Aldermen of the ſaid City of *London*: And whereas by certain Acts of Parliament, 'made in the twenty-firſt Year of his late Majeſty, and the ſeventh Year of his preſent Majeſty, or by 'ſome of them, the ſeveral Proviſions for ſupporting the ſaid Fund have been continued and augmented; 'and by the ſaid Acts, and alſo by an Act of this preſent Seſſion of Parliament, ſeveral further Sums of 'Money have been charged thereon for defraying the Expences of ſeveral public Works within the Cities 'of *London* and *Weſtminſter*, and elſewhere: And whereas it appears that the Produce of the ſaid Duties, 'and other Securities granted and made chargeable for the Support of the ſaid Fund, will be more than 'ſufficient to anſwer and ſatisfy the ſeveral Sums of Money charged thereon by the ſaid recited Acts of 'the fifth and ſixth Years of King *William* and Queen *Mary*, and of the twenty-firſt Year of his late Ma- 'jeſty, and the ſeventh Year of his preſent Majeſty, and of this Seſſion of Parliament, and it is reaſonable 'that the Pariſhioners of the ſaid Pariſhes of *Saint George* and *Saint John* of *Wapping*, who contribute to- 'wards the ſaid Duties, ſhould receive ſome Benefit therefrom;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Mayor and Commonalty and Citizens of the City of *London* ſhall, and they are hereby authoriſed and required, yearly and every Year, to pay or cauſe to be paid to the Treaſurer for the Time being of the Commiſſioners appointed by the ſaid recited Act of the laſt Seſſion of Parliament, the Annuity or yearly Sum of forty-five Pounds, by equal half-yearly Payments; that is to ſay, on the twenty-fourth Day of *June*, and the twenty-fifth Day of *December*, in every Year; and one Year's Payment of the ſaid Annuity ſhall be made on the twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-eight.

City of London to pay 45 l. per Annum to the Treaſurer of the Commiſſioners, under the firſt recited Act.

II. And be it further enacted, That for ſecuring the Payment of the ſaid Annuity or yearly Sum to the ſaid Commiſſioners in Manner above mentioned, the ſaid Mayor and Commonalty and Citizens ſhall, on or before the twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-eight, at the Expence of the Treaſurer for the Time being of the Commiſſioners appointed by or in purſuance of the ſaid recited Act of the laſt Seſſion of Parliament (which ſhall be allowed to him in his Accounts), make and execute, under the Common Seal of the ſaid City, ten Bonds for ſecuring one hundred Pounds each; and the ſaid Mayor and Commonalty and Citizens ſhall in each of the ſaid Bonds be bound in the penal Sum of two hundred Pounds for ſecuring the Payment of one hundred Pounds to the Chamberlain of the ſaid City for the Time being, or to Maſter *William Montague* his preſent Chief Clerk; which ſaid Bonds ſhall be made with Conditions to be void on Payment of the reſpective Annuities to be thereby ſecured, or on Redemption of ſuch Annuities on the Terms and in the Manner herein-after expreſſed; and the ſaid Chamberlain and his Chief Clerk ſhall, and are hereby reſpectively required forthwith to aſſign, by Indorſement, ſuch Bonds as ſhall be ſo made to them reſpectively, and to deliver the ſame to the Treaſurer to the ſaid Commiſſioners.

Bonds to be given for ſecuring the Payment of the Annuity, and delivered to the Treaſurer.

III. And be it further enacted, That the ſaid Bonds, ſo to be executed, indorſed, and delivered to the Treaſurer of the ſaid Commiſſioners, ſhall be numbered in arithmetical Progreſſion, and the ſame ſhall and may be ſold and diſpoſed of by ſuch Treaſurer to ſuch Perſon or Perſons as the ſaid Commiſſioners, or any ſeven or more of them, ſhall direct; and the Monies ariſing by ſuch Sale, and the Annuities to ariſe in the mean Time from ſuch Bonds, ſhall be applied, in the firſt Place, in paying the Expences of procuring and paſſing this Act, and the Remainder in opening Communications between *Wapping-ſtreet* and *Ratcliff-highway*, and between *Old Gravel-lane* and *Virginia-ſtreet*, in the ſaid Pariſhes of *Saint George* and *Saint John* of *Wapping*, and to no other Uſe or Purpoſe whatſoever.

Bonds to be numbered, and may be ſold.

Application of the Money ariſing by ſuch Sale.

IV. And be it further enacted, That the Holder or Holders of ſuch Bonds reſpectively may, on Non-payment of the Annuities thereby ſecured, commence and proſecute any Action or Actions upon any ſuch Bonds, and recover thereupon from the ſaid Mayor and Commonalty and Citizens of the ſaid City of *London*.

Holders of Bonds may bring Actions thereon.

V. Provided always, and be it further enacted, That the ſaid Annuities ſhall from Time to Time (until the Whole ſhall be redeemed) be redeemable by the ſaid Mayor and Commonalty and Citizens, either wholly or in Part, in ſuch Order as they ſhall think proper, upon ſix Calendar Months Notice for that Purpoſe to be firſt publiſhed in the *London Gazette*; at the Expiration of which Time the Proprietors of ſuch Annuity or Annuities ſhall (upon delivering up to the Chamberlain of the ſaid City of *London* for the

Annuities to be redeemable by the City on ſix Months Notice.

Time

Time being, at his Office in the *Guildhall* in the ſaid City, any Bond or Bonds ſo given) be intitled to receive from the ſaid Mayor and Commonalty and Citizens the Sum of one hundred Pounds, for and in full Satisfaction and Redemption of every four Pounds and ten Shillings of ſuch Annuities; and every ſuch Sum of four Pounds and ten Shillings of ſuch Annuity or Annuities in reſpect whereof ſuch Notice ſhall be given ſhall, from and after the End of the ſaid ſix Months, ceaſe and be no longer paid or payable, unleſs the ſame Sum of one hundred Pounds ſhall be demanded purſuant to ſuch Notice, and not paid.

Orphans Fund charged with the Annuities.

VI. And be it further enacted, That the ſaid Fund created by the ſaid Act of the fifth and ſixth Years of King *William* and Queen *Mary*, and by the ſaid Acts of the twenty-firſt Year of King *George* the Second, and the ſeventh Year of his preſent Majeſty, in Part further continued and augmented, ſhall be, and the ſame is hereby charged and made chargeable with the Annuities which ſhall be payable under or by virtue of this Act; ſubject nevertheleſs and without Prejudice to the Payment of the Intereſt on the principal Debt remaining due on the Credit of the ſaid Fund to the Orphans and other Creditors of the ſaid City, and of the Intereſt on the principal Sum of one hundred and forty-four thouſand Pounds by the ſaid Act of the ſeventh Year of his preſent Majeſty charged upon the ſaid Fund, and alſo the Annuities which are or ſhall be payable in reſpect of the Sum of one hundred and fifty-ſix thouſand Pounds directed to be borrowed and raiſed upon the Credit thereof by the ſaid laſt-mentioned Act, according to the true Meaning of the ſame; and the ſame Fund ſhall be, and is hereby charged and made chargeable with the Payment alſo to the ſaid Mayor and Commonalty and Citizens of all ſuch Sum and Sums of Money as they ſhall advance and pay in Redemption of the ſaid Annuities, or any of them, in purſuance of this Act.

Public Act.

VII. And be it further enacted, That this Act ſhall be deemed and taken to be a public Act; and all Judges, Juſtices, and other Perſons, are hereby required to take Notice thereof as ſuch, without ſpecially pleading the ſame.

## CAP. L.

An Act for applying the Sum of one thouſand five hundred Pounds, to ariſe out of the Surpluſſes of a certain Fund, commonly called *The Orphans Fund*, for the Purpoſe of widening certain Avenues leading into *Goodman's Fields*, in the County of *Middleſex*.

Preamble. Act 5 and 6 Gul. & Mar. recited.

'WHEREAS an Act was made in the fifth and ſixth Years of the Reign of King *William* and Queen *Mary*, intituled, *An Act for Relief of the Orphans and other Creditors of the City of* London, whereby a Fund was eſtabliſhed for the Purpoſes therein mentioned; which ſaid Fund, and the Receipts and Diſburſements thereof, are under the Management and Direction of the Court of Mayor and Aldermen of the ſaid City of *London*: And whereas by ſeveral Acts, made in the twenty-firſt Year of his late Majeſty, the ſeventh Year of his preſent Majeſty, and this preſent Seſſion of Parliament, or by ſome of them, the ſeveral Proviſions for ſupporting the ſaid Fund have been continued and augmented, and ſeveral further Sums of Money charged thereon, for defraying the Expences of ſeveral public Works within the Cities of *London* and *Weſtminſter*, and elſewhere: And whereas the three principal Avenues, from *The Minories*, through *Goodman's Yard*, into *Preſcot-ſtreet*; and from *The Minories*, through *Swan-ſtreet* and *Swan-alley*, into *Manſell-ſtreet*; and from *Whitechapel* or *Aldgate High-ſtreet*, through *Somerſet-ſtreet*, into *Great Manſell-ſtreet*, in the Pariſhes of *Saint Mary Whitechapel* and *Saint Botolph Aldgate*, in the County of *Middleſex*, are great Thoroughfares, and being very narrow, the Paſſage through the ſame is dangerous, and frequent Delays and Inconveniences are occaſioned thereby, and it would therefore be of great public Utility to have the ſaid Avenues widened ſufficiently to make the Paſſage through the ſame ſafe and commodious: And whereas it is reaſonable that the Sum of one thouſand five hundred Pounds, out of the Surpluſſes to ariſe from the Fund aforeſaid, ſhould be applied towards making the ſaid Openings:' May it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Mayor and Commonalty and Citizens of the City of *London* ſhall, and they are hereby authoriſed and required, yearly, and every Year, to pay, or cauſe to be paid, to *John Leman* of *Northall* in the County of *Hertford*, *John Newnham* of *Mareſfield* in the County of *Suſſex*, and *Edward Hawkins* of *Goodman's Fields* aforeſaid, Eſquires, or the Survivors or Survivor of them, or the Executors or Adminiſtrators of ſuch Survivor, one or more Annuity or Annuities, or yearly Sum or Sums of Money, amounting to the yearly Sum of ſixty-ſeven Pounds ten Shillings in the Whole, by equal half-yearly Payments; (that is to ſay) on the twenty-fifth Day of *December*, and the twenty-fourth Day of *June*, in every Year; and one Year's Payment thereof to be made on the twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-eight.

City of London to pay an Annuity of 67 l. 10 s. to the Commiſſioners;

and for that Purpoſe to iſſue Bonds under their Common Seal.

II. And be it further enacted, That for ſecuring the Payment of the ſaid reſpective Annuities to the ſaid *John Leman*, *John Newnham*, and *Edward Hawkins*, in Manner above mentioned, the ſaid Mayor and Commonalty and Citizens ſhall, on or before the twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-eight, at the Expence of them the ſaid *John Leman*, *John Newnham*, and *Edward Hawkins*, make and duly execute, under the Common Seal of the ſaid City, and deliver, or cauſe to be delivered, unto the ſaid *John Leman*, *John Newnham*, and *Edward Hawkins*, or the Survivors or Survivor of them, or the Executors or Adminiſtrators of ſuch Survivor, fifteen Bonds; and the ſaid Mayor and Commonalty and Citizens ſhall, in every ſuch Bond, become bound to the Chamberlain of the ſaid City, or to his Chief Clerk for the Time being, in the penal Sum of two hundred Pounds, for ſecuring the Payment of one hundred Pounds; with Condition, for paying an Annuity, after the Rate of four Pounds ten Shillings *per Annum*, at the Times above mentioned, and that every ſuch Bond ſhall be void on Redemption of ſuch Annuity, upon the Terms and in the Manner herein-after expreſſed; and the ſaid Chamberlain or his Chief Clerk are hereby required to indorſe ſuch Bonds.

Value and Condition of the Bonds.

III. And

III. And be it further enacted, That the said Bonds, so to be executed and indorsed, and delivered to the said *John Leman*, *John Newnham*, and *Edward Hawkins*, shall be numbered in arithmetical Progression; and the same shall or may be sold or disposed of; and the Holder or Holders of such Bonds respectively may, on Nonpayment of the Annuities thereby secured, commence and prosecute any Action or Actions upon any such Bonds, and recover thereupon from the said Mayor and Commonalty and Citizens; and the Monies arising by virtue of the said Bonds shall, in the first Place, be applied in paying and defraying the Costs, Charges, and Expences, incident to and attending the obtaining and passing this Act, and afterwards towards defraying the Expences of making the said Openings, and to or for no other Use, Intent, or Purpose whatsoever.

Bonds to be numbered, and may be sold.

Application of the Money arising from Sale thereof.

IV. Provided always, and be it further enacted, That the said Annuities shall, from Time to Time (until the Whole shall be redeemed), be redeemable by the said Mayor and Commonalty and Citizens, either wholly or in Part, in such Order as they shall think proper, upon six Calendar Months Notice for that Purpose to be first published in the *London Gazette*; at the Expiration of which Time the Proprietors of such Annuity or Annuities shall (upon delivering up to the Chamberlain of the said City of *London* for the Time being, at his Office in the *Guildhall* in the said City, the Bond or Bonds so given for the same) be entitled to receive from the said Mayor and Commonalty and Citizens, the Sum of one hundred Pounds, for, and in full Satisfaction and Redemption of, every four Pounds ten Shillings of such Annuities; and every such Sum of four Pounds ten Shillings of such Annuity or Annuities, in respect whereof such Notice shall be given, shall, from and after the End of the said six Calendar Months, cease, and be no longer paid or payable, unless the same Sum of one hundred Pounds shall be demanded pursuant to such Notice, and not paid; any Thing herein-before contained to the contrary thereof notwithstanding.

Annuities to be redeemable by the City on six Months Notice.

V. And be it further enacted, That the said Fund created by the said Act of the fifth and sixth Years of King *William* and Queen *Mary*; and by the said Act of the twenty-first Year of King *George* the Second, and by the said Act of the seventh Year of his present Majesty, in Part further continued and augmented, shall be, and the same is hereby charged and made chargeable with the Annuities which shall be payable under or by virtue of this Act; subject nevertheless, and without Prejudice to the Payment of the Interest on the Principal Debt remaining due to the said Orphans and other Creditors of the said City, and of the Interest on the Principal Sum of one hundred and forty-four thousand Pounds, by the said Act of the seventh Year of his present Majesty charged upon the said Fund, and also the Annuities which are or shall be payable in respect of the Sum of one hundred and fifty-six thousand Pounds directed to be borrowed and raised upon the Credit thereof by the last-mentioned Act, according to the true Meaning of the same Act; and the same Fund shall be, and is hereby charged and made chargeable with the Payment also to the said Mayor and Commonalty and Citizens of all such Sum and Sums of Money as they shall advance and pay in Redemption of the said Annuities, or any of them, in pursuance of this Act.

The Orphans Fund charged with the Payment of the Annuities.

VI. And be it further enacted, That the Person or Persons who shall expend and advance Money for paying the Charges and Expences of obtaining and passing this Act, shall be intitled to, and shall receive Interest for the same, at the Rate of five Pounds *per Centum per Annum*, until the Money so expended and advanced shall be repaid, out of the said one thousand five hundred Pounds.

Persons advancing Money to pay Expences of this Act, to be allowed Interest for the same.

VII. And be it further enacted, That this Act shall be deemed and taken to be a public Act; and all Judges, Justices, and other Persons, are hereby required to take Notice thereof as such, without specially pleading the same.

Public Act.

## CAP. LI.

An Act for applying the Sum of four thousand Pounds, to arise out of the Surpluses of a certain Fund, commonly called *The Orphans Fund*, towards completing the paving of the Town and Borough of *Southwark*, and certain Parts adjacent, in the County of *Surrey*.

Preamble.

'WHEREAS an Act was passed in the sixth Year of his present Majesty's Reign, intituled, *An Act for paving the Streets and Lanes within the Town and Borough of* Southwark, *and certain Parts adjacent; and for cleansing, lighting, and watching the same; and also the Courts, Yards, Alleys, and Passages, adjoining thereto; and for preventing Annoyances therein:* And whereas an Act was made in the fifth and sixth Years of the Reign of King *William* and Queen *Mary*, intituled, *An Act for Relief of the Orphans and other Creditors of the City of* London, whereby a Fund was established for the Purposes therein mentioned; which Fund, and the Receipts and Disbursements thereof, are under the Management and Direction of the Court of Mayor and Aldermen of the said City of *London:* And whereas by several Acts, made in the twenty-first Year of his late Majesty, the seventh Year of his present Majesty, and this present Session of Parliament, or by some of them, the several Provisions for supporting the said Fund have been continued and augmented, and several further Sums of Money charged thereon, for defraying the Expences of several public Works within the Cities of *London* and *Westminster*, and elsewhere: And whereas great Progress has been made in paving the said Town and Borough of *Southwark*, and Parts adjacent; but the Commissioners for executing the Act have not been able to complete the same, owing to the Extent of the Works, and the Insufficiency of the Monies applicable thereto: And whereas it is reasonable that the Sum of four thousand Pounds, out of the Surpluses of the said Fund, should be applied towards the completing the paving of the said Town and Borough, and Parts adjacent:' May it therefore please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Mayor and Commonalty and Citizens of the City of *London* shall, and they are hereby authorised and required, yearly and every

Recital of Act 5 Geo. III.; and Act 5 & 6 Gul. & Mar.

City of London to pay an Annuity of 180l. to the Commis-

ſioners under the firſt recited Act:

Year, to pay, or cauſe to be paid, to the Treaſurer for the Time being of the Commiſſioners appointed by the ſaid Act of the ſixth Year of his preſent Majeſty's Reign, one or more Annuity or Annuities, or yearly Sum or Sums of Money, amounting to the yearly Sum of one hundred and eighty Pounds in the Whole, by equal half-yearly Payments; (that is to ſay) on the twenty-fifth Day of *December*, and the twenty-fourth Day of *June*, in every Year; and one Year's Payment thereof to be made on the twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-eight; two third Parts of which Annuity or Annuities ſhall be applied to the Uſe of the Weſtern Diviſion, and the other third Part to the Uſe of the Eaſtern Diviſion, as deſcribed in the ſaid Act.

and for that Purpoſe to iſſue Bonds under their Common Seal.

II. And be it further enacted, That for ſecuring the Payment of the ſaid reſpective Annuities to the ſaid Commiſſioners, in Manner above mentioned, the ſaid Mayor and Commonalty and Citizens ſhall, on or before the twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-eight, at the Expence of the Treaſurer for the Time being to the ſaid Commiſſioners, make and duly execute, under the Common Seal of the ſaid City, and deliver, or cauſe to be delivered, unto ſuch Treaſurer, forty Bonds; and the ſaid Mayor and Commonalty and Citizens ſhall, in every ſuch Bond, become bound to the Chamberlain of the ſaid City, or to his chief Clerk for the Time being, in the penal Sum of two hundred Pounds, for ſecuring the Payment of one hundred Pounds; with Condition, for paying an Annuity, after the Rate of four Pounds ten Shillings *per Annum*, at the Times above mentioned; and that every ſuch Bond ſhall be void on Redemption of ſuch Annuity, upon the Terms and in the Manner herein-after expreſſed; and the ſaid Chamberlain, or his chief Clerk, are hereby required to indorſe ſuch Bonds.

Value and Condition of the Bonds.

Bonds to be numbered, and aſſignable by Indorſement.

III. And be it further enacted, That the ſaid Bonds ſo to be executed and indorſed, and delivered to the Treaſurer of the ſaid Commiſſioners, ſhall be numbered in arithmetical Progreſſion; and the ſaid Bonds ſhall be reſpectively aſſignable, by the Treaſurer for the Time being to the ſaid Commiſſioners (notwithſtanding his Name may not be mentioned therein), by proper Words to be written or indorſed thereon, and may be ſold or diſpoſed of, provided ſuch Aſſignments, Sale, and Diſpoſition, be reſpectively made by and with the Conſent and Approbation of the ſaid Commiſſioners, or any five or more of them, to be teſtified by Writing under their Hands and Seals; and the ſaid Bonds, and all Aſſignments and Sales thereof which ſhall be made as aforeſaid, ſhall be good, valid, and effectual, to all Intents and Purpoſes whatſoever; and the reſpective Aſſignees of any ſuch Bonds, their reſpective Executors and Adminiſtrators, may, on Nonpayment of the Annuities thereby ſecured, commence and proſecute any Action or Actions upon any ſuch Bonds, and recover thereupon from the ſaid Mayor and Commonalty and Citizens; and the Monies ariſing by virtue of the ſaid Bonds ſhall, in the firſt Place, be applied by the ſaid Commiſſioners, or any five or more of them, in paying and defraying the Coſts, Charges, and Expences, incident to and attending the obtaining and paſſing this Act, and afterwards towards defraying the Expence of carrying the ſaid Act of the ſixth Year of his preſent Majeſty's Reign into Execution, in the Proportions herein-before mentioned, and to or for no other Uſe, Intent, or Purpoſe whatſoever.

Application of Money ariſing from the Bonds.

Annuities to be redeemable by the City on ſix Months Notice.

IV. Provided always, and be it further enacted, That the ſaid Annuities ſhall, from Time to Time (until the Whole ſhall be redeemed) be redeemable by the ſaid Mayor and Commonalty and Citizens, either wholly or in Part (in ſuch Order as they ſhall think proper), upon ſix Calendar Months Notice for that Purpoſe to be firſt publiſhed in the *London Gazette*; at the Expiration of which Time the Proprietors of ſuch Annuity or Annuities ſhall (upon delivering up to the Chamberlain of the ſaid City of *London* for the Time being, at his Office in the *Guildhall* in the ſaid City, the Bond or Bonds ſo given for the ſame) be entitled to receive from the ſaid Mayor and Commonalty and Citizens the Sum of one hundred Pounds, for, and in full Satisfaction and Redemption of, every four Pounds ten Shillings of ſuch Annuities; and every ſuch Sum of four Pounds ten Shillings of ſuch Annuity or Annuities, in reſpect whereof ſuch Notice ſhall be given, ſhall, from and after the End of the ſaid ſix Calendar Months, ceaſe, and be no longer paid, or payable, unleſs the ſame Sum of one hundred Pounds ſhall be demanded, purſuant to ſuch Notice, and not paid; any Thing herein-before contained to the contrary thereof notwithſtanding.

The Orphans Fund charged with the Payment of the Annuities.

V. And be it further enacted, That the ſaid Fund created by the ſaid Act of the fifth and ſixth Years of King *William* and Queen *Mary*; and by the ſaid Act of the twenty-firſt Year of King *George* the Second, and by the ſaid Act of the ſeventh Year of his preſent Majeſty, in Part further continued and augmented, ſhall be, and the ſame is hereby charged and made chargeable with the Annuities which ſhall be payable under or by virtue of this Act; ſubject nevertheleſs, and without Prejudice to the Payment of the Intereſt on the Principal Debt remaining due to the ſaid Orphans and other Creditors of the ſaid City, and of the Intereſt on the Principal Sum of one hundred and forty-four thouſand Pounds, by the ſaid Act of the ſeventh Year of his preſent Majeſty charged upon the ſaid Fund, and alſo the Annuities which are or ſhall be payable in reſpect of the Sum of one hundred and fifty-ſix thouſand Pounds directed to be borrowed and raiſed upon the Credit thereof by the laſt-mentioned Act, according to the true Meaning of the ſame Act; and the ſame Fund ſhall be, and is hereby charged and made chargeable with the Payment alſo to the ſaid Mayor and Commonalty and Citizens, of all ſuch Sum and Sums of Money as they ſhall advance and pay in Redemption of the ſaid Annuities, or any of them, in purſuance of this Act.

Intereſt of 4 l. 10 s. per Cent. to be allowed for Money advanced to pay the Expences of this Act.

VI. And be it further enacted, That the Perſon or Perſons who ſhall expend and advance Money for paying the Charges and Expences of obtaining and paſſing this Act, ſhall be entitled to, and ſhall receive, Intereſt for the ſame, at the Rate of four Pounds ten Shillings *per Centum per Annum*, until the Money ſo expended and advanced ſhall be repaid out of the ſaid four thouſand Pounds.

Public Act.

VII. And be it further enacted by the Authority aforeſaid, That this Act ſhall be allowed in all Courts whatſoever as a public Act; and all Judges, Juſtices, and other Perſons, are hereby required to take Notice thereof as ſuch, without ſpecially pleading the ſame.

CAP.

## CAP. LII.

### An Act for the Relief of Insolvent Debtors; and for the Relief of Bankrupts, in certain Cases.

Preamble.

'WHEREAS many Persons, by Losses and other Misfortunes, are rendered incapable of paying their whole Debts; and though they are willing to make the utmost Satisfaction they can (and many of them are able to serve his Majesty by Sea or Land), yet are they detained in Prison by their Creditors, or have been forced to go into foreign Parts out of this Realm: And whereas such unhappy Debtors have always been deemed the proper Objects of public Compassion, and, by several Acts of Parliament, have been discharged on the Conditions in such Acts mentioned; for the Relief, therefore, of Insolvent Prisoners and Fugitives, who shall comply with the Terms contained in this Act, to be respectively observed by them, and faithfully discover upon Oath, and deliver up and assign all their Effects and Estates whatsoever, for the Benefit of their Creditors, and to prevent, as far as possible, the many Frauds and Abuses, which, in a great Measure, have obstructed the good Ends of such Acts;' be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, from and after the passing of this Act, all and every Gaoler or Keeper of any Prison, in any County, Riding, Division, City, Town, Place, or Liberty, within this Kingdom, shall, is and are hereby required to make a true, exact, and perfect List, alphabetically, of the Name or Names of all and every Person or Persons, who, upon the twenty-eighth Day of *January*, one thousand seven hundred and seventy-eight, was or were, or at any Time since have been, under the Terms and Conditions herein mentioned, and at the Time of making out every such List shall be, really an actual Prisoner or Prisoners, in the Custody of any Gaoler or Gaolers, Keeper or Keepers of any Prison respectively, upon any Process whatsoever, for or by reason of any Debt, Damage, Costs, Sum or Sums of Money, Contempt, or otherwise; and an Account of the Time when such Prisoner or Prisoners was or were respectively charged in Custody, or received in Prison, together with the Name or Names of the Person or Persons at whose Suit or Prosecution such Prisoner or Prisoners is or are detained; and shall deliver the same to the Justices of the Peace, at their first or second General Quarter Session or General Session of the Peace, to be held after the passing of this Act, or at some Adjournment thereof, for such County, Riding, Division, City, Town, Place, or Liberty respectively.

Alphabetical Lists to be made out of Prisoners in Custody for Debt on Jan. 28, 1778, or since that Date;

with the Time when charged, and at whose Suit.

Lists to be delivered to the Quarter Sessions.

II. And be it further enacted, That the Warden of his Majesty's Prison of the *Fleet*, and Marshal of the *King's Bench Prison*, shall severally, on the delivering in of any such List of Prisoners in their respective Custody, take an Oath, in the open Court of such General Quarter Session of the Peace, or at some Adjournment thereof, to the Effect following; (that is to say)

Warden of the Fleet, &c. to take an Oath on delivering in Lists.

The Oath.

'I *A. B.* upon my corporal Oath, in the Presence of Almighty God, do solemnly swear, profess, and declare, That all and every Person and Persons, whose Name or Names is or are inserted and contained in the first Part of the List by me now delivered in and subscribed, was and were, to the best of my Knowledge and Belief, upon the twenty-eighth Day of *January*, one thousand seven hundred and seventy-eight, really and truly Prisoners in actual Custody, in the Prison or Gaol of [*insert the Name of the Prison*], at the Suit or Suits of the several Person or Persons therein respectively mentioned; and also, that all and every Person and Persons, whose Name or Names is or are inserted or contained in the second Part of the said List now by me delivered in and subscribed as aforesaid, have, since the said twenty-eighth Day of *January*, one thousand seven hundred and seventy-eight, been committed or surrendered to the said Gaol or Prison of [*insert the Name of the Gaol or Prison*], at the Suit or Suits of the several Person or Persons therein respectively mentioned; except such Person or Persons who is or are in such List particularly mentioned and described to have died, been discharged, or removed to some other Prison, by Process of Law, since the said twenty-eighth Day of *January*, one thousand seven hundred and seventy-eight; and also except such Person or Persons who is or are in such List particularly mentioned and described to have been permitted to have gone out of the said Prison, by Day-rules of the Court of [Common Pleas, *or* King's Bench, *as the Case shall be*] since the said twenty-eighth Day of *January*, one thousand seven hundred and seventy-eight, to transact their Affairs; and also except such Person or Persons who is or are therein also particularly mentioned and described to have, upon the said twenty-eighth Day of *January*, one thousand seven hundred and seventy-eight, or since, been in the Rules of the said Prison of the [Fleet *or* King's Bench, *as the Case shall be*], by Leave of the [Warden *or* Marshal of the said Prison, *as the Case shall be*]; and have, to the best of my Knowlege and Belief, really and truly, ever since, continued and remained in actual Custody in the said Prison of the [Fleet, *or* King's Bench, *as the Case shall be*], or the Liberties thereof, at the Suit or Suits of the several Persons in the said List respectively mentioned; [*and if any Prisoner or Prisoners hath or have, since the said twenty-eighth Day of* January, *one thousand seven hundred and seventy-eight, escaped out of either of the said Prisons, then insert*], except [*insert the Name or Names of the Prisoner or Prisoners who have escaped*], who, without my Knowledge, Privity, or Consent, hath or have escaped out of the said Prison of and that the said List is a true, exact, perfect, and just List of all such Persons who were really and truly Prisoners in actual Custody in the said Gaol or Prison of on the said twenty-eighth Day of *January*, one thousand seven hundred and seventy-eight, and who, since the said twenty-eighth Day of *January*, one thousand seven hundred and seventy-eight, have been committed to, and really have been, and now is or are, Prisoner

'or Priſoners, in actual Cuſtody, in the ſaid Gaol or Priſon of or the Liberties 'thereof; and that none of ſuch Priſoners, to my Knowledge, or with my Privity, have voluntarily, or 'with Deſign, or in Expectation, to take any Benefit from or under any Act of Parliament to be made for 'Relief of Inſolvent Debtors, ſurrendered themſelves, or been committed to the ſaid Priſon, or got their 'Names entered as Priſoners in the Books of the ſaid Priſon, or ſince the ſaid twenty-eighth Day of *Janu-* '*ary*, one thouſand ſeven hundred and ſeventy-eight, to my Knowledge, or with my Privity, have reſided 'out of the ſaid Priſon of or the Rules thereof [*but if any have ſo done, add*, except '*naming ſuch by Name*].'

All other Gaolers, on delivering in their Liſts, to take the following Oath.

And that every other Gaoler and Keeper of any other Priſon or Priſons, in any County, City, Town, Riding, Diviſion, Place, or Liberty, ſhall ſeverally, on the delivering in of any ſuch Liſt reſpectively, take an Oath, in the open Court of the General Quarter Seſſion or General Seſſion of the County, City, Town, Diviſion, Liberty, or Place, for which he or ſhe ſhall deliver in any ſuch Liſt, and ſwear to the Effect following; (that is to ſay)

'I *A. B.* upon my corporal Oath, in the Preſence of Almighty God, do ſolemnly ſwear, profeſs, and 'declare, That all and every Perſon and Perſons, whoſe Name or Names are inſerted or contained in 'the firſt Part of the Liſt by me now delivered in and ſubſcribed, was and were, to the beſt of my Know- 'ledge and Belief, upon the twenty-eighth Day of *January*, one thouſand ſeven hundred and ſeventy-eight, 'really and truly Priſoners in actual Cuſtody, in the Priſon or Gaol of at the Suit 'or Suits of the ſeveral Perſons therein reſpectively mentioned; and alſo that all and every Perſon and Per- 'ſons, whoſe Name or Names is or are inſerted or contained in the ſecond Part of the ſaid Liſt now by me 'delivered in and ſubſcribed, as aforeſaid, have, ſince the ſaid twenty-eighth Day of *January*, one thou- 'ſand ſeven hundred and ſeventy-eight, been committed or ſurrendered to the ſaid Gaol or Priſon of '[*if any ſuch Priſoner or Priſoners hath or have, ſince the ſaid twenty-eighth Day of* 'January, *one thouſand ſeven hundred and ſeventy-eight, been committed or ſurrendered to ſuch Gaol or Priſon*], 'at the Suit or Suits of the ſeveral Perſon or Perſons therein reſpectively mentioned, except [*if any Ex-* '*ception is neceſſary*] ſuch Perſons as are therein particularly mentioned and deſcribed to have died, been diſ- 'charged, or removed to ſome other Priſon by Proceſs of Law, or to have eſcaped out of ſuch Priſon, 'without my Privity, Knowledge, or Conſent, ſince the ſaid twenty-eighth Day of *January*, one thouſand 'ſeven hundred and ſeventy-eight; and that all and every of them, whoſe Name and Names is and are 'contained in the firſt Part of the ſaid Liſt (except as before excepted) to the beſt of my Knowledge and Be- 'lief, have really and truly continued in actual Cuſtody in the ſaid Gaol or Priſon of 'ever ſince the ſaid twenty-eighth Day of *January*, one thouſand ſeven hundred and ſeventy-eight, and 'that the ſaid Liſt is a true, exact, perfect, and juſt Liſt of all ſuch Perſons as were really and truly Pri- 'ſoners in actual Cuſtody, in the ſaid Gaol or Priſon of on the ſaid twenty- 'eighth Day of *January*, one thouſand ſeven hundred and ſeventy-eight, and who ſince the ſaid twenty- 'eighth Day of *January*, one thouſand ſeven hundred and ſeventy-eight, have been really and truly com- 'mitted, or ſurrendered to the ſaid Gaol or Priſon of (except as before excepted) 'to the beſt of my Knowledge and Belief; and that none of ſuch Priſoners, to my Knowledge, or with my 'Privity, have voluntarily, or with Deſign, or in Expectation, to take any Benefit from or under any Act 'of Parliament to be made for Relief of Inſolvent Debtors, ſurrendered or been committed to the ſaid Pri- 'ſon of or got his, her, or their Name or Names entered as Priſoner or Priſoners 'in the Books of the ſaid Priſon, or, ſince their Commitment, have to my Knowledge, or with my Privity, 'reſided out of the ſaid Priſon of [*if any have ſo done, then add*, except '*inſerting their Names.*']

Oath.

Oaths to be adminiſtered by the Juſtices in Court, and entered and ſubſcribed at the Bottom of the Liſts.

Liſts to be kept by the Clerk of the Peace.

Which ſaid reſpective Oaths the ſaid Juſtices, at the firſt or ſecond General Quarter Seſſion or General Seſſion aforeſaid, or at ſome Adjournment thereof, within their reſpective Juriſdictions, are hereby empowered and required to adminiſter in open Court: And the Words of the ſaid Oath herein-before directed to be taken by the ſaid Warden and Marſhal reſpectively ſhall be entered or written at the End or Bottom of the Liſt which ſhall be delivered in by them reſpectively, and ſhall be ſubſcribed and ſworn to by them reſpectively in open Court; and the Words of the Oath to be taken by every ſuch Gaoler or Keeper reſpectively ſhall be entered or written at the End or Bottom of the Liſt which ſhall be delivered by them reſpectively, and ſhall be ſubſcribed and ſworn to by them reſpectively in open Court: And every ſuch Liſt which ſhall be ſo delivered in, ſubſcribed, and ſworn to, in purſuance of this Act, ſhall be kept by the Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace of every ſuch County, Riding, Diviſion, City, Town, Place, or Liberty reſpectively, in which any ſuch Liſt as aforeſaid ſhall be ſworn to, for the better Satisfaction of the ſaid Juſtices, and Information of all or any Priſoner or Priſoners therein named; and ſo as the ſame may, from Time to Time, be ſeen and examined by any Creditor or Creditors of Priſoner or Priſoners, without Fee or Reward.

Three Copies of Liſts to be fixed up in each Priſon, &c.

III. And be it further enacted by the Authority aforeſaid, That all and every Gaoler and Gaolers, and Keeper of any Gaol or Priſon, is and are hereby required, ten Days at leaſt before the firſt or ſecond General Quarter Seſſion or General Seſſion of the Peace ſhall be held, after the paſſing of this Act, for the County, Riding, Diviſion, City, Town, Place, or Liberty, in which any Gaol or Priſon ſhall be, or to which the ſame belong, to fix up in ſome conſpicuous Place or Places in every ſuch Priſon, and at the moſt frequented and uſual Gate, Door, or Entrance, into every ſuch Priſon, three or more true Copies of the Liſt or Liſts propoſed or intended to be delivered in by any ſuch Gaoler or Keeper at the ſaid General Quarter Seſſions, or at ſome Adjournment thereof.

IV. And

IV. And be it further enacted, That all and every Perſon and Perſons, whoſe Name or Names ſhall be inſerted in any ſuch Liſt to be delivered in as aforeſaid, who, upon the ſaid twenty-eighth Day of *January*, one thouſand ſeven hundred and ſeventy-eight, were really and truly Priſoners in the actual Cuſtody of any Gaoler or Gaolers, or Keeper of any Priſon reſpectively of this Kingdom, and did not come into or get his, her, or their Names entered in the Book of any Gaol or Priſon as a Priſoner or Priſoners there, with a View or Deſign to take the Benefit of ſome Act for Relief of Inſolvent Debtors, and who ſhall take the Oath herein-after mentioned, and ſhall perform, on his or her Part, what is required to be done by him or her by this Act, ſhall be for ever releaſed and diſcharged from his or her Impriſonment, in ſuch Manner as hereafter is provided.

Perſons inſerted in the Liſts being Priſoners, without a fraudulent Intention on Jan. 28, 1778, and conforming to this Act, ſhall be diſcharged.

V. Provided always, and be it enacted, That any Perſon or Perſons who ſhall have been arreſted and in actual Cuſtody of an Officer, for any Sum or Sums of Money by virtue of any Writ or Proceſs, iſſuing out of any Court of Record, and held to Bail thereon, and which Bail ſhall be upon Record, on or before the tenth Day of *January*, one thouſand ſeven hundred and ſeventy-eight, and who ſhall have, on or before the twelfth Day of *February*, one thouſand ſeven hundred and ſeventy eight, ſurrendered him, her, or themſelves, in Diſcharge of his, her, or their Bail, and ſhall thereupon have been committed to Priſon, every ſuch Perſon or Perſons ſhall, upon due Proof of the Premiſes upon Oath, be diſcharged from his, her, or their Impriſonment, in like Manner as if ſuch Perſon or Perſons had been actually in Priſon on the twenty-eighth Day of *January*, one thouſand ſeven hundred and ſeventy-eight, ſubject, nevertheleſs, to the ſame Reſtrictions and Proviſions, and a Compliance with the like Terms, Conditions, and Qualifications, herein-before impoſed upon Perſons actually in Cuſtody on the twenty-eighth Day of *January*, one thouſand ſeven hundred and ſeventy-eight, and alſo ſubject to the ſame Terms and Conditions relating to the Eſtate and Effects of every ſuch Priſoner as aforeſaid.

Perſons arreſted for Debt, and held to Bail, on or before Jan. 10, 1778, ſurrendering themſelves on or before Feb. 12, 1778, and conforming to this Act, ſhall be diſcharged.

VI. And be it further enacted, That it ſhall and may be lawful for any Juſtice or Juſtices of the Peace of any County, Riding, Diviſion, City, Town, Place, or Liberty, within this Kingdom, upon the Petition of any ſuch Priſoner or Priſoners to any Juſtice or Juſtices of the Peace, within his or their reſpective Juriſdictions, upon every ſuch Priſoner or Priſoners ſo petitioning, and, at the Time of his or her ſo petitioning, leaving with the Juſtice or Juſtices of the Peace who ſhall be ſo petitioned, a true Copy of the Schedule, containing his or her intended Diſcovery of his or her real and perſonal Eſtate, to be ſworn to at the firſt or ſecond General Quarter Seſſion next enſuing after every ſuch Petition, or ſome Adjournment thereof, by Warrant under his Hand and Seal, or their Hands and Seals, to require the Sheriff or Sheriffs, Gaoler or Gaolers, or Keeper of any ſuch Priſon within the Juriſdiction of any ſuch Juſtice or Juſtices, to bring before the Juſtices, at the firſt or ſecond next General Quarter Seſſion or General Seſſion of the Peace, or any Adjournment thereof to be held, as the Caſe ſhall happen to be, next after the Expiration of ten Days from the Date of ſuch Warrant, for ſuch reſpective County, Riding, Diviſion, City, Town, Place, or Liberty, the Body of any Perſon being in the ſaid Priſon as aforeſaid, with the Warrant or Warrants of his or her Detainer, together with a Copy or Copies of the Cauſe or Cauſes which he, ſhe, or they, is or are charged with in any ſuch Gaol or Priſon as aforeſaid, at the Time aforeſaid; for which Copy or Copies of Cauſe or Cauſes, ſuch Priſoner ſhall apply to the ſaid Gaoler or Keeper of ſuch Priſon, or to the Clerk of the Papers, or other Perſon who ſhall make out and tranſcribe the ſame, at leaſt ſix Days before the Time of his or her Diſcharge; and ſuch Priſoner ſhall pay for the ſame the Sum of two Shillings, and no more, for making out, tranſcribing, and ſigning the ſame; which Warrant of every ſuch Juſtice or Juſtices, every ſuch Sheriff and Sheriffs, Gaoler or Keeper, is and are hereby commanded to obey.

Juſtices, on Petition of any Priſoner, and his delivering a Schedule of his Eſtate,

may iſſue their Warrant for bringing him to the Quarter Seſſions, &c.

with the Warrant of his Detainer, &c.

VII. And be it alſo enacted, That the Copy of every Schedule which ſhall be left with any ſuch Juſtice or Juſtices, ſhall, within ten Days after the ſame ſhall be ſo left, be tranſmitted by the Juſtice or Juſtices, with whom the ſame ſhall be ſo left, to the Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace for the County, Riding, Diviſion, City, Town, Place, or Liberty, in which the ſame ſhall have been ſo left, there to remain and be inſpected, from Time to Time, as Occaſion ſhall require, by any Creditor of any ſuch Priſoner who ſhall deſire to inſpect the ſame.

Schedule of the Priſoner's Eſtate to be tranſmitted to the Clerk of the Peace, for Inſpection of Creditors.

VIII. And be it alſo enacted, That every ſuch Juſtice or Juſtices who ſhall refuſe or omit, for the Space of ten Days, to tranſmit the Copy of the Schedule, ſo left with him as aforeſaid, to the Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, for the County, Riding, Diviſion, City, Town, Place, or Liberty, in which the ſame ſhall have been ſo left, ſhall, for every ſuch Offence, forfeit and pay the Sum of ten Pounds; which ſhall and may be ſued for and recovered in any of his Majeſty's Courts of Record at *Weſtminſter*, by Action of Debt, together with Coſts of Suit, in the Name of any Perſon who ſhall proſecute for the ſame; and one Moiety of which Money forfeited ſhall, when recovered, go to the Party who proſecutes for the ſame, and the other Moiety thereof to the Poor of the Pariſh in which the Offence ſhall be committed.

Any Juſtice omitting for ten Days to tranſmit a Copy of the Schedule to the Clerk of the Peace, &c. ſhall forfeit 10*l*.

IX. And be it further enacted, That all and every Priſoner and Priſoners, who ſhall intend to petition to be diſcharged under this Act, as aforeſaid, ſhall firſt cauſe public Notice to be inſerted in three ſeveral *London Gazettes*, previous to ſuch General Quarter Seſſion or General Seſſion, or the Adjournment thereof, at which the ſaid Priſoner or Priſoners ſhall apply to be diſcharged from any Gaol in *London*, or within the weekly Bills of Mortality; and if ſuch Priſoner ſhall be in Cuſtody in any Gaol out of *London*, or the weekly Bills of Mortality, then alſo in ſome Newſpaper, which ſhall be publiſhed in or near the County, Riding, Diviſion, City, Town, Liberty, or Place, in the Gaol whereof he or ſhe ſhall be ſo in Cuſtody; containing the Name, Trade, and Occupation, and two laſt Places of Abode, if ſo many, of every ſuch Priſoner and Priſoners, and the Priſon wherein he, ſhe, or they, is or are confined, and of his, her, or their Intention to take the Benefit of this Act; and mentioning ſuch Notice in each *Gazette* or Newſpaper, to be the firſt, ſecond, or third Notice, according to the Time of publiſhing each of ſuch Notices; and for the inſerting of each of which ſaid ſeveral Notices in the ſaid *Gazette*, or in any other Newſpaper, there ſhall

Priſoners intending to petition for their Diſcharge, are to give previous Notice thrice in the Gazette, &c.

Contents of the Notice.

2*d*. to be paid each Time for inſerting Notices.

When Notices to be inserted.

shall be paid, each Time, by every such Prisoner, twopence, and no more: The first of which said Notices shall be so inserted in the said *Gazette*, or in the said other Newspapers, as the Case may require, twenty-one Days at least, and the last of the said Notices six Days at least, before any such first or second General Quarter Session, or General Session, or Adjournment thereof, shall be held as aforesaid; so that as well all the Creditors who have not charged the said Prisoner or Prisoners in Custody, as those Creditors who have charged such Prisoner or Prisoners in Execution, or in mesne Process, or otherwise, may have sufficient Notice thereof; and the Printer of such *Gazette* is hereby required to keep a Book, and enter therein an alphabetical List of the Names of Prisoners advertising and intending to take the Benefit of this Act, and the Names of the different Prisons in which they are confined.

Printer of Gazette to keep an alphabetical List, &c.

'X. And, to the Intent that all Creditors may have full and sufficient Time to consider the Matters and 'Things contained in the Schedule or Schedules intended to be delivered in by any Debtor or Debtors,' be it further enacted, That every such Debtor, when he or she shall (according to the Directions of this Act) publish the first Notice of an Intention to petition for his or her Discharge, he or she shall, in such Notice, declare, that the Schedule, containing his or her intended Discovery of his or her real and personal Estate (to be sworn to in Manner as by this Act directed) is lodged in the Hands of the Gaoler or Keeper, or the Deputy of such Gaoler or Keeper, of the Prison wherein any such Prisoner shall be confined; and every such Prisoner is hereby directed and required to deliver such Schedule to such Gaoler, Keeper, or Deputy, as the Case may be, before he shall publish such first Notice as aforesaid, signed by his or her own Christian and Surname, to be attested by any such Gaoler, Keeper, or Deputy; and in case any Prisoner shall neglect or refuse to deliver one such Schedule to such Gaoler, Keeper, or Deputy, prior to such his first Notice to be given as aforesaid, he or she, upon due Proof made of such Neglect to the Satisfaction of the Court to which such Prisoner shall make Application for his Discharge, shall be remanded back to Prison, there to remain till he or she shall have complied with the Directions aforesaid: And every such Gaoler, Keeper, or Deputy, is hereby directed and required to attest the Signature of the Prisoner's Name to such Schedule, and to receive the same into his Custody and Charge, giving a Duplicate thereof to every such Prisoner, with an Acknowledgment of his having received the Original; and he is hereby further required to deliver a true Copy of any such Schedule, signed by himself, upon Request made to him by any Creditor for that Purpose, in Writing; such Copy to be delivered to the Creditor himself, or to such Person as he shall appoint to receive the same, within three Days after Demand made, on Payment for each Schedule after the Rate of Sixpence *per* Sheet, each Sheet to contain seventy-two Words, and so in Proportion for any less Number of Words; and in case such Creditor shall only search or examine such Schedule, then such Creditors shall pay for every such Search and Examination the Sum of one Shilling: And if any such Gaoler, Keeper, or Deputy, shall neglect or refuse to conform to the Directions hereby given him respecting such Schedule, every such Gaoler, Keeper, or Deputy, so offending, shall forfeit and pay the Sum of twenty Pounds, to any Person who shall sue for and recover the same, in any of his Majesty's Courts of Record at *Westminster*, by Action of Debt.

On Neglect thereof, to be remanded back to Prison.

Gaoler to attest the Prisoner's Signature to his Schedule, and give him a Duplicate thereof; and also to give a Copy to any Creditor who requests it.

Gaoler, &c. on Neglect, to forfeit 20 l.

XI. And be it further enacted, That the Notices to be given by every Prisoner, in Manner directed by this Act, shall be to the Effect following; *viz.*

Form of Prisoner's Notice.

'I [*insert the Name, Trade, Occupation, and two last Places of Abode, if so many*] now confined in [*insert the Name of the Prison and County*], do hereby give this 'public Notice, being [*insert* the First, Second, *or* Third, *as the Case may be*,] that I do intend to take the 'Benefit of an Act, passed in the eighteenth Year of his present Majesty's Reign (intituled, *An Act for the 'Relief of Insolvent Debtors; and for the Relief of Bankrupts, in certain Cases*); [*and if it be the first Notice, 'then add*] and I do hereby give Notice, that a true and perfect Schedule, containing a Discovery of all 'my real and personal Estate, hereafter to be sworn to, is now ready to be delivered to any Creditor ap-'plying for the same, in Manner aforesaid, to the Gaoler or Keeper, or his Deputy, of '[*insert the Name of the Prison wherein such Prisoner shall be confined, and the County in which it is situate:*]

Notice to be signed by the Prisoner, &c.

And every such Notice shall be signed by the Prisoner, and counter-signed by the Gaoler or Keeper, or Deputy of such Gaoler or Keeper, of the Prison wherein such Prisoner shall be confined.

Prisoner being brought into Court, and Publication of Notices proved, &c.

XII. And be it further enacted, That every such Prisoner as aforesaid, who, in pursuance of any such Warrant as aforesaid, shall be brought to the General Quarter Session, or any Adjournment thereof, shall, in case it shall be proved upon Oath, or by producing the said three *Gazettes* and Newspapers before mentioned to the said Justices, at any such Session, or the Adjournment thereof, that such Notices were inserted in the *London Gazette*, and other Newspapers, were required, in Manner as herein-before is directed, and that the Person or Persons so petitioning was or were actually a Prisoner or Prisoners on the said twenty-eighth Day of *January*, one thousand seven hundred and seventy-eight, or since, in the Gaol or Prison in which his, her, or their Name or Names is or are specified in the List of Prisoners there delivered in at any such first or second Session, or any Adjournment thereof, as aforesaid, in pursuance of this Act, shall, in open Court, at the said General Quarter Session, or General Session, or any Adjournment thereof, subscribe and deliver in a true Schedule or Account of all his or her real Estate, either in Possession, Reversion, Remainder, or Expectancy; and also of the Whole of his or her personal Estate, which he or she, or any Person or Persons in Trust for him or her, or for his or her Use, Benefit, or Advantage, is or are seised of, interested in, or intitled to, or was or were in his or her Possession, at any Time since his or her Commitment to Prison, with the Names of his or her several Debtors, and where they respectively live, or may be met with; and the several Sums of Money from them respectively owing, and how the same respectively became due, and are secured; and if by Mortgage, Specialty, Contract, Note, or other Writing, then the Name and Names and Places of Abode of the several Witnesses who can prove such

to deliver in a Schedule of his Estate, Debts, &c.

ſuch Debts or Contracts (if there be any ſuch), and ſhall alſo make Oath and ſwear to the Effect following; (that is to ſay)

Priſoner's Oath on delivering in the Schedule.

'I *A. B.* upon my corporal Oath, in the Preſence of Almighty God, do ſolemnly ſwear, proteſt, and declare, That on the twenty-eighth Day of *January*, one thouſand ſeven hundred and ſeventy-eight, I 'was a Priſoner, *or elſe* [*as the Caſe may be*] that ſince the ſaid twenty-eighth Day of *January*, one thouſand ſeven hundred and ſeventy-eight, I have ſurrendered, or have been committed to the Priſon of in Diſcharge of my Bail, *or* for Want of Bail [*as the Caſe ſhall be*]; and that I 'was actually arreſted, and in the Cuſtody of an Officer, before the ſaid twenty-eighth Day of *January*, 'one thouſand ſeven hundred and ſeventy-eight, in the Action or Suit, Actions or Suits, in which I ſurrendered, or was committed as aforeſaid, to the ſaid Gaol or Priſon of and that I 'have, ever ſince my ſaid Surrender or Commitment, continued a Priſoner within the Priſon of 'in the actual Cuſtody of the Gaoler or Keeper of the ſaid Priſon of or within the Liberties thereof, at the Suit of and without any Fraud or Colluſion whatſoever; and 'that the Schedule now delivered by me, and ſubſcribed, doth contain, to the beſt of my Knowledge, Remembrance, and Belief, a full, juſt, true, and perfect Account and Diſcovery of all the Goods, Effects, 'and Eſtates, real and perſonal, either in Poſſeſſion, Reverſion, Remainder, or Expectancy, which I, or 'any Perſon in Truſt for me, or for my Benefit or Advantage, are ſeiſed or poſſeſſed of, intereſted in, or 'intitled to, or was or were in my Poſſeſſion at any Time ſince my Commitment to Priſon; and of all 'Debts as are to me owing, or to any Perſon or Perſons in Truſt for me; and of all the Securities and 'Contracts whereby any Money now is, or will or may hereafter become payable, or any Benefit or Advantage may accrue to me, or to my Uſe, or to any Perſon or Perſons in Truſt for me; and the Names 'and Places of Abode of the ſeveral Perſons from whom ſuch Debts are due and owing; and of the Witneſſes that can prove ſuch Debts or Contracts [*if any ſuch there be*]; and that neither I, nor any other 'Perſon or Perſons in Truſt for me, or for my Uſe, have any Lands, Money, Stock, or any Eſtate real 'or perſonal, in Poſſeſſion, Reverſion, or Remainder, or Expectancy, other than what are in the ſaid 'Schedule contained, except Wearing Apparel, and Bedding for myſelf and Family, Working Tools, and 'neceſſary Implements for my Occupation and Calling, together with a Sum of Money not exceeding 'forty Shillings, and theſe in the Whole not exceeding the Value of twenty Pounds; and that I have not, 'nor any Body for me hath, directly or indirectly, ſold, leſſened, or otherwiſe conveyed, diſpoſed of in 'Truſt, or concealed, all or any Part of my Lands, Money, Goods, Chattels, Stock, Debts, Securities, 'Contracts, or Eſtate, real or perſonal, whereby to ſecure the ſame, or to receive or expect any Profit or 'Advantage thereof, or with Intent to defraud or deceive any Creditor or Creditors to whom I am or was 'indebted in anywiſe howſoever.

'*So help me* GOD.'

Schedule and Oath to be ſubſcribed in the Court, and lodged with the Clerk for the Examination of Creditors.

And the ſaid Schedule and Oath ſhall be, by every ſuch Priſoner, ſubſcribed in the Preſence of the Juſtices in open Seſſion of the Peace, as hereby is directed, and ſhall be kept by, and remain with, the Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, for the County, City, Liberty, Diviſion, Town, or Place, where the ſame ſhall be ſubſcribed and taken, for the better Information of all the Creditors of ſuch Priſoner who ſhall deſire, or may have Occaſion, to reſort thereto; and every ſuch Creditor ſhall be at Liberty, at ſeaſonable Times in the Day-time, to peruſe and examine the ſame.

Court, at the Requeſt of a Creditor, may examine Gaoler, &c. on Oath.

XIII. And be it further enacted, That the Juſtices within their reſpective Juriſdictions, at any ſuch General Quarter Seſſion, or General Seſſion, or Adjournment thereof, at the Requeſt of any Creditor or Creditors of any ſuch Priſoner, are hereby authoriſed to cauſe the Deputy Warden and Marſhal of the *Fleet* and *King's Bench* Priſon, and any other Under Officer, Tipſtaff, and Turnkey of any Gaol or Priſon, and any other Perſon, to come before them, and to examine them reſpectively on Oath, touching any of the Matters contained in any of the Oaths preſcribed by this Act to be taken, and the Truth thereof; and if the Oath which ſhall have been taken in open Court by any Priſoner or Priſoners ſhall not be diſapproved by good Teſtimony of any credible Perſon or Perſons on Oath, and ſuch Juſtices, or the major Part of them, preſent at any ſuch General Quarter Seſſion, or General Seſſion, ſhall be ſatisfied with the Truth of the Oath taken by any ſuch reſpective Priſoner, then ſuch Juſtices ſhall, in ſuch Seſſion, or ſome Adjournment thereof, command the ſaid Sheriff or Sheriffs, Gaoler or Gaolers, or Keeper of ſuch Priſon or Priſons, forthwith to ſet at Liberty ſuch Priſoner or Priſoners, without having or taking any Fee or Reward, other than one Shilling for his or their Attendance with every ſuch Priſoner at ſuch General Quarter Seſſion, or General Seſſion, or any Adjournment thereof, in order for his, her, or their Diſcharge; (and which every ſuch Sheriff or Sheriffs, Gaoler or Gaolers, Keeper or Keepers of ſuch Priſon or Priſons, is and are hereby authoriſed to receive and take for every ſuch Order:) And every ſuch Order ſhall be a ſufficient Diſcharge to the Sheriff or Sheriffs, Gaoler or Gaolers, or Keeper of ſuch Priſon or Priſons, and ſhall indemnify him or them againſt any Eſcape or Eſcapes, or Action or Actions whatſoever for Eſcape, which ſhall or may be brought, commenced, or proſecuted, againſt him or them.

The Priſoner's Oath not being diſproved, the Court is to diſcharge him,

on his paying a Fee of 1 s. to the Gaoler;

who ſhall be indemnified for the Eſcape.

XIV. And be it further enacted by the Authority aforeſaid, That all the Eſtate, Right, Title, Intereſt, and Truſt, of ſuch Priſoner, of, in, and unto, all the real Eſtate, as well Freehold and Copy as Cuſtomaryhold, and to all the perſonal Eſtate, Debts, and Effects, of every ſuch Priſoner, ſhall, immediately after the Diſcharge of any ſuch Priſoner, be, and the ſame is hereby veſted in the Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, of and for the County, Riding, City, Town Corporate, Diviſion, Liberty, or Place, where any ſuch Priſoner ſhall be reſpectively diſcharged; and every ſuch Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, is hereby directed and required to make an Aſſignment and Conveyance of every ſuch Priſoner's Eſtate and Effects, veſted in ſuch Clerk

Eſtate and Effects of the Priſoner, upon his Diſcharge, to be veſted in the Clerk of the Peace, who is to make over the ſame to the Aſſignees named by the Court;

Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, as aforesaid, to such Creditor or Creditors of the said Prisoner, as the Justices at any General Quarter Session of the Peace, or at any Adjournment thereof, which shall be held by them within their respective Jurisdictions, shall order and direct (which Assignment and Conveyance shall be good and effectual in Law, to all Intents and Purposes whatsoever, without being wrote on Parchment or Paper stamped); and to vest the Estates thereby assigned and conveyed in the Party or Parties to whom the same shall be so assigned and conveyed, his, her, and their Heirs, Executors, Administrators, and Assigns, according to the Estate and Interest the Prisoner had therein; and for the preparing, ingrossing, and executing of which Assignment and Conveyance, no Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, shall take any greater Fee than two Shillings; and every such Assignment and Conveyance shall be in Trust for the Benefit of the Creditor or Creditors of every such Prisoner to whom the same shall be made, and the Rest of the Creditors of such Prisoner, in Respect or in Proportion to their respective Debts; and every Person or Persons to whom any such Assignment and Conveyance as aforesaid shall be made, is and are hereby fully empowered to sue, from Time to Time, as there may be Occasion, in his, her, or their own Name or Names, for the Recovery and attaining any Estate or Effects of any such Prisoner, and also to execute any Trust or Power vested in, or created for the Use or Benefit of, any such Prisoner, but in Trust for the Benefit of him or themselves, and the Rest of the Creditors of every such Prisoner; and to give Discharge and Discharges to any Debtor or Debtors of any such Prisoner, as shall be requisite: And every such Assignee or Assignees shall, with all convenient Speed, after his or their accepting any such Assignment or Conveyance, use his and their best Endeavours to receive and get in the Estate and Effects of every such Prisoner; and shall, with all convenient Speed, make Sale of all the Estates of such Prisoner vested in such Assignee or Assignees; and if any such Prisoner shall be interested in, or entitled to, any real Estate, either in Possession, Reversion, or Expectancy, the same, within the Space of two Months after every such Assignment and Conveyance, shall be sold by public Auction, in such Manner, and at such Place, as the major Part of the Creditors of any such Prisoner who shall assemble together, on any Notice in Writing published in the *London Gazette*, or in some Daily Paper, if the Prisoner before his going to Gaol resided in *London*, or in the weekly Bills of Mortality, and if elsewhere, then in some Newspaper which shall be published in or near the County, Riding, Division, City, Town, Liberty, or Place, in which such Prisoner dwelt before he or she was committed to Gaol, thirty Days before any such Sale shall be made, shall, under his Hand, or their Hands, agree on: And every such Assignee or Assignees, at the End of three Months at farthest from the Time of his or their accepting any such Assignment or Conveyance as aforesaid, shall make a just and fair Dividend of all such Prisoner's Estate and Effects which shall have been then recovered amongst his or her Creditors, in Proportion and in Regard to each Creditor's respective Debts; but before any such Dividend shall be made, such Assignee or Assignees shall make up an Account of such Prisoner's Estate, and make Oath in Writing, before one or more Justice or Justices of the Peace of the County, Riding, Division, Town, Liberty, or Place, in which any such Prisoner shall have been discharged, that every such Account contains a just and fair Account of the Estate and Effects of every such Prisoner got in by or for such Assignee or Assignees, and of all Payments made in respect thereof, and that all Payments in every such Account charged were truly, and *bona fide*, made and paid; and Notice of the making of every such Dividend shall be published in like Manner as a Meeting of the Creditors is herein-before directed to be published, thirty Days at least before the same shall be made; and no Creditor shall be allowed to receive any Share of such Dividend, until he shall have made out the Justness and Identity of his respective Debt by Oath, or due Proof in Writing, before some such Justice or Justices: And if any Creditor of such Prisoner shall be dissatisfied with the Reality or Fairness of any Debt claimed by any other Creditor, then the same, at the Request of any such Creditor or Creditors so dissatisfied, shall be examined into by the Justices of the County, Riding, Division, City, Liberty, or Place, in which such Prisoner shall have been discharged, at their next General Quarter Session, and what they shall there determine in the Premises shall be conclusive to all Parties: And if, after Payment of all such Prisoner's Creditors, there shall any of his Estate and Effects remain after Payment of all reasonable Charges, the same shall be paid to such Prisoner, his Executors or Administrators.

for which he shall be paid 2 s.

Assignees empowered to sue,

or execute any Trust or Power for the Prisoner, &c.

Assignees to get in the Effects of the Prisoner, and sell the same; and to sell, within two Months, the Prisoner's real Estate, &c.

and make a Dividend within three Months;

first making up their Accounts, and verifying them upon Oath.

Thirty Days Notice to be given of making a Dividend; and none to receive any Share until they have proved their Debts.

Debts claimed to be examined into and determined by the Court.

Surplus of the Prisoner's Estate to be paid to him, &c.

Creditors not to suffer from any Omission in the Schedule of Prisoner's Estate.

'XV. And, to the Intent that no Loss may arise to any Creditor or Creditors from any Neglect or 'Omission in the Schedule not containing the Whole of the Estate, real or personal, belonging to any 'Prisoner who shall apply for his or her Discharge, under the Authority of this Act;' be it enacted, That all the Estate, whether real or personal, which shall belong to any Prisoner or Prisoners, and of which he, she, or they, shall be actually possessed at the Time of making such Schedule, shall be deemed and taken to be a Part of the Estate contained in such Schedule, though not inserted therein, and shall in like Manner become vested in the Clerk of the Peace, Town Clerk, or other Officer acting as such, to all Intents and Purposes, as if the same had been contained in such Schedule, and had been delivered into the Court according to the Directions of this Act.

Proviso.

XVI. Provided always, and be it enacted, That no Person holding any Security whatsoever, for which the Insolvent never received any valuable Consideration, shall be intitled to receive any Benefit from his Estate.

On Death or Removal of any Clerk of the Peace, &c. Prisoners Estates to become vested in their Successors.

XVII. Provided always, and be it enacted, That in case of the Death or Removal of any Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, as aforesaid, in whom the Estate, Right, Title, Interest, or Trust, of any Prisoner or Prisoners shall have vested by the Authority of this Act; every such Estate, Right, Title, Interest, and Trust, shall become vested in the Successor or Successors to every such Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, as aforesaid, respectively, as the Case may be, to all Intents and Purposes whatsoever, under the Provisions of this Act.

XVIII. Provided

XVIII. Provided further, and be it alſo enacted, That no Suit in Equity ſhall be commenced by any Aſſignee or Aſſignees of any ſuch Priſoner's Eſtate and Effects, without the Conſent of the major Part in Value of the Creditors of ſuch Priſoner, who ſhall meet together purſuant to a Notice to be given in the *London Gazette* for that Purpoſe.

No Suit in Equity to be commenced, but by Conſent of Majority in Value of Creditors.

XIX. And be it further enacted by the Authority aforeſaid, That the Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace of every reſpective County, City, and County Town, and County Riding, Diviſion, Cinque Port, Liberty, and Place, with whom any Schedules of the Eſtates of any Inſolvent Debtor or Debtors, Fugitive or Fugitives, ſhall be left, and his Succeſſors, Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace as aforeſaid, ſhall, on the reaſonable Requeſt of any Creditor or Creditors of ſuch Inſolvent Debtor or Debtors, Fugitive or Fugitives, or his or their Attorney, produce and ſhew to ſuch Creditor or Creditors, or his or their Attorney, in the Day-time, the Schedule of the Eſtates of any ſuch Inſolvent Debtor or Debtors, Fugitive or Fugitives, which ſhall be left with any ſuch Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, or his Predeceſſor in that Office; the Perſon ſo requiring to ſee and peruſe any ſuch Schedule, paying or tendering to the Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, in whoſe Cuſtody any ſuch Schedule ſhall be, or his Deputy, the Sum of one Shilling for his Trouble in ſearching for, and looking out, ſuch Schedule, and attending whilſt the ſame ſhall be peruſed by the Party or Parties requiring to have the ſame looked out, and to peruſe the ſame: And that a true Copy of every ſuch Schedule, ſigned by the Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, in whoſe Cuſtody the ſame ſhall be, or his Deputy, purporting the ſame to be a true Copy of ſuch Schedule, without being wrote on ſtamped Paper, and for which Copy no more ſhall be paid than Sixpence by the Sheet (each Sheet to contain ſeventy-two Words, and ſo in Proportion for a leſs Number of Words), ſhall, at all Times, be admitted in all Courts whatſoever as legal Evidence of the ſame: And if any Clerk of the Peace, or his Deputy, Town Clerk, or other Officer acting as Clerk of the Peace, ſhall, on reaſonable Requeſt as aforeſaid, neglect or refuſe to produce to any ſuch Creditor or Creditors as aforeſaid, or his or their Attorney, any ſuch Schedule as aforeſaid, and to permit the ſame to be inſpected as aforeſaid, in the Day-time, on ſuch Payment or Tender as aforeſaid being made to him; or ſhall aſk or take more than after the Rate of Sixpence by the Sheet, each Sheet to contain ſeventy-two Words, and ſo in Proportion for leſs than ſeventy-two Words in a Sheet; or ſhall refuſe to make and deliver a Copy of any ſuch Schedule, on being requeſted as aforeſaid ſo to make the ſame, and having the Money tendered to him for Payment of ſuch Copy, after the Rate aforeſaid; ſhall, for every ſuch Offence, forfeit and pay the Sum of ten Pounds; which ſhall and may be ſued for and recovered in any of his Majeſty's Courts of Record at *Weſtminſter*, by Action of Debt, together with treble Coſts of Suit, in the Name of any Perſon who ſhall proſecute for the ſame: And one Moiety of which Money forfeited ſhall, when recovered, go to the Party who proſecuted for the ſame, and the other Moiety thereof to the Poor of the Pariſh in which the Offence ſhall be committed.

Attested Copy whereof to be deemed legal Evidence.

Clerk of the Peace refuſing to produce ſuch Schedule, or to deliver a Copy thereof, &c.

ſhall forfeit 10*l.* and Treble Coſts; One Moiety to the Proſecutor, and the other to the Poor of the Pariſh.

XX. Provided always, and be it enacted, That before ſuch Time as any Aſſignee or Aſſignees as aforeſaid ſhall enter on, or take any Profit from, any Copyhold or Cuſtomary Eſtate, as aforeſaid, he or they ſhall agree and compound with the Lord or Lords of the Manor or Manors of whom the ſame ſhall be holden, for the Payment of ſuch Fine or Income as, upon any Surrender and Admiſſion thereto, hath heretofore been moſt uſually accuſtomed to be paid; and that upon every ſuch Agreement or Compoſition, the ſaid Lord or Lords for the Time being, at the next Court, or ſome ſubſequent Court, which ſhall be holden for the ſaid Manor or Manors, after ſuch Agreement made, ſhall admit ſuch Aſſignee or Aſſignees Tenant to ſuch Copyhold or Cuſtomary Premiſes, according to the Cuſtom of the ſaid Manor or Manors of which the ſame ſhall be holden, for and during ſuch Eſtate and Intereſt as the ſaid Priſoner had therein at the Time of his or her being diſcharged as aforeſaid, reſerving the Rents, Duties, Heriots, Cuſtoms, and Services, payable and to be rendered in reſpect of the ſaid Copyhold or Cuſtomary Premiſes.

Aſſignees of Copyhold or Cuſtomary Eſtates to compound with the Lord of the Manor, and to be admitted Tenants thereupon.

XXI. Provided alſo, That nothing herein contained ſhall extend to prejudice or affect any Eſtate or Intereſt, or Right whatſoever, of any other Perſon or Perſons, other than the ſaid Priſoner or Fugitive, which may be expectant upon, or ſubject unto, the Eſtate or Intereſt of the ſaid Priſoner or Fugitive, hereby veſted in the ſaid Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace; but that the Eſtate, Intereſt, and Right whatſoever, of every other Perſon or Perſons, ſhall remain, continue, and be ſaved to them, in the ſame Manner as if this Act had not been made.

The Priſoner's Right and Intereſt, &c. only to be affected by this Act.

XXII. Provided alſo, and be it enacted by the Authority aforeſaid, That nothing in this Act ſhall extend, or be conſtrued to hinder or prevent any Mortgage or Mortgages upon the Eſtate of ſuch Priſoner or Priſoners, or any Part thereof, to take place upon the Lands, Tenements, or Hereditaments, compriſed in ſuch Mortgage or Mortgages reſpectively; nor to prevent any Statute-ſtaple, Statute-merchant, Recognizance, or Judgment, acknowledged by or obtained againſt any ſuch Priſoner or Priſoners, to take place upon the Lands, Tenements, or real Eſtate, of ſuch Priſoner or Priſoners; and alſo where any Inquiſition ſhall have been taken upon any ſuch Statute or Recognizance, or any Writ or Execution ſhall have been taken out and delivered to the Sheriff or proper Officer, upon any ſuch Judgment before ſuch Diſcharge ſhall be given in open Seſſion to any ſuch Perſon as aforeſaid, the perſonal Eſtate of every ſuch Priſoner reſpectively ſhall be ſubject thereto, in the firſt Place, for ſo much as ſhall remain due upon ſuch Mortgage, Statute, Recognizance, or Judgment reſpectively, in like Manner as ſuch Mortgagees and Creditors, by Statute, Recognizance, or Judgment, would have been preferred to other Creditors of an inferior Nature, againſt the real or perſonal Eſtate of ſuch Priſoner and Priſoners reſpectively, if this Act had not been made; any Thing herein-before contained to the contrary thereof in anywiſe notwithſtanding.

All Mortgages, &c. to take place preferable to Claims of an inferior Nature.

'XXIII. And whereas many Perſons who may be intitled to, and claim the Benefit of this Act, are 'ſeiſed and poſſeſſed of Lands, Tenements, and Hereditaments, to hold to ſuch Priſoners for the Term of

'their natural Lives, with Power of granting Leaſes, and taking Fines, reſerving ſmall Rents on ſuch 'Eſtates, for one, two, or three Lives, in Poſſeſſion or Reverſion, or for ſome Number of Years deter- 'minable upon Lives, which ſaid Powers ought to be executed for the Benefit of the Creditors of ſuch Pri- 'ſoners;' be it therefore enacted by the Authority aforeſaid, That in every ſuch Caſe, all and every the Powers of leaſing ſuch Lands, Tenements, and Hereditaments, which are or ſhall be veſted in any ſuch Priſoner or Priſoners, as aforeſaid, ſhall be, and are hereby veſted in the Aſſignee or Aſſignees of the real and perſonal Eſtate of ſuch Priſoner, by virtue of this Act, to be by ſuch Aſſignee or Aſſignees executed for the Benefit of all and every the Creditors of ſuch Priſoners as aforeſaid.

Powers in Priſoners of leaſing Lands, &c. veſted in Aſſignees.

'XXIV. And whereas, in ſome Gaols or Priſons in this Kingdom, the Office of Gaoler or Keeper is 'held in Fee for Life, or otherwiſe, by Perſons who never act as Gaolers or Keepers themſelves, or know 'any Thing of the Priſoners therein, but depute or employ ſome Perſon or Perſons under them as Gaolers 'or Keepers of ſuch Gaols or Priſons;' be it therefore enacted, That, in every ſuch Caſe, the Perſon who ſhall have been actually employed and acted as deputed Gaoler or Keeper of any ſuch Gaol or Priſon, at the Time of the delivering in the Liſts, hereby directed to be delivered in, of Priſoners in any ſuch Gaol or Priſon, at any General Quarter Seſſions of the Peace, or ſome Adjournment thereof, and not the principal Gaoler or Keeper (unleſs where ſuch principal Gaoler or Keeper ſhall act as Gaoler or Keeper himſelf), ſhall take the Oath herein-before appointed to be taken by the Gaoler or Keeper of every ſuch Gaol or Priſon.

The acting Gaoler, at the Time of delivering the Liſts, only liable to be ſworn.

XXV. And be it enacted by the Authority aforeſaid, That the Juſtices, at any General Quarter Seſſion of the Peace, or Adjournment thereof, to which any Priſoner ſhall be brought in purſuance of this Act, ſhall, if required by any Creditor or Creditors of any ſuch Priſoner or Priſoners, who ſhall oppoſe his or her Diſcharge, adminiſter and give to the Gaoler, or the Perſon who acts as Gaoler or Keeper of any ſuch Priſon, at the Time of bringing up any ſuch Priſoner, in order to be diſcharged under this Act, an Oath to the following Effect; (that is to ſay)

Court, on Requiſition of a Creditor, to adminiſter an Oath to the Gaoler.

The Oath.

'I *A. B.* do ſwear, That was really and truly a Priſoner in my Cuſtody, in the Priſon 'of to the beſt of my Knowledge and Belief, at or upon the twenty-eighth Day of '*January*, one thouſand ſeven hundred and ſeventy-eight; and that the Copy or Copies of the Cauſe or 'Cauſes of his [*or* her] Commitment or Detainer, now by me brought with the Body of the ſaid and produced to this Court, is or are a true Copy or Copies of the Cauſe or Cauſes of ſuch 'Detainer or Commitment, without any Fraud or Deceit by me, or any other Perſon whatſoever, to the 'beſt of my Knowledge and Belief.

'*So help me* GOD.'

If ſuch Perſon ſhall not have been Gaoler on Jan. 28, 1778, then he ſhall take the following

And if any Perſon who was Gaoler or Keeper, or deputed Gaoler or Keeper, of any ſuch Gaol or Priſon, on the ſaid twenty-eighth Day of *January*, one thouſand ſeven hundred and ſeventy-eight, or ſince, ſhall not happen to be the Gaoler or Keeper, or deputed Gaoler or Keeper, of any ſuch Gaol or Priſon, at the Time any ſuch Liſt as aforeſaid is hereby required to be delivered in, then the Juſtices, at any ſuch Seſſion, or at any Adjournment thereof, may and are hereby required to adminiſter and give to the reſpective Perſon or Perſons, who ſhall be Gaoler or Keeper, or deputed Gaoler or Keeper, of any ſuch Gaol or Priſon, and deliver in any ſuch Liſt as aforeſaid, at any ſuch General or Quarter Seſſion, or any Adjournment thereof, an Oath, touching the Commitments, or Books of Commitment, of any ſuch Priſon, to the Effect following; (that is to ſay)

Oath.

'I *A. B.* do ſwear, That I have examined the Commitments, or Books kept of or concerning the Com- 'mitment, of Priſoners to the Priſon of in the [County, Riding, Diviſion, City, 'Town, Place, *or* Liberty of *as the Caſe ſhall be*]; and that I do verily believe that 'the ſaid Commitments, or Books of Commitment, are really true, and not fictitious, nor calculated for 'this Purpoſe; and by them it doth appear that was, on the twenty-eighth 'Day of *January*, one thouſand ſeven hundred and ſeventy-eight, really and truly a Priſoner in the actual 'Cuſtody of the then Gaoler or Keeper, or deputed Gaoler or Keeper, of the 'ſaid Priſon, without Fraud or Deceit by me, or any other Perſon or Perſons, to my Knowledge and 'Belief.

'*So help me* GOD.'

Court, at the Requeſt of a Creditor, may ſummon the Perſon who acted as Gaoler on Jan. 28, 1778, or ſince, and examine him, on Oath, &c.

Sheriff or Gaoler, diſobeying Order of Court, to forfeit 100*l.* with Treble Coſts.

'XXVI. And, in order to diſcover any fraudulent Entries or Commitments of Priſoners in any Gaol 'Books,' be it further enacted by the Authority aforeſaid, That the Juſtices, at any General or Quarter Seſſion of the Peace, or any Adjournment thereof, are hereby authoriſed, at the Requeſt of any Creditor or Creditors of any Priſoner, to convene before them, at ſome certain Time to be appointed by them, any Perſon or Perſons who was or were Gaoler or Keeper, or deputed Gaoler or Keeper, of any Gaol or Priſon within their reſpective Juriſdictions, on the ſaid twenty-eighth Day of *January*, one thouſand ſeven hundred and ſeventy-eight, or at any Time ſince; and to examine every ſuch Gaoler or Keeper, or deputed Gaoler or Keeper, on Oath, touching the Commitment and Continuance in Cuſtody of any ſuch Priſoner, as the Juſtices, at any ſuch General or Quarter Seſſion, or Adjournment thereof, ſhall think fit: And if any Sheriff, Gaoler, or Keeper, or deputed Gaoler or Keeper, ſhall neglect or refuſe to bring before ſuch Juſtices, at any Seſſion of the Peace, or Adjournment thereof, any Priſoner as ſhall be directed and required by Warrant of any Juſtice or Juſtices as aforeſaid, or to attend on being ſummoned for that Purpoſe; or if any Gaoler or Keeper attending, ſhall refuſe to make Anſwer and Diſcovery in the Premiſes, as ſhall be reaſonably required at ſuch General or Quarter Seſſion, or any Adjournment thereof, he, ſhe, or they,

they, so offending in the Premises, shall, for every such Offence, forfeit and pay the Sum of one hundred Pounds; to be recovered, by and in the Name, and for the Use, of the Party injured, by Action of Debt, to be brought in his or her Name, in any of his Majesty's Courts of Record at *Westminster*, together with treble Costs of Suit.

'XXVII. And whereas a great Number of Workmen, skilful in the several Trades and Manufactures 'of this Kingdom, and also many able Seamen and Mariners, finding themselves unable to satisfy the 'Whole of their respective Debts, and dreading the Miseries of a Gaol, have chose to leave their Employ-'ments and native Country, and have entered themselves in Foreign Service: And whereas their Conti-'nuance Abroad must be of great Prejudice to the Trade of this Kingdom;' in order therefore to induce and enable such Persons to return, be it enacted by the Authority aforesaid, That all and every Debtor and Debtors, who was or were actually beyond the Seas, in foreign Parts, on the tenth Day of *March*, one thousand seven hundred and seventy-eight, and did not go into such foreign Parts with the View or Intent to gain or have the Benefit of an Insolvent Debtors Act, who shall return and surrender himself or themselves, within fourteen Days next immediately after his or their landing in *England*, unto the Gaoler or Gaolers, Keeper or Keepers of the Prisons of the *King's Bench*, *Marshalsea*, or *Fleet*, or to the Gaoler or Keeper, or deputed Gaoler or Keeper, of the Prison or Prisons of such County, City, Town, Riding, Division, Liberty, or Place, where such Debtor or Debtors last dwelt, for the Space of six Months (which said Gaoler or Gaolers, Keeper or Keepers, is and are hereby required and empowered to receive and detain such Debtor or Debtors, surrendering as aforesaid, in order to their Discharge, as herein-after mentioned), and who, from and immediately after such Surrender, do continue in actual Custody of such Gaoler and Gaolers, Keeper or Keepers, until the Time of his Discharge, shall be deemed a Prisoner or Prisoners within, and be, to all Intents and Purposes, intitled to, the Benefit of this Act; and shall, upon due Proof of the said Premises, by the Oath of such Debtor or Debtors (not disproved by any credible Witness), be discharged in the same Manner as if he, she, or they, had been actually in Prison on the said twenty-eighth Day of *January*, one thousand seven hundred and seventy-eight, and continued therein as aforesaid; subject nevertheless to the same Restrictions and Provisions, and a Compliance with the like Terms, Conditions, and Qualifications, herein-before imposed upon the said Prisoners actually in Custody upon the said twenty-eighth Day of *January*, one thousand seven hundred and seventy-eight, and also subject to the Terms and Provisions relating to the Estate and Effects of such Prisoner, as aforesaid; excepting only such Particulars thereof as require the Name of a Prisoner to be inserted in the Gaoler's or Keeper's List, as aforesaid, as relate to the Oaths of such Gaoler or Keeper herein-before appointed to be taken; which Particulars cannot possibly be applied to the Case of Persons surrendering themselves as aforesaid; and also except the said Oath herein-before appointed to be taken by Prisoners in Custody upon the said twenty-eighth Day of *January*, one thousand seven hundred and seventy-eight; instead whereof, the Person or Persons so surrendering shall take an Oath, in open Court, at some General or Quarter Session of the Peace, or some Adjournment thereof, of the County, City, Town, Riding, Division, Place, or Liberty, in the Prison of which any such Fugitive or Debtor shall be held, after the Surrender of any such Fugitive or Debtor, to the Effect following; which the said Justices, authorised to put this Act in Execution, are hereby required and empowered to administer in such Manner as the Oaths herein-before mentioned are to be administered.

Debtors who were beyond the Seas on Jan. 28, 1778, surrendering themselves, may take the Benefit of this Act,

upon the same Terms as other Prisoners;

except in certain Particulars.

'I *A. B.* upon my corporal Oath, in the Presence of Almighty God, solemnly swear, protest, and de-'clare, That I was actually, on the tenth Day of *March*, one thousand seven hundred and seventy-'eight, beyond the Seas in foreign Parts, *videlicet*, at and that I did, within four-'teen Days next immediately after my landing, surrender myself to the Custody of the Keeper of '[*as the Case may be*]; and that I have ever since such my Surrender continued a Prisoner in 'his Custody; and that the Schedule now delivered, and by me subscribed, doth contain, to the best of 'my Knowledge, Remembrance, and Belief, a full, just, true, and perfect Account and Discovery, of all 'the real Estate, Goods, Effects, and other personal Estate, in anywise belonging to me; and also of all 'such Debts as are to me owing, or to any Person or Persons in Trust for me; and of all the Securities 'and Contracts whereby any Money now is, or will or may hereafter become payable, or whereby or 'wherefrom any Benefit or Advantage may accrue to me, or to my Use, or to any other Person or Persons 'in Trust for me; and the Names and Places of Abode of the several Persons from whom such Debts are 'due and owing; and of the Witnesses that can prove such Debts or Contracts [*if any such there be*]; 'and that neither I, nor any Persons in Trust for me, is or are seised of any real Estate, in Possession, 'Reversion, or Remainder, or Expectancy, or of any personal Estate of any Kind whatsoever, other than 'what are in the said Schedule contained; except my Wearing Apparel, and Bedding for myself and Fa-'mily, my working Tools, and necessary Implements for my Occupation and Calling, together with a 'Sum of Money not exceeding forty Shillings, and not exceeding in the Whole the Value of twenty 'Pounds; and that I have not, directly or indirectly, sold, lessened, or otherwise conveyed, disposed of 'in Trust, or concealed, all or any Part of my real Estate, Money, Goods, Chattels, Stocks, Debts, 'Securities, Contracts, or personal Estate whatsoever, whereby to secure the same, so as to receive or ex-'pect any Profit or Advantage therefrom to myself or Family, or with any View, Intent, or Design, to 'defraud or deceive any Creditor or Creditors, to whom I am indebted in anywise howsoever, or prevent 'their recovering or attaining their respective Debts.

'*So help me* GOD.'

Fugitive's Oath.

XXVIII. Provided also, and be it enacted, That if any Fugitive intending to surrender to the Terms of this Act, shall, within the Space before mentioned of fourteen Days, be arrested in any Suit or Action, which Cause of Action accrued before the said tenth Day of *March*, one thousand seven hundred and seventy-

Fugitives arrested, intending to surrender, intitled to the Benefit of this Act.

seventy-eight, such Fugitive giving Notice (as before directed) to any Justice of the Peace at the next General Quarter Session or General Session; and, in all other Respects, complying with the Terms and Conditions of this Act, shall be intitled to the Benefit of the same; and every Sheriff, Bailiff, or Officer, Gaoler, or Keeper of a Prison, in whose Custody such Fugitive shall be detained, shall conform him or themselves to the Directions of this Act, in like Manner as before mentioned.

'XXIX. And whereas a great Number of Commission and Warrant Officers, in his Majesty's Sea and 'Land Service, who, through unavoidable Misfortunes, have involved themselves in Debt, are now un- 'able, though willing, to serve their King and Country, because, to avoid the Disgrace and Shame of a 'Prison, they have taken Shelter in privileged Places, and cannot come forth without Danger of being 'immediately arrested, or have been thrown into Prison, without Hopes of being released by any Discharge 'of their Debts, and are therefore become useless and a heavy Burthen, instead of being serviceable to the 'State: And whereas many of them are not under the Description of those Persons who can take Benefit by 'the Provisions of this Act, without some Extension thereof, yet are very proper Objects of such Relief as 'is hereby intended to be given;' be it therefore enacted, That all and every Commission or Warrant Officer or Officers, in his Majesty's Sea or Land Service, now upon the full or half-pay List, who shall, on or before the twenty-sixth Day of *June*, one thousand seven hundred and seventy-eight, surrender himself or themselves to the Gaoler or Keeper of any of his Majesty's Prisons, in such Manner as is herein directed for Fugitive Debtors returning from foreign Parts, who mean to claim the Benefit of this Act, and who shall, subsequent thereto, conform themselves in all Respects to the like Terms and Conditions prescribed to such Fugitive Debtors (except as to so much of the Oath required to be taken by them, as declares that such Debtors were in foreign Parts on a certain Day, and did surrender within fourteen Days after their Return); instead whereof, every such Debtor shall swear, that he did, on or before the twenty-sixth Day of *June*, one thousand seven hundred and seventy-eight [*as the Case may be*], surrender himself to the Custody of the Gaoler or Keeper of [*insert the Name of the Prison*], and who shall, in all other Respects, take the same Oath as every such Fugitive Debtor is required to do, shall be deemed and taken to be a Prisoner or Prisoners within the true Meaning of this Act, and be intitled to the Benefits thereof, to all Intents and Purposes whatsoever.

Any Commission or Warrant Officer, who shall surrender himself, as is herein directed for Fugitive Debtors, before June 26, 1778, shall be intitled to the Benefit of this Act.

'XXX. And whereas divers Persons are under a Necessity of residing Abroad, to avoid being thrown 'into Gaol on account of Annuities by them granted as a Means of raising Money either to themselves, or 'others for whom they have become Surety, and such Persons cannot have the Benefit of a Discharge by 'virtue of this Act, in respect of the accruing Payments of such Annuities subsequent to the twenty-eighth 'Day of *January*, one thousand seven hundred and seventy-eight;' be it therefore further enacted by the Authority aforesaid, That all and every Person or Persons who was or were actually beyond the Seas in foreign Parts to avoid being thrown into Gaol on account of Debts so contracted on or before the said twenty-eighth Day of *January*, one thousand seven hundred and seventy-eight, and who shall surrender himself or themselves to the Gaoler or Keeper of any of his Majesty's Prisons, in such Manner as is herein directed for Fugitive Debtors returning from foreign Parts who mean to claim the Benefit of this Act, and who shall, subsequent thereto, conform themselves in all Respects to the like Terms and Conditions prescribed to such Fugitive Debtors, shall, notwithstanding the penal Sum contained in any Bond, Judgment, or other Assurance, whereby such Annuity may have been secured, should be larger than the Sum limited by this Act, be intitled to the Benefits of this Act to all Intents and Purposes; and such Person or Persons, so conforming, shall not afterwards be arrested, or held to Bail, or liable to Imprisonment, on account of the accruing Payment of any Annuity theretofore granted or secured, or in respect of any Bond, Judgment, or other Assurance, made, entered into, or obtained, for securing the Payment of any such Annuity.

Persons beyond the Seas on Account of Annuities granted before Jan. 28, 1778, who shall surrender themselves as Fugitive Debtors, &c. shall be intitled to the Benefits of this Act.

Exception.

XXXI. Provided always, That no Person shall be intitled to be discharged from his Imprisonment, under the Provisions of this Act, where the Annuity secured to any one Creditor shall exceed the Sum of one thousand Pounds, unless by the Consent of such Creditor.

Future Estates of such Debtors to be liable to Payment of Annuities.

XXXII. Provided also, That nothing herein contained shall extend to exempt or discharge the future Estate or Effects, real or personal, of any such Debtor or Debtors, as are last herein before mentioned, from being liable to the Payment of such Annuity Debts as aforesaid.

Gaoler, or Printer of the Gazette, &c. not complying with the Regulations of this Act, to forfeit 200 l. for each Offence, with Treble Costs.

XXXIII. And be it further enacted by the Authority aforesaid, That if any Gaoler or Keeper of any Prison, or his Deputy or Deputies, shall, without just Cause, to be approved of by the Justices at some General Quarter Session or General Session of the Peace, or Adjournment thereof, within their respective Jurisdictions, refuse or delay to bring any such Prisoner or Prisoners as aforesaid, to any such General Quarter Session, or General Session, or some Adjournment thereof, in order to his or her Discharge, or shall neglect, refuse, or designedly omit to insert, in any such List, the Name or Names of any such Prisoner or Prisoners who was or were actually in Custody in his or their respective Gaol or Prison, on the said twenty-eighth Day of *January*, one thousand seven hundred and seventy-eight, or since; or shall neglect or refuse to make out, fix up, or deliver such Lists as aforesaid; or if any such Gaoler or Keeper, or deputed Gaoler or Keeper, shall neglect or refuse to take any of the said Oaths before mentioned, and hereby required to be taken by him; or shall, upon any Account or Pretence whatsoever, take or receive more than the said Sum of one Shilling herein before allowed for his or her Attendance in order to be discharged of such Prisoner or Prisoners as aforesaid; or shall detain any such Prisoner after he or she shall be discharged as aforesaid; or if the Printer of the *London Gazette*, or other Newspaper, as aforesaid, shall wilfully refuse or neglect to insert therein the Notice by this Act directed to be given, on reasonable Request to him made for that Purpose, and Tender of the Money hereby directed to be paid; or shall take or receive any Fee or Gratuity more than Twopence as aforesaid for doing thereof; every such Gaoler and Keeper of such Prison or Prisons, his Deputy or Deputies, and every such Printer as aforesaid, shall respectively forfeit and pay to each Prisoner, in any such Case injured, the Sum of one hundred Pounds; which

shall

ſhall and may be recovered, with Treble Coſts of Suit, by Action of Debt, Bill, Plaint, or Information, in any of the Courts of Record at *Weſtminſter*, wherein no Eſſoin, Protection, or Wager of Law, or more than one Imparlance, ſhall be allowed.

Gaoler convicted of Perjury, to forfeit 500l. with full Coſts, &c.

XXXIV. And be it further enacted by the Authority aforeſaid, That if any ſuch Gaoler or Gaolers, or Keeper or Keepers, or any deputed Gaoler or Keeper, of any Priſon, ſhall, in taking of the aforementioned Oaths, forſwear or perjure himſelf, and ſhall thereof be lawfully convicted, ſuch Gaoler or Keeper, or deputed Gaoler or Keeper, of ſuch Priſon or Priſons (over and above ſuch Penalties as may be inflicted on Perſons convicted of Perjury), ſhall, upon every ſuch Conviction, forfeit and pay the Sum of five hundred Pounds; to be recovered, with full Coſts, by Bill, Plaint, or Information, or Action of Debt, in any of his Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoin, Protection, or Wager of Law, ſhall be allowed, by and in the Name of ſuch Perſon or Perſons, his and their Executors and Adminiſtrators, to whom any Aſſignment or Conveyance, in purſuance of this Act, ſhall be made, of the Eſtate and Effects of ſuch Priſoner or Priſoners; and if no ſuch Aſſignee or Aſſignees ſhall be living, then in the Name or Names of any other Creditor or Creditors who ſhall ſue for the ſaid Penalties; to be applied, one Moiety to the Informer or Informers, and the other Moiety towards Satisfaction of the Debts of ſuch his Creditor or Creditors.

Application of the Penalty.

Clerk of the Peace refuſing a Priſoner a Copy of his Diſcharge, or taking exorbitant Fees, ſhall forfeit 20l. to the Priſoner.

XXXV. And be it further enacted, That if any Clerk of the Peace, or his Deputy, or Town Clerk, or other Officer acting as Clerk of the Peace, ſhall delay or refuſe to give every or any ſuch Priſoner ſo diſcharged as aforeſaid, within fourteen Days after his or her Diſcharge, a Copy of the Order of his or her Diſcharge, on the Payment of two Shillings and Sixpence; or ſhall take more than the Sum of two Shillings and Sixpence for ſuch Copy; or ſhall take more than one Shilling for an Aſſignment or Conveyance of ſuch Priſoner's Eſtate or Effects; every ſuch Clerk of the Peace, or his Deputy, or Town Clerk, or other Officer acting as Clerk of the Peace, who ſhall ſo offend, and who ſhall be convicted at any ſuch General or Quarter Seſſion of the Peace, or any Adjournment thereof, of any ſuch Offence, ſhall, for every ſuch Offence, forfeit and pay to every ſuch Priſoner the Sum of twenty Pounds, as the Juſtices of the Peace, at any ſuch General or Quarter Seſſion of the Peace, or Adjournment thereof, ſhall order; and who are hereby empowered to cauſe the ſame to be levied by Diſtreſs and Sale of the Goods of any ſuch Clerk of the Peace, or his Deputy, or Town Clerk, or other Officer acting as Clerk of the Peace, ſo offending.

Priſoner, &c. convicted of Perjury, to be deemed guilty of Felony.

XXXVI. And be it further enacted by the Authority aforeſaid, That if any Priſoner as aforeſaid, or any other Perſon or Perſons who ſhall take the Benefit of this Act, ſhall forſwear and perjure himſelf, herſelf, or themſelves, in any Oath to be taken under this Act, and ſhall be lawfully convicted thereof, he, ſhe, or they, ſo offending, ſhall be adjudged guilty of Felony.

Perſons diſcharged by this Act, not liable to Impriſonment for Debts, &c. contracted before Jan. 28, 1778;

XXXVII. And be it further enacted by the Authority aforeſaid, That no Perſon to be diſcharged by this Act ſhall, at any Time hereafter, be impriſoned by reaſon of any Judgment or Decree obtained for Payment of Money only, or for any Debt, Bond, Damages, Contempts, Coſts, Sum or Sums of Money, contracted, incurred, occaſioned, owing, or growing due, before the ſaid twenty-eighth Day of *January*, one thouſand ſeven hundred and ſeventy-eight; but that upon every Arreſt upon every Judgment, or ſuch Decree, or for ſuch Debts, Damages, Contempts, Coſts, Sum and Sums of Money, it ſhall and may be lawful for any Judge of the Court where the Proceſs iſſued, or for any two Juſtices of the Peace, upon ſhewing the Copy of the Order of ſuch Priſoner's Diſcharge or Diſcharges, to releaſe and diſcharge out of Cuſtody ſuch Priſoner or Priſoners as aforeſaid; and ſhall, at the ſame Time, order the Plaintiff or Plaintiffs, in ſuch Suit or Suits, to pay ſuch Priſoner or Priſoners the Coſts he, ſhe, or they, ſhall have incurred on ſuch Occaſion, or ſo much thereof as to ſuch Judge or Juſtices ſhall ſeem juſt and reaſonable; and every ſuch Judge is hereby empowered ſo to do on ſuch Priſoner's cauſing a Common Appearance to be entered for him in every ſuch Action and Suit.

But no Priſoner to be diſcharged of Debts ſubſequent thereto.

'XXXVIII. And whereas, under former Acts of this Kind, Doubts have ariſen, what was to be done 'with ſuch Priſoners who applied at any Seſſion to be diſcharged, who owed and ſtood charged with Debts, 'as well previous as ſubſequent to the Day limited by the reſpective Acts;' to remedy which, be it therefore enacted by the Authority aforeſaid, That no Priſoner or Priſoners ſhall be diſcharged of any Debts ſubſequent to the twenty-eighth Day of *January*, one thouſand ſeven hundred and ſeventy-eight; and if it ſhall appear to the Juſtices, in any Seſſion or Adjournment, that any Priſoner or Priſoners, then applying to them to be diſcharged, ſhall ſtand charged as well with Debts previous to as ſubſequent to the ſaid twenty-eighth Day of *January*, one thouſand ſeven hundred and ſeventy-eight, that, in ſuch Caſes, it ſhall and may be lawful to and for the Juſtices to diſcharge the Perſon of ſuch Priſoner on account of all Debts previous to the ſaid twenty-eighth Day of *January*, one thouſand ſeven hundred and ſeventy-eight, and to remand him or her back to the Cuſtody of the Keeper of the Priſon from whence he or ſhe was brought, for all Debts with which he or ſhe ſtands charged with in his Cuſtody, ſubſequent to the ſaid twenty-eighth Day of *January*, one thouſand ſeven hundred and ſeventy-eight.

Juſtices, &c. may plead this Act to any Action brought againſt them, and recover Treble Coſts.

XXXIX. And be it further enacted by the Authority aforeſaid, That if any Action of Eſcape, or any Suit or Action, be brought againſt any Juſtice or Juſtices of the Peace, Sheriff, Gaoler, or Keeper of any Priſon, for performing their Office, in purſuance of this Act, they may plead the General Iſſue, and give this Act in Evidence; and if the Plaintiff be nonſuited, or diſcontinue his Action, or Verdict paſs againſt him, or Judgment upon Demurrer, the Defendant ſhall have Treble Coſts.

Perſons diſcharged may plead generally, &c. to all Actions or Judgments brought againſt them, be-

XL. And be it further enacted by the Authority aforeſaid, That if any *Scire Facias*, or Action of Debt, or upon Judgment, ſhall be brought againſt any Priſoner, his or her Heirs, Executors, or Adminiſtrators, upon any Judgment, obtained againſt any ſuch Priſoner, or on any Statute or Recognizance acknowledged by him or her, before the ſaid twenty-eighth Day of *January*, one thouſand ſeven hundred and ſeventy-eight, with reſpect to Priſoners in actual Cuſtody, or with reſpect to Debtors beyond the Seas as aforeſaid, upon the ſaid tenth Day of *March*, one thouſand ſeven hundred and ſeventy-eight, it ſhall be lawful for

fore Jan. 28, 1778, &c.

for any ſuch Priſoner, his or her Heirs, Executors, or Adminiſtrators, to plead generally that ſuch Priſoner was actually a Priſoner in ſuch Priſon at ſuch a Perſon's Suit on the twenty-eighth Day of *January*, one thouſand ſeven hundred and ſeventy-eight, or was or were beyond the Seas in Foreign Parts on the tenth Day of *March*, one thouſand ſeven hundred and ſeventy-eight; and was or were duly diſcharged according to this Act, at the General Quarter Seſſion or General Seſſion, or Adjournment thereof, held at ſuch Time and Place, for ſuch County, Riding, Diviſion, Liberty, City, Town, or Place (as his, her, or their Caſe is), without pleading any Matter ſpecially; and in caſe any other Suit or Action ſhall be commenced againſt him, her, or them, for any other Debt, Sum or Sums of Money, due before the ſaid twenty-eighth Day of *January*, one thouſand ſeven hundred and ſeventy-eight, or the tenth Day of *March*, one thouſand ſeven hundred and ſeventy-eight, to plead in Diſcharge of his or her Perſon from Execution (over and above ſuch Matters as aforeſaid), that ſuch Debt or Sum of Money (as the Caſe ſhall happen) was contracted or due before the ſaid twenty-eighth Day of *January*, one thouſand ſeven hundred and ſeventy-eight, or the tenth Day of *March*, one thouſand ſeven hundred and ſeventy-eight, without pleading any other Matter ſpecially; whereto the Plaintiff ſhall or may reply generally, and deny the Matters pleaded as aforeſaid, or reply any other Matter or Thing which may ſhew the ſaid Defendant not to be intitled to the Benefit of this Act, or not duly diſcharged according to it, in the ſame Manner as the Plaintiff might have replied, in caſe the Defendant had pleaded this Act, and his Diſcharge, by virtue of this Act, ſpecially; and if the Plaintiff be nonſuited, diſcontinue his Action, or Verdict paſs againſt him, or Judgment on Demurrer, the Defendant to have Treble Coſts.

and in other Suits, may plead in Diſcharge of their Perſons from Execution.

Plaintiff may reply generally, &c.

but if nonſuited to pay Treble Coſts.

XLI. Provided always, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to releaſe or diſcharge any Attorney at Law, or Solicitor, or any other Perſon or Perſons acting, or pretending to act as ſuch, with regard to any Debt with which he or they ſhall ſtand charged for any Money, or other Effects, recovered and received by him or them, for the Uſe of any Perſon or Perſons, Bodies Corporate or Politic, and by any Attorney, Solicitor, or other Perſon or Perſons acting as ſuch, embezzled, concealed, or converted, to his or their own Uſe; or to releaſe or diſcharge any Servant or Agent, or any Perſon or Perſons employed or intruſted as ſuch, with regard to any Debt or Demand with which he, ſhe, or they, ſhall ſtand charged, for and on account of any Money, Goods, or other Effects, received or poſſeſſed by him, her, or them, for the Uſe, and on account of his, her, or their Maſter or Maſters, or Employers, and by ſuch Servant or Agent embezzled, concealed, or converted to his, her, or their own Uſe; any Thing herein contained to the contrary thereof in any-wiſe notwithſtanding.

Attornies or Servants embezzling Money, &c. excluded the Benefit of this Act.

'XLII. And whereas many evil-diſpoſed Perſons, to ſupport their profligate Way of Life, have, by 'various ſubtle Stratagems, Cheats, and Devices, fraudulently obtained divers Sums of Money, Goods, 'Wares, Merchandizes, Bonds, Bills of Exchange, Promiſſory Notes, or other Securities for Money, 'to the great Injury of induſtrious Families, and to the manifeſt Prejudice of Trade and Credit;' be it enacted, That no Priſoner, who knowingly and deſignedly, by falſe Pretence or Pretences, ſhall have obtained from any Perſon or Perſons, Money, Goods, Wares, Merchandizes, Bonds, Bills of Exchange, Promiſſory Notes, or other Securities for Money, ſhall have or receive any Benefit or Diſcharge by or under this Act; but the Juſtices, at any General or Quarter Seſſion of the Peace, or any Adjournment thereof, before whom any ſuch Priſoners ſhall be brought, upon due Proof of the Matter, made to their Satisfaction, ſhall remand ſuch Priſoner to the Cuſtody of the Gaoler or Keeper of the Priſon from whence he or ſhe ſhall have been brought; any Thing herein contained to the contrary notwithſtanding.

Perſons who, by falſe Pretences, have obtained Money, Goods, &c. excluded the Benefit of this Act.

'XLIII. And whereas many Debtors have, with a View to defraud their Creditors, ſold, transferred, 'conveyed, or aſſigned their Eſtate and Effects to ſome Perſon or Perſons, ſubſequent to their being in 'Cuſtody of Law, or impriſoned under ſome Proceſs for Debt: And whereas ſuch Sale, Transfer, Con'veyance, or Aſſignment, has been frequently made, to the infinite Prejudice of the fair and honeſt Cre'ditor, though ſufficient Proof could not be obtained to convict the Party of a fraudulent Deſign;' be it enacted, That whenever it ſhall be proved by one or more credible Witneſs or Witneſſes, to the Satisfaction of the Court, to which any Priſoner ſhall be brought up, in order to obtain his or her Diſcharge, that ſuch Priſoner has ſold, transferred, conveyed, or aſſigned, to any Perſon or Perſons, all or any Part of his Eſtate or Effects, ſubſequent to the Time of his Impriſonment, or of his being in Cuſtody of Law, without juſt Cauſe for ſo doing, to be allowed by the Juſtices preſiding in ſuch Court as aforeſaid; every ſuch Priſoner ſhall loſe all the Benefits and Advantages that he might have otherwiſe claimed under the Authority of this Act, and ſhall not be intitled to his or her Diſcharge; and every ſuch Sale, Transfer, Conveyance, or Aſſignment, is hereby declared to be null and void.

Any Perſon having ſold or aſſigned any Part of his Eſtate or Effects, after being in Cuſtody, with Deſign to defraud his Creditors, ſhall loſe the Benefit of this Act.

XLIV. And be it further enacted by the Authority aforeſaid, That every Gaoler or Keeper of any Priſon ſhall, and is hereby required to ſuffer, in the Day-time, any Perſon or Perſons deſiring the ſame, to ſee and ſpeak, in the Lodge, or ſome convenient Room in the ſaid Priſon, with any Priſoner or Priſoners, whoſe Names are inſerted in the afore-mentioned Liſt or Liſts, or *London Gazette*, or other Newſpapers, or any of them, or any Perſons ſurrendering themſelves purſuant to this Act; and alſo ſee, in the true and genuine Books of the ſaid Priſon, the Entries made of the Name or Names of ſuch Priſoner or Priſoners, together with the Name or Names of the Perſon or Perſons at whoſe Suit or Suits he, ſhe, or they, are detained: And if any ſuch Gaoler or Keeper ſhall neglect or refuſe to comply with what is here above required, every ſuch Gaoler or Keeper, who ſhall ſo offend in the Premiſſes, ſhall forfeit and pay, to the Perſon ſo refuſed and aggrieved, the Sum of forty Pounds; to be recovered, with Coſts of Suit, by Action of Debt, Bill, Plaint, or Information, in any of the Courts at *Weſtminſter*, wherein no Eſſoin, Protection, Wager of Law, or more than one Imparlance, ſhall be allowed, by and in the Name or Names of the Perſon or Perſons ſo refuſed and aggrieved.

Gaoler to permit the ſpeaking in private to Priſoners, whoſe Names are inſerted in the Liſt, or Gazette, &c. and the examining original Book of Entries, &c. on Penalty of 40 l. with Coſts of Suit.

'XLV. And whereas ſeveral Perſons, who have taken the Benefit of Acts of Inſolvency, from a Diſ'ficulty of obtaining a new Credit to ſet themſelves up in their uſual Trades and Occupations (as their 'future Effects have been made liable to their Debts previous thereto), have gone Abroad for the better

'Maintenance

'Maintenance of themſelves and Families, carrying the Arts and Manufactures of this Country to our 'Enemies, or Rivals in Trade: In order to prevent ſuch Evil for the future,' be it enacted, That the future real Eſtates, as well Freehold and Copyhold, as Cuſtomary Copyhold, Salaries of Offices under Government Money, or Money in the Funds, or lent upon real Security only, of every ſuch Perſon or Perſons, Priſoner or Priſoners, Fugitive or Fugitives, which, after the Time of his, her, or their total Surrender of his, her, or their Eſtates and Effects, under ſuch Acts, he, ſhe, or they, ſhall or may be ſeiſed of, in his, her, or their own Right or Uſe, by Grant, Demiſe, or Purchaſe, ſhall remain and be liable to his, her, and their reſpective Creditors, as before the making of this Act; and any Creditor or Creditors of any ſuch Priſoner or Priſoners, Fugitive or Fugitives, may, at any Time hereafter, ſue out Execution, Extents, or other Proceſs, againſt ſuch real Eſtate or Money in the Funds as aforeſaid, of ſuch Perſon or Perſons, on any Judgment at the Time of ſuch Diſcharge recovered, or Statute Staple, or Recognizance acknowledged by, or Decree obtained againſt any ſuch Priſoner or Fugitive, but not againſt his, her, or their Perſon, or his, her, or their perſonal Eſtate or Effects, except Money in the Funds obtained or accrued ſince ſuch Time of ſuch Diſcharge, other than as aforeſaid.

Priſoners future Eſtates, or Money in the Funds, notwithſtanding their perſonal Diſcharge, liable to Creditors; who may ſue out Execution, but not againſt their Perſons, or perſonal Effects, &c.

XLVI. And be it alſo enacted, That any Creditor or Creditors of any Priſoner or Priſoners, Fugitive or Fugitives, who ſhall be diſcharged under this Act, may, at any Time after any ſuch Diſcharge, commence and proſecute any Action or Suit againſt any ſuch Priſoner or Fugitive, his, her, or their reſpective Heirs, Executors, or Adminiſtrators, for the Recovery of any Sum or Sums of Money which ſhall be due from any ſuch Priſoner or Priſoners, Fugitive or Fugitives, at the Time of his or their ſaid Diſcharge, but ſhall not hold the Perſon of any ſuch Priſoner or Fugitive to Special Bail; nor ſhall take the Perſon, or perſonal Eſtate and Effects, other than as aforeſaid, of any ſuch Priſoner or Fugitive, in Execution, by any Judgment, Sentence, or Decree, which ſhall have been, or hereafter may be recovered or obtained againſt any ſuch Priſoner or Fugitive; and any Judge of the Court, out of which ſuch Execution ſhall iſſue, ſhall have Power to diſcharge the ſame by virtue of this Act: And in any Action or Suit, which ſhall be hereafter commenced againſt any ſuch Priſoner or Fugitive, his or her Heirs, Executors, or Adminiſtrators, no Benefit or Advantage ſhall be had or taken, for that the Cauſe of Action did not accrue within three Years next before the commencing of any ſuch Action or Suit; nor ſhall any Statute or Limitation be pleadable, or be allowed to be pleaded in Bar of or in any ſuch Action or Suit, which ſhall be hereafter commenced by any ſuch Creditor or Creditors againſt any ſuch Priſoner or Priſoners, unleſs ſuch Cauſe of Action or Suit did not accrue within three Years next before any ſuch Priſoner or Fugitive ſhall be diſcharged under this Act; and, in any ſuch Caſe, the ſame may be pleaded by any ſuch Priſoner, his or her Heirs, Executors, or Adminiſtrators.

Creditors may ſue for the Recovery of Debts due at the Time of Priſoner's Diſcharge, but not hold the Priſoner to ſpecial Bail, nor take his Perſon, &c. by any Judgment recovered againſt him.

No Advantage to be taken of the Cauſe of Action not accruing within three Years, &c. Exception.

XLVII. Provided always, and be it likewiſe enacted, That by the Diſcharge of any Priſoner or Fugitive by Force of this Act, no other Perſon or Perſons who was or were Partner or Partners in Trade with any ſuch Priſoner or Fugitive, at the Time of his or her Diſcharge under this Act, or then ſtood bound, engaged with, or liable to, the Payment of any Debt with any ſuch Priſoner or Fugitive, or engaged in any Contract together with any ſuch Priſoner or Fugitive, ſhall be diſcharged from any ſuch Debt or Demand; but every ſuch other Perſon and Perſons ſhall ſeverally ſtand and be chargeable with, and liable to pay, ſuch Debt and Debts, and to perform ſuch Contracts, in like Manner as if any ſuch Priſoner or Fugitive had never been diſcharged from the ſame.

Diſcharge of Priſoner no Acquittal to his Partner or Sureties.

XLVIII. And be it further enacted, That if any Gaoler or Keeper, or reputed Gaoler or Keeper, of any Priſon or Priſons, ſhall make, or cauſe to be made, any falſe Entries in any Book or Books belonging to any Priſon or Gaol under his Care, or of which he is or was Gaoler, or ſhall prepare or keep, or cauſe to be prepared or kept, any falſe Book or Books, in order for any falſe or untrue Entry or Entries to be made therein; or ſhall inſert in any Liſt, to be delivered in as aforeſaid, the Name or Names of any Perſon or Perſons who was not a Priſoner or Priſoners in actual Cuſtody in any ſuch Gaol or Priſon upon the ſaid twenty-eighth Day of *January*, one thouſand ſeven hundred and ſeventy-eight, or ſhall not have ever ſince remained in ſuch actual Cuſtody (except as in the Oath of any ſuch Gaoler or Keeper, or deputed Gaoler or Keeper, ſhall be excepted), every ſuch Gaoler or Keeper, or deputed Gaoler or Keeper, ſhall, over and above the Penalties which he ſhall be liable to for every ſuch Fraud, forfeit and pay the Sum of five hundred Pounds; to be recovered, with Treble Coſts of Suit, by and in the Name, and for the Uſe, of any Perſon or Perſons who ſhall be prejudiced by any Entry, or ſuch falſe Entries; which Penalties ſhall and may be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoin, Protection, or Wager of Law, or more than one Imparlance, ſhall be allowed.

Gaoler making falſe Entries in Priſon Book or Liſt, to forfeit 500 l. with Treble Coſts.

XLIX. And be it further enacted, That if any Priſoner, being thereunto required by any Creditor, ſhall refuſe to diſcover and declare the Trade or Occupation, and Habitation, or laſt Place of Abode, of the Perſon or Perſons at whoſe Suit he or ſhe is detained or charged in Cuſtody; or, being called for and deſired, by any Creditor or Creditors, to come to the Lodge of the Priſon in which any ſuch Priſoner ſhall be confined, without ſome reaſonable Cauſe being made appear to the contrary; every ſuch Priſoner, upon Proof being made thereof before the Juſtices at any General or Quarter Seſſion of the Peace, or any Adjournment thereof, to be held as aforeſaid, ſhall not have or receive any Benefit or Diſcharge by or under this Act; any Thing herein contained to the contrary thereof in any-wiſe notwithſtanding.

Priſoner refuſing to declare the Abode, &c. of the Perſon or whoſe Suit he is detained, &c. to be excluded the Benefit of this Act.

'L. And whereas there is but one Common or County Gaol for each of the reſpective Counties of 'York, *Lincoln*, *Lancaſter*, and *Durham*, which ſaid Counties are each of them divided into ſeveral 'Ridings or Diviſions, all which have ſeveral Commiſſions of the Peace; and if the Gaolers of thoſe 'Gaols be obliged to carry the Debtors, Priſoners therein, to the Quarter Seſſion of each Riding or Di-'viſion, the ſame will be a very great Charge, not only to ſuch Gaolers, but alſo to the Priſoners in thoſe 'large Counties;' be it therefore enacted by the Authority aforeſaid, That it ſhall and may be lawful for two or more Juſtices of the Peace for any of the Ridings or Diviſions in the reſpective Counties (or any other

Juſtices may aſſemble at or near any County

Gaol, and hold a Session there for Discharge of Prisoners.

other County or Counties where the Prisons are at a Distance from the Place where the Sessions are held), at the Common or County Gaol thereof respectively, or at some convenient Place near thereto, and they are hereby required to assemble and meet, and to hold Session there, by Adjournment from their respective Quarter Session, from Time to Time, for the Discharge of the respective Prisoners therein, according to the Powers, Limitations, and Directions of this Act.

The Justices for the District of Holland in Lincolnshire, may adjourn to the County Gaol, &c. for discharging Prisoners.

'LI. And whereas the Division or District of *Holland* in the said County of *Lincoln*, is distant near 'forty Miles from the said County Gaol, and it is highly inconvenient and expensive for the Justices of 'the Peace acting for the said Division, to be obliged to travel to the said Gaol, for the sole Purpose of 'discharging the Prisoners under the Powers by this Act given;' be it therefore enacted, That, for the several Purposes aforesaid, the Justices for the said Division or District of *Holland* may adjourn their original Sessions to the County Gaol, or some Place near thereunto; and that it may and shall be lawful for any two Justices of the Peace, acting either for the Parts of *Lindsey*, *Kesteven*, or *Holland*, to hold such adjourned Sessions for the sole Purpose of discharging such Prisoners; Notice of the Adjournment of such original Session being given by the Clerk of Sessions to such Justices, and who shall attend there to register the Proceedings of the said Court, so far as the same relate to or affect the Discharge of any Prisoner detained for Debt in the Division of *Holland*, and claiming the Benefit of this Act.

Justices for the County of Surrey may assemble at the Town-hall of Southwark for administering Oaths, &c.

'LII. And whereas the next General Quarter Sessions of the Peace for the County of *Surrey*, which 'shall happen after the passing of this Act, may be in the Country, and upwards of twenty Miles from 'any of the said Prisons;' be it therefore enacted by the Authority aforesaid, That it shall and may be lawful for such Justices as shall be assembled at the General Quarter Session of the Peace to be holden for the County of *Surrey*, next after the passing of this Act, and they are hereby required forthwith to adjourn the said Session to the Town-hall in the Borough of *Southwark*, for the Purpose of administering the Oaths required to be taken and subscribed by this Act, by the several Gaolers within the said County wherein any Prisoner or Prisoners are confined, and to the discharging such respective Prisoner or Prisoners confined therein, according to the Powers, Limitations, and Directions of this Act.

Justices of London, Middlesex, and Surrey, to assemble their respective Courts for administering Oaths, &c.

and to give thirty Days Notice of sitting to discharge Prisoners.

'LIII. And whereas the next General Quarter Session of the Peace for the City of *London*, and General Quarter Sessions for the Counties of *Middlesex* and *Surrey*, will not be held until the Middle of 'July, which will be the Means of detaining in Prison a Number of Persons who, with their Families, 'are in the greatest Distress;' be it enacted by the Authority aforesaid, That it shall and may be lawful for any two or more of the Justices of the Peace for the City of *London* and the Counties of *Surrey* and *Middlesex*, to assemble their respective Courts as soon as may be after passing this Act, for the Purpose of administering the Oaths, and other the Matters required by this Act, and to appoint such Day or Days for the Discharge of Prisoners as they shall see proper; and every Person or Persons so cleared at such Meeting as aforesaid, shall receive all the Benefits accruing to him by this Act, in the same Manner as if such Business had been done at any General Quarter Session, or General Session of the Peace, or Adjournment thereof; any Thing in this Act to the contrary notwithstanding; and such Justices are hereby required to cause to be inserted in the *London Gazette*, Notice of the Day or Days on which they will sit, for the Discharge of such Prisoners, and other the Purposes directed by this Act (which Notice shall be inserted in the *London Gazette* thirty Days previous to such Time).

Prisoners who are kept in Custody for Payment of Fees, &c. to be discharged.

LIV. And be it further enacted by the Authority aforesaid, That all Debtors and others, who were in Prison on or before the said twenty-eighth Day of *January*, one thousand seven hundred and seventy-eight, or since, in any of the Gaols of this Kingdom, and now remain there for not paying their Fees, Rents, or other Demands due, or claimed as due, to the Keeper or Gaoler of any Prison respectively, or to any other Officer of such Prison, and upon no other Account, shall be discharged therefrom, he, she, or they, taking the Oath by this Act required to be taken by Prisoners.

This Act not to extend to Debtors to the Crown;

LV. Provided always, and it is hereby further enacted by the Authority aforesaid, That this Act shall not extend, or be construed to extend, to discharge any Person out of Prison, seeking his or her Discharge under this Act, with respect to any Debt or Penalty with which he or she shall stand charged at the Suit of the Crown, or at the Suit of any Sheriff or other Public Officer, upon any Bail Bond entered into for the Appearance of any Person prosecuted for any Offence committed against any Act or Acts of Parliament relative to his Majesty's Revenues of Customs, Excise, or Salt Duties, or either of them.

nor to Prisoners who owe more than 1000 l. to one Person, unless such Creditor consent.

Exception.

LVI. Provided also, That this Act shall not extend to discharge any Person out of Prison, seeking his or her Discharge under this Act, who shall be charged in Custody by any Body Politic or Corporate, or by any one Person, on or before the said twenty-eighth Day of *January*, one thousand seven hundred and seventy eight, in any Sum exceeding the Sum of one thousand Pounds, besides Interest and Costs, and whose Discharge shall be in Court opposed by such Body Politic or Corporate, or one Person; (except such Person or Persons who shall have been bound in Security for any other Person or Persons to a larger Amount, and it shall appear, to the Satisfaction of the Court, that such Person or Persons so bound, or giving, or joining in, such Security, hath or have not received, or applied to his, her, or their own proper and separate Use or Benefit, any Part of the Sum or Sums of Money so due and owing as aforesaid; and also except such Person or Persons who now is or are, and was or were, Prisoner or Prisoners in the actual Custody of any Gaoler or Keeper of any Prison in this Kingdom respectively, at the Time of passing the late Act for Relief of Insolvent Debtors, and who was or were deprived taking or receiving the Benefit of the said Act, arising from their Debt or Debts to any one Creditor exceeding the Sum of one thousand Pounds as aforesaid; provided such Debt or Debts due to any one Creditor do not exceed the Sum of one thousand five hundred Pounds, besides Interest and Costs): And if any such Body Politic or Corporate, Creditor or Creditors, to whom a Sum exceeding one thousand Pounds shall be owing, shall oppose the Discharge of such Prisoner (except as aforesaid), and shall insist that such Prisoner be continued in Gaol; that then, and in such Case, such Body Politic or Corporate, or Creditor or Creditors, opposing the said Prisoner's Discharge as aforesaid, shall, at his, her, or their proper Costs and Charges allow

Creditors opposing Prisoner's Discharge, to allow him 3 s. 6 d. per Week;

allow and pay, in the Whole, such a Weekly Maintenance to the said Prisoner, not exceeding four Shillings nor less than three Shillings and Sixpence *per* Week, in such Manner as the said Justices, in their General Quarter Session, or Adjournment thereof, shall order; and, upon Nonpayment of the same for the Space of fourteen Days, the said Prisoner, upon Application to the said Justices in their General or Quarter Session, held as aforesaid, shall be discharged, pursuant to the Intent and Meaning of this Act.

and on Nonpayment for two Weeks, Prisoner to be discharged.

'LVII. And whereas, under former Acts, Creditors have been put to great Expences and Trouble in 'attending every Session and Adjournment, during the whole Continuance of the Act, to oppose the Dis- 'charge of Prisoners clearly excluded from any Benefit under the said respective Acts, but who, after 'having been before one Session heard, and refused a Discharge, to harass their Creditors, constantly 'gave fresh Notices for each subsequent Session and Adjournment of their intended Application to be dis- 'charged;' to remedy which, be it further enacted by the Authority aforesaid, That in all Cases whatever, the Determination of the Justices in Session or Adjournment shall be final to all Intents and Purposes, unless the Prisoner shall, during the Continuance of this Act, get rid of the Objection or Objections for which they refused his Discharge; and, that the same may be clear and certain, the Justices are hereby required to state the Objections why such Prisoner's Discharge is refused by them; and, in all Cases whatever, it shall and may be lawful to and for the Justices, at any subsequent Session or Adjournment, upon Application from the Prisoner, upon due Proof on Oath made to them, by two or more credible Witnesses (which Oath they are hereby empowered to administer), of each Objection or Objections being removed, and on Proof of Notice served, at least ten Days previous to such Application, on the Creditor or Creditors who before opposed his Discharge, and of Notice likewise inserted in the *Gazette*, in Manner before directed by this Act, to order such Prisoner to be brought before them, and, if they shall then be of Opinion the said Prisoner is intitled to the Benefit of this Act, to order him to be discharged, he taking the Oath, and in all other Respects conforming to the Directions of this Act.

Determination of Justices to be final with respect to the Retention of any Prisoner; unless the Prisoner get rid of the Objections for which they refused his Discharge.

Justices, on Proof by two Witnesses of Objections being removed, &c. may discharge such Prisoner.

LVIII. Provided always, and it is hereby further enacted, That when any Creditor shall intend to oppose the Discharge of any Debtor with whose Debt he is charged in Custody, at the first Quarter Sessions of the Peace, or any Adjournment thereof, he is hereby required to give four Days Notice of his Intention to oppose such Discharge to the Prisoner, or to leave such Notice in Writing with the Keeper or Gaoler of such Prison, in order that such Prisoner may be prepared to make his Defence; and in case no such Notice shall be given as aforesaid, previous to such Quarter Sessions, or such Adjournment thereof, and such Creditor shall appear to oppose his Discharge, and it shall happen that the Prisoner is remanded, then such Creditor shall pay to such Debtor the Expences of his Application and Attendance, in any Sum not exceeding ten Pounds, as the Justices at such Sessions shall direct and allow.

Creditor intending to oppose the Discharge of a Prisoner, to give him four Days Notice thereof, or pay the Expences of his Application, &c.

LIX. Provided always, That every Fugitive or Fugitives, intitled, or to be intitled, to the Benefit of this Act, shall obtain their respective Discharges on or before the first Day of *October*, one thousand seven hundred and eighty, or shall be excluded from all Benefit of this Act.

No Fugitive to obtain a Discharge after Oct. 1, 1780.

'LX. And whereas it may happen that several Persons, who may claim and be intitled to the Benefit 'of this Act, are seised of an Estate Tail, in some Freehold or Copyhold Lands, Tenements, or Here- 'ditaments, which Entail, with the Remainders thereupon expectant, they have, by Law, Power to 'defeat and bar, either by levying a Fine or Fines, suffering a Common Recovery or Common Reco- 'veries, or by Surrender or Surrenders thereof, whereby such Person or Persons said Freehold or Copy- 'hold Lands, Tenements, or Hereditaments, would be liable to the Payment of their Debts, and be 'delivered up, according to the Terms of this Act, for the Benefit of their Creditors;' be it therefore enacted by the Authority aforesaid, That in every such Case, such Person or Persons so seised as aforesaid, and who shall be intitled to, and claim the Benefit of this Act, shall, to all Intents and Purposes whatsoever in Law, be deemed and taken, and is and are hereby declared to be seised of such Lands, Tenements, and Hereditaments, in Fee: Provided the same shall be delivered up to the Creditor or Creditors of every such Prisoner, in the same Manner as if such Person or Persons had actually levied a Fine, suffered a Common Recovery or Recoveries, or made a Surrender or Surrenders thereof, and thereby had become seised in Fee; any Law, or Construction of Law, to the contrary thereof in any-wise notwithstanding.

Persons seised of an Estate Tail, claiming the Benefit of this Act, are to deliver up the same to Creditors.

'LXI. And whereas many Persons who may take the Benefit of this Act have been great Dealers, or 'otherwise engaged in large Transactions, whereby they may be intitled to sundry and great Debts and 'Demands, of various and intricate Natures, and they may be intitled to Equities of Redemption of 'Estates, subject and liable to Mortgages, Judgments, and other Incumbrances, or to Reversions, Re- 'mainders, or other contingent Estates in Lands, Tenements, or Hereditaments, or to other Trusts or 'Interests in Estates, both real and personal, which may not be sufficiently described or discovered in the 'Schedule, or Inventory, before directed to be delivered in, upon Oath, as aforesaid, or which may want 'his Aid or Assistance to adjust, make out, recover, or manage, for the Benefit of the Creditors:' Be it therefore enacted by the Authority aforesaid, That it shall and may be lawful to and for the respective Assignees of the Estate and Effects of such Prisoner or Prisoners who shall obtain his, her, or their Discharge, in pursuance of this Act, or any other Person or Persons duly authorised by them for that Purpose, from Time to Time, to apply to any two or more of the Justices of the Peace for the County, Riding, Division, City, Town, Place, or Liberty, where such Person or Persons shall be then residing, thereby desiring that such Person or Persons may be further examined as to any Matters or Things relating to his, her, or their Estate or Effects; whereupon such Justices shall send for, or call before them, such Person or Persons, by such Warrant, Summons, Ways, or Means, as they shall think fit; and, upon such Person's appearing, shall examine him, her, or them, as well upon Oath as otherwise, as to such Matters and Things, as such Assignee shall desire, relating to the Estate and Effects of such Person or Persons; and if any Person or Persons (on Payment, or Tender of Payment, of such reasonable Charges as such Justices shall judge sufficient) shall neglect or refuse to come and appear, not having a lawful Excuse,

Assignees may apply for further Examination of Prisoners, touching the Discovery of their Effects;

and Justices may send for and examine them accordingly.

Persons refusing to appear, or answer upon Oath,

may be committed.

Excuſe, to be made known to ſuch Juſtices, and by them allowed, or, being come before them, ſhall refuſe to be ſworn, or to anſwer to all ſuch Queſtions as by ſuch Juſtices ſhall be put to him, her, or them, relating to the Diſcovery of his, her, or their Eſtate or Effects, ſo veſted, or intended to be veſted, in ſuch Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, or in ſuch Aſſignees as aforeſaid, that then it ſhall and may be lawful to and for ſuch Juſtices, by Warrant under their Hands and Seals, to apprehend ſuch Perſon or Perſons ſo offending as aforeſaid, and him, her, or them, to commit to the common Gaol, there to remain, without Bail or Mainprize, until ſuch Time as he, ſhe, or they, ſhall ſubmit him, her, or themſelves, to ſuch Juſtices, and anſwer upon Oath to all ſuch lawful Queſtions as ſhall, by ſuch Juſtices, be put to him, her, or them, for the Purpoſes aforeſaid.

10 per Cent. allowed for diſcovering, within twelve Months, any Part of a Priſoner's Eſtate not compriſed in his Schedule.

LXII. And be it further enacted by the Authority aforeſaid, That all and every ſuch Perſon and Perſons, who ſhall, within twelve Months after the Diſcharge of ſuch Priſoner or Priſoners, voluntarily come in and make a Diſcovery of any Part of ſuch Debtor or Debtors real or perſonal Eſtate, as ſhall not be compriſed in ſuch Schedule as aforeſaid, before any Juſtices aforeſaid, ſhall be allowed after the Rate of twenty Pounds *per Centum*, out of the Net Produce of ſuch Debtor or Debtors Eſtate which ſhall be recovered on ſuch Diſcovery, and which ſhall be paid to ſuch Perſon or Perſons ſo diſcovering the ſame, by the Aſſignee or Aſſignees of ſuch Priſoner's Eſtate and Effects.

Diſcharge obtained fraudulently, void.

LXIII. Provided always, and be it enacted, That notwithſtanding the Diſcharge of any Priſoner or Priſoners by virtue of this Act, if it ſhall hereafter appear the ſame was obtained fraudulently, or that any Part of the Oath taken by any ſuch Priſoner was not true; then, and in every ſuch Caſe, every ſuch Diſcharge ſhall be void, and of none Effect.

Perſons concealing any Eſtate or Effects of the Priſoner, forfeit 100 l. and Double Value, with Treble Coſts of Suit.

'LXIV. And, for the better Diſcovery of the Eſtate and Effects of any Priſoner who ſhall be diſ-'charged by virtue of this Act,' be it enacted by the Authority aforeſaid, That any Perſon or Perſons who ſhall have accepted of any Truſt or Truſts, and ſhall wilfully conceal or protect any Eſtate, real or perſonal, of any ſuch Priſoner, from his Creditors, and ſhall not, within thirty Days after any Aſſignee or Aſſignees ſhall, in purſuance of this Act, be choſe of any ſuch Priſoner's Eſtate, diſcover and diſcloſe to ſuch Aſſignee or Aſſignees ſuch Truſt and Eſtate, in Writing, and deliver up or make over the ſame to ſuch Aſſignee or Aſſignees, he, ſhe, or they, ſo offending, ſhall, for every ſuch Offence, forfeit the Sum of one hundred Pounds, and alſo Double the Value of the Eſtate, either real or perſonal, ſo concealed, to and for the Uſe of the Creditors of any ſuch Priſoner; to be recovered by Action of Debt, in any of his Majeſty's Courts of Record at *Weſtminſter*, in the Name or Names of the Aſſignee or Aſſignees of ſuch Priſoner's Eſtate, together with Treble Coſts of Suit.

Aſſignees, with Conſent of the Majority in Value of the Creditors, may compound for Debts due to the Priſoner's Eſtate;

and may ſubmit any Diſpute relating thereto to Arbitration.

LXV. And be it further enacted by the Authority aforeſaid, That it ſhall be lawful, at all Times hereafter, for any Aſſignee or Aſſignees of the Eſtate or Effects of any Priſoner or Priſoners, who ſhall be choſe in purſuance of this Act, by and with the Conſent of the major Part in Value of ſuch Priſoner or Priſoners' Creditors, who ſhall be preſent at a Meeting, to be held on twenty-one Days public Notice being previouſly given, for the Purpoſe hereafter mentioned, in the *London Gazette*, if the Priſoner was in Cuſtody in *London*, or within the Weekly Bills of Mortality, and if not, then alſo in ſome Newſpaper which ſhall be publiſhed in the County, City, or Place, in or near which any ſuch Perſon ſhall have been in Gaol, to make Compoſition with any Perſon or Perſons, Debtors, or Accountants, to ſuch Priſoner or Priſoners, where the ſame ſhall appear neceſſary or reaſonable; and to take ſuch reaſonable Part of any ſuch Debt as can, upon ſuch Compoſition, be gotten in full Diſcharge of ſuch Debts and Accounts, and alſo to ſubmit any Difference or Diſpute between ſuch Aſſignee or Aſſignees, and any Perſon or Perſons, for or on account, or by reaſon or means of any Matter, Cauſe, or Thing relating to ſuch Priſoner or Priſoners' Eſtate and Effects, or to any Debt or Debts due, or claimed to be due, to or from ſuch Priſoner or Priſoners, to the final End and Determination of Arbitrators, to be choſen by the ſaid Aſſignee or Aſſignees, and the major Part in Value of ſuch Creditors, and the Party or Parties with whom they ſhall have no Difference; and to perform the Award of ſuch Arbitrators, or of any Umpire to be choſen by them, or otherwiſe to ſettle and agree the Matters in Difference or Diſpute between them, in ſuch Manner as the ſaid Aſſignee or Aſſignees, with ſuch Conſent as aforeſaid, ſhall think fit and can agree; and the ſame ſhall be binding to all the Creditors of ſuch Priſoner or Priſoners; and every ſuch Aſſignee or Aſſignees is and are hereby indemnified for what they ſhall fairly do in the Premiſes, in purſuance of this Act.

If Aſſignees die before the Effects of the Priſoners are got in, and their Heirs, &c. refuſe to act, other Aſſignees to be appointed, and Creditors to obtain a new Aſſignment from the Clerk of the Peace, which the Juſtices are to direct.

'LXVI. And whereas Proviſion ought to be made as to what ſhould become of the Eſtate and Effects 'of any Priſoner or Priſoners, Fugitive or Fugitives, not got in, obtained, or recovered, by any Aſſignee 'or Aſſignees choſe purſuant to the Directions of the ſeveral Acts, at the Time of his or their Death or 'Deaths, and whoſe Heir or Heirs, Executors, Adminiſtrators, and Aſſigns, refuſed to act or meddle 'therein;' to remedy which, be it enacted, That in all ſuch Caſes, it ſhall and may be lawful to and for the Creditors of every ſuch Priſoner or Priſoners, Fugitive or Fugitives, to chuſe a new Aſſignee or Aſſignees in Manner and Form as herein before is directed, and to obtain a new Aſſignment from the Clerk of the Peace, or his Deputy, Town Clerk, or other Officer acting as Clerk of the Peace, purſuant to the Order of the Juſtices, and which ſaid Order the ſaid Juſtices are hereby required and empowered to direct (on due Proof on Oath being made to them of the Death of ſuch former Aſſignee or Aſſignees, and Refuſal of his or their Heirs, Executors, Adminiſtrators, or Aſſigns, to act or meddle therein); and the ſaid Clerk of the Peace, or his Deputy, Town Clerk, or other Officer acting as Clerk of the Peace, are hereby empowered to obey the ſame, and execute ſuch Aſſignment accordingly, in Manner and Form as if no former Aſſignment had ever been made; the ſaid Aſſignee or Aſſignees, Clerk of the Peace, or his Deputy, Town Clerk, or other Officer acting as Clerk of the Peace, hereby conforming to all Orders and Directions made by this Act relative to them, or any of them; and to be liable to all ſuch Pains and Penalties as are inflicted on them, or any of them, by virtue of this Act, for Diſobedience in any Part thereof, or Neglect of Duty whatever; and in caſe any ſuch Aſſignee or Aſſignees ſhall die, and his Heirs, Execu-

Clerk of the Peace to obey the Order, as if no Aſſignment had been made.

tors, Administrators, or Assigns, shall refuse to act, that then, and in such Case, it shall be lawful for such Justices of the Peace to appoint a new Assignee or Assignees, with the like Powers and Authorities as are given by this Act; and the said Justices shall have Power, in a summary Way, to oblige the Heirs, Executors, Administrators, and Assigns, of such Assignee or Assignees, to account and deliver up all such Estate and Effects as shall remain in his or their Hands, to be applied for the Purposes of this Act.

'LXVII. And, to the Intent and Purpose that the Estate and Effects of such Prisoner or Prisoners as 'shall be discharged by virtue of this Act may be duly and faithfully applied for the Benefit of his, her, 'or their real Creditors,' be it enacted by the Authority aforesaid, That it shall and may be lawful to and for the respective Courts at *Westminster*, and the Courts of Great Sessions in *Wales*, and the Principality of *Chester*, and the Counties Palatine of *Lancaster* and *Durham*, respectively, from whence any Process issued upon which any such Prisoner or Prisoners was or were committed; or where the Process issued out of any other Court, to and for the Judges of the Court of King's Bench, Common Pleas, and Exchequer, or of Great Sessions aforesaid, within their respective Jurisdictions, or any one of them, from Time to Time, upon the Petition of any such Prisoner, or the Creditor or Creditors of such Prisoner or Prisoners, complaining of any Insufficiency, Fraud, Mismanagement, or other Misbehaviour of any Assignee or Assignees of the Estate or Effects of any such Prisoner or Prisoners, to summon all Parties concerned, and, upon hearing the Parties concerned therein, to make and give such Orders and Directions therein, either for the Removal or displacing such Assignee or Assignees, and appointing any new Assignee or Assignees in the Place or Stead of such Assignee or Assignees so to be removed or displaced, or for the prudent, just, or equitable Management or Distribution of the Estate and Effects of any such Prisoner for the Benefit of the respective Creditors, as the said Courts or Judges respectively shall think fit; and in case of the Removal or displacing of any Assignee or Assignees, and the appointing of any new Assignee or Assignees, the Estate or Effects of such Prisoner or Prisoners shall from thenceforth be divested out of the Assignee or Assignees so removed or displaced, and be vested in, and delivered over to, such new Assignee or Assignees, in the same Manner, and for the same Intents and Purposes, as the same were before vested in the Assignee or Assignees first chose as aforesaid; any Thing in this Act contained to the contrary notwithstanding.

Assignees complained against for Insufficiency, Fraud, Mismanagement, or other Misbehaviour;

the Court thereupon is to summon the Parties, and make such Orders therein as they shall think fit.

LXVIII. Provided always, and be it enacted by the Authority aforesaid, That in all Cases where mutual Credit hath been given between any Prisoner or Prisoners who shall be discharged in pursuance of this Act, and any other Person or Persons, or Body Politic or Corporate, before the Delivery of such Schedule or Inventory of the Estate and Effects of such Prisoner or Prisoners, upon Oath as aforesaid, the respective Assignee and Assignees of such Prisoner or Prisoners is and are hereby authorised and required, on his and their Parts, to state and allow an Account between them and the other Party or Parties concerned; and nothing more shall be deemed to be vested in such Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, or such Assignee or Assignees under such Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, as the Estate or Effects of such Prisoner or Prisoners, than what shall appear to be justly due to him, her, or them, respectively, as and for the Balance of such Account, when truly stated.

Where mutual Credit has been given, the Balance to be stated and allowed.

'LXIX. And whereas many Persons are often committed on Attachments for Contempts, for not 'paying Money awarded to be paid under Submissions to Arbitrators by Rules of Court, or under Sub- 'missions to Arbitration Bonds, and which Submissions have been made Rules of Court, in pursuance of 'an Act passed in the ninth and tenth Years of the Reign of *William* the Third, for determining Dif- 'ferences by Arbitration; and likewise for not paying of Costs duly and regularly taxed and allowed by 'the proper Officer, after proper Demands made for that Purpose; and also upon any Writ of *Excommu- 'nicato Capiendo*, or other Process for, or grounded on, the Nonpayment of Costs or Expences in any 'Cause or Proceeding in any Ecclesiastical Court, or for any Contempt to such Court,' it is hereby declared and enacted, That all such Persons are and shall be intitled to the Benefit of this Act, on and subject to the same Terms and Conditions as are herein expressed and declared with respect to Prisoners for Debt only.

Persons committed for not paying Money awarded under Submissions to Arbitration, and for not paying Costs, &c. are intitled to the Benefit of this Act.

'LXX. And whereas great Numbers of poor People have been and are now imprisoned for Debt, upon 'Processes issuing out of Courts of Conscience;' it is hereby enacted and declared, That all such Prisoners shall be intitled to have the Benefit of this Act, and be discharged under the same, provided he, she, or they, conform to the Directions herein before prescribed, touching other Prisoners who shall be discharged by virtue of this Act.

Prisoners upon Process out of Courts of Conscience, to have the Benefit of this Act.

LXXI. And be it further enacted by the Authority aforesaid, That in all Cases wherein by this Act an Oath is required, the solemn Affirmation of any Person, being a Quaker, shall and may be accepted and taken in lieu thereof; and every Person making such Affirmation, who shall be convicted of wilful and false affirming, shall incur and suffer such and the same Penalties as are inflicted and imposed by this Act upon Persons convicted of wilful and corrupt Perjury.

Quaker's Affirmation to be taken in lieu of an Oath.

LXXII. Provided always, and be it further enacted by the Authority aforesaid, That no Person who shall have taken the Benefit of any Act heretofore passed for the Relief of Insolvent Debtors, within the Space of ten Years last past, shall have or receive any Benefit or Advantage of or under this Act, nor be deemed to be within the Intent and Meaning thereof, so as to be discharged under the same; any Thing herein before contained to the contrary notwithstanding; unless such Person shall be willing to serve, and shall actually enter himself to serve on Board some one of his Majesty's Ships of War for the Term of seven Years, or shall inlist as a Soldier in some of his Majesty's Land Forces for the Term of three Years.

Persons who have taken the Benefit of any Insolvent Act within ten Years, excluded from this Act: Exception.

LXXIII. And be it further enacted, That when any Prisoner, who may have taken the Benefit of any Insolvent Act within the Space of ten Years last past, shall under this Act apply for his Discharge, every such Prisoner shall produce to the Court (to which he shall make Application for such Discharge) a

Prisoners who have taken such Benefit, and shall apply for Discharge under

this Act, to produce to the Court a Certificate ſigned by a proper Officer, ſetting forth that they are inliſted to ſerve his Majeſty, &c.

Certificate in Writing, ſigned by an Officer properly authoriſed to engage or enliſt Men for his Majeſty's Sea or Land Service [*as the Caſe may be*], ſetting forth that he was on the Day of [*inſert the Date*] engaged or inliſted [*as the Caſe may be*] to ſerve as a Mariner or Soldier in his Majeſty's Sea or Land Service for the Term of which Certificate ſhall be atteſted by one or more credible Witneſs or Witneſſes; and in caſe ſuch Certificate ſhall not be produced, or ſhall not be properly authenticated in Manner aforeſaid, to the Satisfaction of the Juſtices before whom any ſuch Priſoner ſhall be brought, he ſhall be remanded back to the Priſon from whence he came, there to remain till he ſhall have fully complied with the Directions aforeſaid, or ſhall by other legal Means ſooner obtain his Diſcharge.

This Act not to extend to Scotland.

LXXIV. Provided alſo, and it is hereby enacted, That nothing in this Act contained ſhall extend to that Part of *Great Britain* called *Scotland*.

Clauſe of Relief for Bankrupts, who have not obtained Certificates and Diſcharge of their Debts.

'LXXV. And whereas Bankrupts who have not obtained their Certificates and Diſcharge of their Debts, 'under ſome one of the Acts relating to Bankrupts, have not been deemed to be within the Meaning of 'Acts of Inſolvency, as ſuch Bankrupts have no Schedules to deliver up according to the Terms and Con-'ditions of ſuch Acts; nevertheleſs, as many Bankrupts are confined in Priſon for Debt only, though they 'have already delivered up their whole Eſtates and Effects, or, from a Fear of being arreſted and thrown 'into Priſon, are frequently induced to abſcond from their Homes, and go into foreign Parts:' Be it further enacted by the Authority aforeſaid, That ſuch Perſon or Perſons, againſt whom a Commiſſion of Bankruptcy hath been awarded and iſſued on or before the twenty-eighth Day of *January*, one thouſand ſeven hundred and ſeventy-eight, or who ſhall have been really an actual Priſoner or Priſoners, in the Cuſtody of any Gaoler or Gaolers, or Keeper of any Priſon reſpectively, on or before the twenty-eighth Day of *January*, one thouſand ſeven hundred and ſeventy-eight, and againſt whom a Commiſſion of Bankruptcy ſhall have ſince been awarded and iſſued, and who hath or have duly conformed, or ſhall duly conform, him, her, or themſelves to the ſeveral Acts of Parliament relating to Bankrupts, and hath not or have not been committed to any Priſon by a Warrant of the Commiſſioners in ſuch Commiſſion named, for Contumacy or Noncompliance to thoſe Laws, and who now is or are in Priſon for Debt, Damages, Contempt, Coſts of Suit, or any Sum or Sums of Money due and accrued previous to ſuch Commiſſion, or who now are ſecreting themſelves in Fear of their Creditors; and ſhall be hereafter ſued, arreſted, or held to Bail, or ſhall ſurrender him, her, or themſelves, or be ſurrendered, in Diſcharge of his, her, or their Bail, or taken in Execution in any Suit or Action for any ſuch Debt or Debts as aforeſaid, ſhall and may apply to any one of the Judges of the Court wherein ſuch Proceſs or Proceſſes hath or have iſſued, to ſummon his, her, or their Plaintiff or Plaintiffs, to ſhew Cauſe why ſuch Bankrupt or Bankrupts ſhould not be diſcharged from his, her, or their Impriſonment, or Arreſt as aforeſaid, ſuch Bankrupt or Bankrupts firſt making Oath before ſuch Judge (or if at a Diſtance from ſuch Judge, then before a Juſtice of the Peace), who is hereby authoriſed to adminiſter ſuch Oath, that ſuch Debt or Debts did accrue previous to the iſſuing ſuch Commiſſion; and ſuch Bankrupt or Bankrupts making it appear to the Satisfaction of ſuch Court or Judge, that he or they hath or have made a full Diſcloſure of his or their Eſtate or Effects, and delivered up the ſame; and ſuch Plaintiff or Plaintiffs not appearing, or not proving that ſuch Bankrupt or Bankrupts hath or have concealed any Part of his, her, or their Eſtate or Effects; and ſuch Bankrupt or Bankrupts making it appear that he or they hath or have duly conformed him, her, or themſelves, to the Laws now in Force againſt Bankrupts, ſuch Judge ſhall and may diſcharge ſuch Bankrupt or Bankrupts from ſuch Impriſonment or Arreſt as aforeſaid; unleſs it ſhall appear that ſuch Commiſſion was fraudulently obtained; ſuch Bankrupt or Bankrupts cauſing a common Appearance to be entered for him, her, or them, where neceſſary, in every ſuch Suit or Action; and if any ſuch Bankrupt or Bankrupts ſhall be afterwards again ſued and arreſted, or taken in Execution, or impriſoned, in any Suit or Action, for ſuch Debt or Debts, previous to ſuch Commiſſion as aforeſaid, any Judge of the Court wherein ſuch Proceſs iſſued ſhall, upon Summons of the proper Party or Parties, immediately diſcharge ſuch Bankrupt or Bankrupts from ſuch Arreſt or Impriſonment; nevertheleſs ſuch Bankrupt or Bankrupts ſhall, in all other Reſpects, be deemed ſubject to the Laws in Force againſt Bankrupts; and every Sheriff and Sheriffs, Bailiff and Officer, Gaoler and Keeper of a Priſon, is and are hereby required, on proper Notice being given of ſuch Judge's Diſcharge, to releaſe and ſet free ſuch Bankrupt or Bankrupts out of his or their Cuſtody, and each and every of them is and are hereby indemnified from any Action or Actions that may be brought, commenced, or proſecuted againſt him or them, for any Eſcape for or on account thereof.

Clauſe with reſpect to Bankrupts who have conformed themſelves to the Bankrupt Laws;

'LXXVI. And whereas many Bankrupts, having in all Reſpects ſtrictly conformed themſelves to the 'Directions of the Bankrupt Laws, have, notwithſtanding, been unable to obtain their Certificates, and 'have, on that Account, been diſcouraged from exerting their Induſtry in the Purſuit of their ſeveral Oc-'cupations; either living in the moſt unhappy and diſtreſſed Situation at Home, or ſeeking Relief in foreign Countries, where they can earn and ſecure to themſelves the Profit of an induſtrious Application 'to Buſineſs; ſome of whom have carried with them the Arts, Manufactures, and Commerce of this 'Country, to the great Prejudice thereof: And whereas ſome Relief given in ſuch particular Caſes, might 'prevent the Evils ariſing to the Public, and be an Encouragement for ſuch Individuals to follow their 'different Occupations at Home;' be it enacted, That any Perſon or Perſons againſt whom a Commiſſion of Bankruptcy hath been awarded and iſſued, on or before the twenty-eighth Day of *January*, one thouſand ſeven hundred and ſeventy-eight, and who hath or have in all Things conformed to the ſeveral Acts now in Force concerning Bankrupts, by his, her, or their Surrender and Submiſſion thereto, and who ſhall not have been committed for any Act of Contumacy or Nonconformity, yet who hath not or have not gained a total Diſcharge from his, her, or their Creditors, of his, her, or their Debts, ariſing or accruing previous to ſuch Commiſſion, for want of their Certificate, ſhall have Liberty, after the Expiration of twelve Calendar Months from the Day of the Date of every ſuch Commiſſion reſpectively, to petition or to apply, by Motion of Court, to the Lord Chancellor, Lord Keeper, or Lords Commiſſioners for the Time

Time being, ſetting forth the true Circumſtance of the Caſe relative to ſuch Commiſſion and Certificate; and the Lord Chancellor, Lord Keeper, or Lords Commiſſioners as aforeſaid, ſhall have Power and Authority to direct and order the acting Commiſſioners in the reſpective Commiſſions named, to certify to the ſaid Lord Chancellor, Lord Keeper, or Lords Commiſſioners, the Conformity or Nonconformity of ſuch Bankrupt or Bankrupts, and ſuch other Matter as to them ſhall ſeem neceſſary concerning the ſame (the ſaid acting Commiſſioners being hereby authoriſed and required ſo to do); and the Lord Chancellor, Lord Keeper, or Lords Commiſſioners, as aforeſaid, ſhall thereupon have Power and Authority, if he or they ſhall ſo think fit, to direct and order an Advertiſement to be inſerted in the *London Gazette*, for the Allowance of ſuch Bankrupt's Certificate (although the ſame ſhall not appear to have been ſigned or conſented to by four-fifths in Number and Value of the ſaid Bankrupt's Creditors, agreeable to the Laws now in being), in the ſame Manner and Form as if the ſaid Certificate had been ſigned as aforeſaid; and in caſe no ſufficient Cauſe ſhall be ſhewn to the contrary within the Time limited by the ſaid Advertiſement, the ſaid Lord Chancellor, Lord Keeper, or Lords Commiſſioners as aforeſaid, ſhall have Power and Authority to allow ſuch Bankrupt's Certificate, in the like Manner as if the ſame had been ſigned agreeable to the Laws now in being, and grant or make ſuch other Order thereupon, for the Relief and Diſcharge of ſuch Bankrupt or Bankrupts from his, her, or their Debts as aforeſaid, or otherwiſe, as to the Lord Chancellor, Lord Keeper, or Lords Commiſſioners, ſhall ſeem proper; which Certificate, if ſo allowed, ſhall be as full and effectual, to all Intents and Purpoſes, as if the ſame had been duly obtained and allowed agreeable to the Directions of the ſeveral Laws now in Force concerning Bankrupts; any Law or Uſage to the contrary notwithſtanding.

Lord Chancellor, &c. empowered to allow ſuch Bankrupts Certificates, although not ſigned by four-fifths of their Creditors.

LXXVII. Provided always, and be it enacted, That no ſuch Bankrupt or Priſoner, who knowingly or deſignedly, by falſe Pretence or Pretences, ſhall have obtained from any Perſon or Perſons Money, Goods, Wares, Merchandizes, Bonds, Bills of Exchange, Promiſſory Notes, or other Securities for Money, ſhall have or receive any Benefit or Diſcharge by or under this Act; but the Judge, the Lord Chancellor, Lord Keeper, Lords Commiſſioners, or Juſtices at any General Quarter Seſſions of the Peace, or any Adjournment thereof, before whom any ſuch Priſoner ſhall be brought, upon due Proof of the Matter made to their Satisfaction, ſhall remand ſuch Bankrupt or Priſoner to the Cuſtody of the Gaoler or Keeper of the Priſon from whence he or ſhe ſhall have been brought; any Thing herein contained to the contrary notwithſtanding.

No Perſon to receive any Benefit by this Act who ſhall, by falſe Pretences, have obtained Money, Goods, Bonds, &c.

## CAP. LIII.

### An Act for the more eaſy and better recruiting of his Majeſty's Land Forces and Marines.

Preamble.

'WHEREAS, for recruiting his Majeſty's Land Forces and Marines, it is neceſſary that a new 'Supply of Men be forthwith raiſed, within the Kingdom of *Great Britain*, by common Conſent 'and Grant in Parliament;' be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That within and throughout the ſeveral and reſpective Counties, Shires, Stewartries, Ridings, Cities, Boroughs, Cinque-ports, Pariſhes, Towns, and Places, of *Great Britain*, a ſpeedy and effectual Levy of able-bodied Men, to ſerve his Majeſty as Soldiers, ſhall be forthwith had, made, practiſed, and put in Execution, according to the Rules and Directions of this preſent Act.

A Levy of able-bodied Men to be made throughout Great-Britain.

II. And it is hereby further enacted, That the Juſtices of the Peace of every County, Shire, Stewartry, Riding, Liberty, or Place, within *Great Britain*, and all and every the Perſons who were named, or otherwiſe appointed, to be Commiſſioners for putting in Execution an Act of Parliament, made and paſſed at *Weſtminſter*, in the fifteenth Year of the Reign of his preſent Majeſty (intituled, *An Act for granting an Aid to his Majeſty by a Land Tax, to be raiſed in* Great Britain, *for the Service of the Year one thouſand ſeven hundred and ſeventy-five*), or any ſubſequent Act or Acts of Parliament for that Purpoſe, within the ſeveral and reſpective Counties, Shires, Stewartries, Ridings, Cities, Boroughs, Cinque-ports, Towns, and Places, therein particularly expreſſed, who are ſtill living, and have duly qualified themſelves according to the ſaid Acts, or ſhall duly qualify themſelves according to this preſent Act, in that Behalf, ſhall be Commiſſioners for putting in Execution this preſent Act, and the Powers therein contained, within and for the ſame Counties, Shires, Stewartries, Ridings, Cities, Boroughs, Cinque-ports, Towns, and Places, of *Great Britain*, for which they were ſo named or appointed reſpectively; and that all and every the Juſtices of the Peace, and Magiſtrates of Corporations and Burghs, in any Part of *Great Britain*, who are or ſhall be in any of his Majeſty's Commiſſions of the Peace, or in the Magiſtracy of ſuch Corporation or Burgh, at any Time during the Execution of this Act, who ſhall duly qualify themſelves according to this preſent Act in that Behalf (although not ſpecially named or appointed Commiſſioners by the ſaid Act), ſhall be likewiſe Commiſſioners for putting in Execution this preſent Act, and all the Powers therein contained, within the Limits of their Commiſſions and Juriſdictions reſpectively: All which Commiſſioners, by this Act intruſted with the Execution of the ſame, are hereby ſtrictly enjoined and required to uſe their utmoſt Care and Diligence that his Majeſty's Service, in making ſuch Levies as aforeſaid, be not diſappointed or neglected.

Juſtices of the Peace, Commiſſioners of the Land-Tax, and Magiſtrates of Corporations and Burghs, to put this Act in Execution;

and to take Care that his Majeſty's Service be not neglected.

III. And be it further enacted by the Authority aforeſaid, That the High Sheriff of every County, or his Deputy, immediately upon receiving Notice for that Purpoſe from the Secretary at War, ſhall ſend Precepts to the reſpective Bailiffs, or others who are uſually employed to ſummon Juries, although in Liberties out of the ordinary Juriſdiction of the ſaid High Sheriff, directing them to ſummon the ſeveral Juſtices of the Peace, and Commiſſioners of the Land Tax, within their reſpective Diviſions and Liberties, to attend at the uſual Place of Meeting in every Diviſion, upon a certain Day in the ſaid Precepts named, within the Time limited by the Secretary at War (Notice of which Day ſhall be ſent to the War-office and Admiralty

High Sheriffs, &c. upon Notice from the Secretary at War, to iſſue Precepts for ſummoning the Commiſſioners to meet, and

qualify themselves. Admiralty upon the issuing of the Precepts by the Sheriff), to qualify themselves for the Execution of this Act; and the said Commissioners shall then and there appoint the several Times and Places for the succeeding Meetings in each of their respective Subdivisions during the Continuance of this Act; and the said Justices of the Peace, and Commissioners of the Land Tax, at such their first Meeting, or at some other Meeting to be held as soon as it can be conveniently, shall issue their Precepts to the High Constables, Headboroughs, or other proper Officers, for the respective Hundreds, Lathes, Rapes, Wapentakes, or other Subdivisions, within the said Counties, Shires, Stewartries, Ridings, or Divisions, as aforesaid; which Precept shall contain an Account of the Times and Places appointed for the succeeding Meetings, and shall be returnable on a Day, therein to be named, within twenty Days, and not less than fourteen Days, from the Time of issuing thereof; and such High Constables, Headboroughs, or other proper Officers, are hereby required forthwith to signify the Times and Places appointed for such Meetings to the several Commissioners residing within their respective Districts; and the said Commissioners, assembled at such first Meeting to qualify themselves as aforesaid, shall also give Notice of the Time and Place of all and every succeeding Meeting, to be appointed as aforesaid, to the Military Officer whom they shall have learned, by Notice from the Secretary at War, to be directed to attend this Service.

Notice of the Day of Meeting to be sent to the War-office, &c.

Commissioners to appoint the Times and Places of their succeeding Meetings, and issue Precepts for that Purpose to the High Constables, &c. and to give Notice thereof to such Military Officers as shall attend this Service.

Sheriffs to be allowed the Expences incurred in the Execution of this Act.

IV. Provided always, and it is hereby enacted, That all reasonable Charges or Expences incurred by any Sheriff or Deputy Sheriff in the Execution of this Act, shall be allowed in the Accounts of such Sheriff at the Receipt of his Majesty's Exchequer.

Every Person voluntarily inlisting himself, intitled to 3 l. Bounty-money.

'V. And, for the Encouragement of fit and able Persons voluntarily to enter into his Majesty's Service,' be it enacted, That every such Person who shall, on or before the first Day of *May*, one thousand seven hundred and seventy-nine, voluntarily enter himself into his Majesty's Service, before the said Commissioners, at their first or any subsequent Meeting, shall, by Warrant of any three or more of the said Commissioners, receive the Sum of three Pounds out of the Money of the Land Tax, arisen or to arise in the Years one thousand seven hundred and seventy-seven, and one thousand seven hundred and seventy-eight, or either of them, then being in the Hands of any Receiver-general, or of any Collector thereof, within the County or Place for which the said Commissioners are appointed; and thereupon the Commissioners then present, or any three of them, shall forthwith cause such Volunteers to be delivered to the Officers appointed to receive them; and shall cause an Entry to be made, in some Book to be kept by the said Commissioners, or such Clerk as they shall appoint, of the Names of such Volunteers, and of the Parishes or Places of their last Abode (if they can be known), and of the Time and Place when and where they did so enter themselves, and of the Sums paid to them, and by whom such Payments were made, and of the Names of the Officers or Persons who received such Volunteers, and for what Regiment or Company they were received; and shall cause true Copies or Duplicates of such Entries, attested by three or more of the said Commissioners then present, within forty Days after the Delivery of such Volunteers, to be transmitted into the Office of his Majesty's Secretary at War for the Time being, to be compared with the Muster-rolls.

Volunteers to be delivered over to the Military Officers; and an Entry to be made of their Names, Places of Abode, &c.

Duplicates of Entries to be transmitted to the War-office.

Volunteers to receive Pay from the Time of their entering; and to be discharged at the End of three Years, or of the War, if they demand it.

VI. And it is hereby declared, That the Pay of every such Volunteer shall commence from the Time that he shall so enter himself into his Majesty's Service; and that every such Volunteer, after he shall have continued in the Military Service of his Majesty, his Heirs and Successors, during the Space of three Years, shall be at Liberty (if he think fit) to demand his Discharge from the Colonel or Commanding Officer of the Regiment or Company to which he shall belong (unless the Nation shall be then engaged in a War, and in that Case such Volunteer shall remain in Service during the Continuance of War); and such Discharge shall be granted to him *gratis*, in Writing, under the Hand of such Colonel or Commanding Officer, who is hereby empowered and required to give the same accordingly, on Pain of suffering the Penalties usually inflicted for Disobedience to Orders; any Thing herein contained to the contrary notwithstanding.

Warrants for Bounty-money to be paid without any Deduction.

Receivers-general and Collectors, to attend Meetings of Commissioners, and pay the Bounty.

VII. And it is hereby further enacted, That the Warrants by this Act directed to be issued by the said Commissioners for the Encouragement of Volunteers as aforesaid, shall be satisfied by such Receivers or Collectors as aforesaid, to whom such Warrants shall be directed, without any Abatement for Fees, Gratuities, Charges, Poundage, or any other Pretence whatsoever, and shall be allowed upon their Accounts; any Law or Statute to the contrary notwithstanding; and the said Receivers-general, and their respective Deputies, and the said Collectors of the Land Tax Money, or any of them, upon the Summons of the said Commissioners, or any three or more of them, shall attend at the said Meetings for receiving Volunteers as aforesaid, and duly pay to the said Volunteers the Rewards prescribed by this Act, as they will answer at their Peril any Delay or Obstruction to his Majesty's Service which may happen by their Defaults.

Forty Shillings of every 3 l. paid out of the Land Tax, to be repaid into the Exchequer by the Paymasters of the Forces.

VIII. Provided always, and it is hereby enacted, That it shall be lawful for the Lord High Treasurer, or Commissioners of the Treasury for the Time being, to cause forty Shillings of every three Pounds of the Money which shall be supplied out of the Land Tax Money for the Years one thousand seven hundred and seventy-seven, and one thousand seven hundred and seventy-eight, or either of them, for Payment of the Encouragements aforesaid, to be repaid into his Majesty's Exchequer, by the respective Paymasters of his Majesty's Forces, out of such Money as they shall receive for the said Forces, to make good the respective Credits on the said Land Taxes, and to be applied to the Satisfaction of such Principal and Interest (if any) as shall be remaining thereupon.

Commissioners empowered to levy such Men as are herein described;

IX. And it is hereby further enacted by the Authority aforesaid, That the said Commissioners, or any three or more of them, in their respective Places or Stations, shall be, and are hereby authorised and empowered to raise and levy, and to cause to be raised and levied, at any Time or Times during the Continuance of this Act, within their several Limits and Jurisdictions, all able-bodied idle and disorderly Persons, who cannot, upon Examination, prove themselves to exercise and industriously follow some lawful Trade or Employment, or to have some Substance sufficient for their Support and Maintenance, to serve his Majesty

jesty as Soldiers; and to require and command all and every the High Constables, Churchwardens, Overseers of the Poor, Petty Constables, Headboroughs, and Tythingmen, and other Parish and Town Officers, or any of them, within their respective Limits and Jurisdictions, to be aiding and assisting to them the said Commissioners, or any three or more of them, in the Performance of this his Majesty's Service; and for that Purpose the said Commissioners, or any three of them, are to meet in their respective Subdivisions, according to the Appointment of the Justices and Commissioners as aforesaid, and to issue out their Warrants, under their Hands and Seals, thereby requiring and commanding such Churchwardens, Overseers of the Poor, Petty Constables, Headboroughs, Tythingmen, or other Parish or Town Officers, or else requiring and commanding the said High Constables to issue their Precepts to such Churchwardens, Overseers, Petty Constables, Headboroughs, Tythingmen, and other Parish and Town Officers as aforesaid, every or any of them, to make, or cause to be made, a general Search within their respective Parishes, Townships, Constablewicks, or other Places, for all such Persons as they can find, who are or shall appear to them to be within the Description of this Act, and to bring all such Persons before the Commissioners, who have Power to execute this Act in and for such County, Shire, Stewartry, Riding, or Division, at such Time and Place as shall have been appointed, by the Justices and Commissioners as aforesaid, for the Second Meeting of the said Commissioners, in their respective Subdivisions, which Time and Place shall be prefixed in the said Warrants and Precepts respectively; and afterwards the said Commissioners, within their respective Limits and Divisions, shall meet at such convenient Time or Times as they shall think fit, in order to issue their like Warrants or Precepts for making general Searches for Persons within the said Description, and for bringing them before the Commissioners at any future Times and Places appointed by the Justices and Commissioners as aforesaid, during the Continuance of this Act.

and to call in the Assistance of Parish and Town Officers;

and to meet in their Subdivisions, and issue general Search Warrants for bringing before them at their Second Subdivision Meeting, all Persons within the Description of this Act.

Subsequent Meetings to be at such Times and Places as shall be thought fit.

X. And be it further enacted by the Authority aforesaid, That the said Commissioners, or any three or more of them, in their respective Places or Stations, shall be, and are hereby authorised and empowered, to raise and levy, and to cause to be raised and levied, to serve his Majesty as a Soldier (at any Time or Times during the Continuance of this Act, within their respective Limits and Jurisdictions, and subject to the several Rules and Regulations herein-before specified, for the raising and levying Persons who have no lawful Trade or Employment), any fit and able Person who shall be convicted of running Goods to the Value not exceeding forty Pounds, in Lieu of any Punishment or Penalty to which such Person may be liable by any Law now in Force for preventing the running of Goods; or any fit or able Person who shall be taken in the Act of running Goods, and be thereof convicted before one or more of his Majesty's Justices of the Peace for the County or Place where the Offence was committed.

Persons convicted of running Goods to the Value of 40 l. may be levied as Soldiers, in Lieu of all legal Penalties.

XI. Provided always, That in case the Second Meeting appointed to be held in any Subdivision, shall be at so great a Distance of Time as may render it inconvenient to issue Warrants for bringing Persons before such Commissioners at the Second Meeting, then the Commissioners of such Subdivision respectively may adjourn themselves to some convenient Day, previous to such Second Meeting, in order to issue their Warrants as aforesaid.

If the Second Subdivision Meeting be too distant, Commissioners may adjourn to a previous Day.

XII. Provided always, and it is hereby enacted, That it shall and may be lawful to and for the Churchwardens, Overseers of the Poor, Constables, Headboroughs, Tythingmen, and other Officers of any Parish or Township, or any of them, at any Time after the said Second Meeting of the said Commissioners, having a proper Warrant or Precept as aforesaid, to search for and apprehend all or any such Person or Persons as they, or any of them, shall find, or shall appear to them, or any of them, to be within the Description of this Act, and to convey such Person or Persons before one or more of the Justices of the Peace of the County, Shire, Stewartry, City, Riding, Liberty, or Place, within which he or they shall have been so apprehended, to be examined; and if the said Justice or Justices shall judge the Person or Persons, so brought before him or them, to be within the Description of this Act, it shall in that Case be lawful for the said Justice or Justices to grant a Warrant for securing such Person or Persons (in case they shall think it necessary) in the Gaol or House of Correction, or other proper Place of Security, of the County, Town, or Place, where such Persons shall be apprehended; and the Keeper of such Gaol or House of Correction, or other proper Place of Security, shall receive such Person or Persons without Fee or Reward, and the Parish Officers shall allow such Keeper Sixpence by the Day for each Person, during the Time that they shall remain there; and shall convey them before the Commissioners, at their next Meeting for listing of Soldiers, to be examined, and (if judged by the said Commissioners to be within the Description of this Act) to be listed and delivered into his Majesty's Service, according to the true Intent and Meaning hereof.

After such Second Meeting, Parish Officers may search for and secure such Persons as come within the Description of this Act, and convey them before a Justice; who may commit them to a Place of Security till the next Meeting of the Commissioners, &c.

XIII. And be it further enacted by the Authority aforesaid, That the Commissioners for executing this Act, who shall attend this Service at the Place or Places for listing Soldiers as aforesaid, shall strictly examine the Persons who shall be brought before them by the said Churchwardens, Overseers, Constables, Headboroughs, Tythingmen, or other Parish or Town Officers as aforesaid; and in case the said Commissioners, or the major Part of them then present, upon Examination of the Persons so brought before them, shall find that such Persons shall come within the Descriptions herein mentioned, and the said Commissioners, and the Officer or Officers who shall be appointed to receive the impressed Men, shall judge them to be such as are hereby intended to be entertained as Soldiers in his Majesty's Service, then, and in such Case, the said Commissioners shall cause such Persons to be delivered over by the said Churchwardens, Overseers, Constables, Headboroughs, Tythingmen, or other Parish or Town Officers, to such Officers or Persons as shall be appointed to receive such Recruits as aforesaid; such Officers or Persons giving a Receipt under their Hands, acknowledging what Men are so delivered to him or them, which Receipt they are hereby required to give.

Commissioners to examine the said Persons,

and, if found proper for the Service, to deliver them to the Military Officers.

Officers to give Receipts for them;

XIV. And be it further enacted, That the respective Officers who shall receive such new-raised Men, shall pay to the Clerk appointed by the Commissioners, for the Use of the Officers of the Parish or Town so employed in the raising such Men, for their Pains and Services therein, twenty Shillings of lawful Money of *Great Britain* for every Man so raised; and shall also pay, for every such new-raised Man who shall have

and to pay to the Parish Officers, for their Trouble, 20 s. for every such Man;

and to the Churchwardens, &c. from 10 s. to 40 s. if such Man have a Wife or Family, as shall be settled by the Commissioners; and 6 d. per Diem to the Parish Officers for the Time they shall have kept him.

have a Wife or Family, any Sum not exceeding forty Shillings, nor less than ten Shillings, of lawful Money of *Great Britain*, to the said Clerk, to be by him paid over, as is herein-after directed, into the Hands of the Churchwardens or Overseers of the Poor, for the Benefit of such Parish or Township in which such new-raised Man shall have gained a Settlement, and whose Wife or Family may become chargeable to such Parish or Township respectively; which Sum shall be settled by the Commissioners present at the Meeting when such Person shall be inlisted, or any three or more of them, regard being had to the Number of Children, or other particular Circumstances of such Person so inlisted; for both which Payments the Clerk shall give a Receipt; and the Sum of Sixpence *per Diem* for keeping every such new-raised Man who shall be delivered as aforesaid, according to the Number of Days that the Officers of the said Parish or Town shall have kept him in Custody, pursuant to the Powers granted by this Act, until such Delivery; the said Allowances of twenty Shillings, and of Sixpence *per Diem*, in case of Dispute, to be ascertained and distributed to or amongst the said Churchwardens, Overseers, Constables, Headboroughs, Tythingmen, and such other Parish and Town Officers, or any of them, according to the Judgment and Direction of the said Commissioners, or the major Part of them then present.

Disputes relating thereto to be settled by the Commissioners.

Commissioners may allot, out of the Money allowed to Parish Officers, 2 s. to the High Constables.

XV. Provided always, and be it further enacted by the Authority aforesaid, That the said Commissioners, or any three or more of them, in their respective Divisions, are hereby authorised and empowered, by and out of the said Sum of twenty Shillings, herein-before directed to be paid for the Use of the Officers of the Parish or Town so employed in the raising of such Men, to allot and order such Sum as they shall think fit, to the respective High Constables, within their respective Limits and Jurisdictions, for their Pains and Service in the Execution of this Act, not exceeding the Sum of two Shillings.

Able-bodied Men only to be inlisted; and none under 17, nor above 45 Years of Age, &c.

XVI. Provided always, That no Person shall be inlisted by the said Commissioners, by virtue of this Act, who is not such an able-bodied Man as is fit to serve his Majesty, and is free from Ruptures, and every other Distemper, or bodily Weakness or Infirmity, which may render him unfit to perform the Duty of a Soldier; and that no Man be inlisted for his Majesty's Service by virtue of this Act, who shall appear, in the Opinion of the Commissioners, or Officer or Officers appointed to receive the impressed Men, to be under the Age of seventeen Years, or above the Age of forty-five Years, or who shall be under the Size of five Feet four Inches without Shoes.

Persons discharged as not within the Description of this Act, Parish not to be allowed their Expences: If within the Description, and rejected by Officer, he shall pay the Expences of keeping them. Objections to be specified, and inquired into by Commissioners.

'XVII. And, for the better preventing any Disputes which may arise about paying for the Subsistence 'of those Persons who, having been apprehended and detained by virtue of this Act, may afterwards be 'discharged upon Examination before the Commissioners and Military Officers,' be it further enacted by the Authority aforesaid, That if any Person being judged by the Commissioners not to be within the Description of this Act, shall be by them discharged, the Officers of the Parish or Town shall be intitled to no Consideration for their Expences in keeping such Person; and if any Person being judged by the Commissioners to be within the Description of this Act, shall be rejected by the Military Officer, such Officer shall pay to the Officers of the Parish or Town Sixpence *per Diem*, for the whole Time that they shall have kept every such Person, to be charged to the Account of his respective Regiment or Company; and every Officer who shall object to any Person delivered to him by the Commissioners, shall specify his Objection to such Person, whether it shall be to his Age or Size, or bodily Disability, and the Grounds of such Objection shall be forthwith (as far as may be) inquired into by the said Commissioners, and they shall proceed accordingly; and every Officer who shall refuse or discharge any Person delivered to him by the Commissioners, as fit to serve his Majesty within the Description of this Act, shall, without Delay, transmit to his Majesty's Secretary at War, his Reason for such Refusal or Discharge, in Writing, attested by himself.

Reasons of Discharge to be transmitted to the Secretary at War.

Inhabitants required to be assisting herein.

XVIII. And it is hereby enacted and strictly enjoined by the Authority aforesaid, That the Inhabitants of every Parish and Township, where any Persons described as aforesaid do abide, or are to be found, at the Instance of any one or more of the Commissioners appointed for the Execution of this Act, or of any Churchwarden, Overseer of the Poor, or Constable, of the same Parish or Township, shall (not having a lawful or reasonable Excuse to the contrary) be aiding and assisting in the Furtherance of his Majesty's Service by this Act described.

Ten Shillings Premium to such as shall discover any proper Person, so as he be inlisted.

'XIX. And, to encourage such Inhabitants and others to assist in discovering and apprehending such 'Persons described as aforesaid,' it is hereby further enacted by the Authority aforesaid, That if any Person shall discover and give Information of any able-bodied Man, fit to serve his Majesty within the Description of this Act, so that he shall be apprehended and inlisted before the Commissioners as aforesaid, such Person, for every Man so discovered and inlisted, shall receive, from the Officer to whom such Man shall be delivered, the Sum of ten Shillings, out of the twenty Shillings which he is elsewhere directed to pay to the Officers of the Parish or Town for every Man inlisted by virtue of this Act, and the Remainder only of the said twenty Shillings shall, in that Case, be paid to such Officers.

Clerks to be appointed by the Commissioners at their First General Meeting; and at Subdivision Meetings. Clerks to be paid by the Officers 2 s. for every Man inlisted.

XX. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners, at their First General Meeting assembled, to appoint a Clerk to attend them, then and at each of their subsequent Meetings; and for the Commissioners of the several Subdivisions to appoint a Clerk to attend them at their respective Meetings in each Subdivision wherein Soldiers are to be listed as aforesaid; and such respective Clerks, as a Reward for their Labour and Pains in the Execution of this Act, shall be intitled to, and shall receive, for every Man who shall be listed in pursuance of this Act, at the Meetings whereon they shall respectively attend, the Sum of two Shillings of lawful Money of *Great Britain*, to be paid by the respective Officer who shall receive such new-raised Men respectively.

The second and sixth Sections of the Articles of

XXI. And be it further enacted by the Authority aforesaid, That the said Commissioners, or such of them as shall be present at such Meeting for listing of Soldiers as aforesaid, shall cause the second and sixth Sections of the Articles of War against Mutiny and Desertion, to be read to such new-raised Men, in the Presence of the said Commissioners then there; and the said Commissioners, or the major Part of them present,

ſent, ſhall forthwith cauſe an Entry or Memorial to be made, in a Book or Books to be kept by them or their Clerks for that Purpoſe, of the Names of ſuch new-raiſed Men, and of the Pariſhes or Places of their laſt Abode (if they can be known), and of the Time and Place when and where ſuch Men were delivered to the ſaid Officers or Perſons appointed to receive them, and the Names of the Officers or Perſons who received them, and for what Regiment or Company they were ſo received, and the Sums paid; and ſhall cauſe true Copies or Duplicates of ſuch Entries, atteſted by the ſaid Commiſſioners, or any three or more of them then preſent, within forty Days after the delivering ſuch Men as aforeſaid, to be tranſmitted into the Admiralty, or Office of his Majeſty's Secretary at War for the Time being, to be compared with the Muſter-roll; and every Clerk, for every Neglect or Default in not tranſmitting the ſaid Copies or Duplicates of ſuch Entries to the Admiralty, or Office of the Secretary at War, as aforeſaid, ſhall forfeit the Sum of ten Pounds, one Moiety thereof to the Uſe of his Majeſty, his Heirs and Succeſſors, and the other Moiety to ſuch Perſon or Perſons who ſhall inform or ſue for the ſame, in ſome of the Courts of Record at *Weſtminſter*, or the Court of Seſſion in *Scotland*; and it is hereby declared, that the Pay of every ſuch new-raiſed Man, ſo delivered to the Officers or Perſons appointed to receive them as aforeſaid, ſhall commence from the Time of his being taken and ſecured as aforeſaid; and from and after ſuch Delivery as aforeſaid, and reading the ſaid Articles of War, every Perſon ſo raiſed ſhall be deemed a liſted Soldier to all Intents and Purpoſes, and ſhall be ſubject to the Diſcipline of War, and, in caſe of Deſertion, ſhall be proceeded againſt as a Deſerter by any Law now in Force, or by any Law to be made for Puniſhment of Deſerters; and no Perſon ſo liſted ſhall be liable to be taken out of his Majeſty's Service, by any Proceſs other than for ſome criminal Matter.

War to be read to new raiſed Men.

Names of the Men, Parish, Time of liſting, &c. to be entered in a Book.

Attested Copy thereof to be tranſmitted, within 40 Days, to the Admiralty or War-office, on Penalty of 10 l.

Application of the Penalty.

Commencement of Soldier's Pay.

After Articles of War are read, Soldiers to be ſubject to Martial Law.

XXII. Provided nevertheleſs, and be it enacted by the Authority aforeſaid, That it ſhall be lawful for the Commiſſioners, who ſhall have been preſent at any ſuch Meeting where any new-raiſed Man ſhall have been delivered over as aforeſaid, or for the major Part of them, upon the Demand of ſuch Man, or of any other Perſon on his Behalf, ſignified to their Clerk within four Days after ſuch Meeting, and by him notified to each of the ſaid Commiſſioners, to appoint a further Meeting of the ſame Commiſſioners, to be holden within ſix Days after the making of ſuch Demand, unleſs the Party appealing ſhall require a further reaſonable Time; and if, upon further and more certain Information, the ſaid Commiſſioners, or the major Part of them at ſuch further Meeting, ſhall find that ſuch new-raiſed Man was not, at the Time of his being delivered over as aforeſaid, within the Deſcription of this Act, they are hereby required to certify the ſame, under their Hands and Seals, to his Majeſty's Secretary at War, who, on the Receipt of ſuch Certificate, ſhall cauſe the Man to be forthwith diſcharged; and the recruiting Officer ſhall, on ſuch Perſon's receiving his Diſcharge as aforeſaid, cauſe to be paid to ſuch Man the Sum of one Shilling for each Day he ſhall have been ſo detained in the Service as aforeſaid, to be allowed to ſuch Officer out of the recruiting Fund, over and above ſuch Subſiſtence as he may have received; and the Clerk appointed by the Commiſſioners ſhall repay to ſuch Officer (without Fee or other Deduction) the ſeveral Sums before paid to him by the ſaid Officer, and ſhall give back the Receipts taken as above directed, in Exchange for a Copy of the Man's Diſcharge; and in caſe no ſuch Diſcharge ſhall have been obtained as aforeſaid, then the ſaid Clerk ſhall, after the Expiration of fourteen Days from the Time that ſuch new-raiſed Man was delivered over as aforeſaid, pay over, without Fee or Deduction, to the Perſons reſpectively intitled thereto under the Directions of this Act, the ſeveral Sums depoſited in his Hands for that Purpoſe.

Commiſſioners preſent at the delivering over any Recruit, may, upon Demand made in his Behalf, appoint a further Meeting; and finding him not to be within the Deſcription of this Act, are to certify the ſame to the Secretary at War, who ſhall cauſe the Man to be diſcharged.

Officer to pay him 1 s. for each Day he ſhall have been detained.

Clerk to repay proper Perſons.

to the Officer the Sums received of him, &c. If no Diſcharge be obtained, Clerk to pay over the Sums depoſited to the

XXIII. Provided always, That nothing in this Act contained ſhall be conſtrued to extend to empower the ſaid Commiſſioners to liſt any Perſon as a Soldier, until the ſeveral Sums herein directed to be paid, by the reſpective Officers appointed to receive ſuch new-raiſed Men, ſhall be firſt paid to the Perſon or Perſons reſpectively authoriſed to receive the ſame.

None to be liſted till the Sums payable by the Officers are firſt paid.

XXIV. And be it further enacted by the Authority aforeſaid, That the Officer or Officers, and other Perſon or Perſons, appointed to attend the ſaid Commiſſioners, and to receive ſuch impreſſed Men, ſhall, in caſe he or they ſhall find it neceſſary, ſecure ſuch impreſſed Men in ſome ſecure Houſe or Place, to be provided by the Juſtices of the Peace, in their Petty or Special Seſſions, for that Purpoſe; but in caſe no ſuch Houſe or Place ſhall be ſo provided, then in the Gaol of the County, Town, or Place, where ſuch Man ſhall be received into his Majeſty's Service, or in the Houſe of Correction, or other public Priſon, of ſuch County, Town, or Place, where Debtors are not uſually confined; and the Keeper of ſuch Gaol, Houſe of Correction, or Priſon, ſhall receive ſuch impreſſed Men, until they can be removed, without Fee or Reward; and ſuch Keeper ſhall be allowed the uſual Subſiſtence for ſuch Men during the Time they remain there, from the Officer by whom they ſhall be delivered as aforeſaid; and the Conſtables, Headboroughs, and other civil Officers, ſhall (if required) be aſſiſting to ſuch Officer in conveying ſuch Man or Men to ſuch ſecure Place, Gaol, or Houſe of Correction, and ſhall be allowed ſuch reaſonable Sum or Sums as the major Part of the Commiſſioners then preſent ſhall appoint to be paid by the Officer or Officers who ſhall require ſuch Aſſiſtance.

Officers may ſecure impreſſed Men.

Keeper to be allowed their Subſiſtence Money.

Civil Officers to be aiding in ſecuring them, and to be allowed for their Trouble.

XXV. And it is hereby further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Commiſſioners, or any three or more of them, to impoſe upon any Gaoler, or Keeper of a Houſe of Correction, or Priſon, who ſhall ſuffer any Perſon committed to his Cuſtody, in purſuance of this Act, to eſcape; or upon any High Conſtable, Churchwarden, Overſeer, Petty Conſtable, Headborough, Tithingman, or other Pariſh or Town Officer, for every wilful Neglect or Default, in the Execution of any Warrant, Order, or Precept, to them or any of them directed in purſuance of this Act, a Fine not exceeding ten Pounds, and to cauſe every ſuch Fine to be levied by Diſtreſs and Sale of the Offender's Goods, rendering the Overplus (if any be) to the Owners, and to pay the ſaid Fine to the Informer or Informers.

Commiſſioners may levy a Fine, not exceeding 10 l. on Gaoler for Eſcape of Men, and on Pariſh Officers for Neglect of Duty.

Persons obstructing the Execution of this Act, to forfeit 10l.

which may be levied by Distress.

Voters for Members of Parliament not liable to be listed.

No Military Officer may be a Commissioner.

Limitation of Actions.

General Issue.

Treble Costs.

No Soldier or Marine to be discharged without a Certificate from his Colonel, &c.

of which a Duplicate to be transmitted to the Secretary at War.

Officer breaking this Order to be cashiered.

Impressed Men, after 5 Years Service, to be discharged, if they demand it.

Clerks to be rewarded for their Trouble in transmitting Duplicates, &c.

His Majesty, when a sufficient Number of Men shall be raised, may, by Proclamation, &c. suspend the Execution of this Act; or may suspend or inforce it in any County or Place.

Persons employed in the Execution of this Act, exempted from the Penalties of Acts 25 Car. II. 2 Gul. & Mar. and 13 & 14 Gul. III.

XXVI. And be it further enacted by the Authority aforesaid, That if any Person or Persons whatsoever shall wilfully do any Act or Thing whereby the Execution of this Act, in the searching for, taking, and securing, such able-bodied Men as aforesaid, shall be hindered or frustrated, every such Person shall, for every such Offence, forfeit any Sum not exceeding ten Pounds, to the Use of the Informer or Informers; and all and every such Offences may be enquired of, heard, and finally determined, by any two or more of his Majesty's Justices of the Peace, dwelling in or near the Place where such Offence shall be committed; who have hereby Power to cause the said Penalty to be levied by Distress and Sale of the Offender's Goods and Chattels, rendering the Overplus (if any be) to the Owners; and if the Offenders have no Goods and Chattels sufficient to answer the said Penalty, then to commit him or her to the County Gaol or House of Correction, there to remain for the Space of three Months, without Bail or Mainprize.

XXVII. Provided always, and it is hereby declared, That this Act shall not extend to the taking or levying any Person to serve as a Soldier, who shall make it appear, to the Satisfaction of the Commissioners then present, that he hath any Vote in the Election of any Member or Members to serve in Parliament, in any County, City, Borough, Town, Port, or Place, within the Kingdom of *Great Britain*.

XXVIII. And it is hereby enacted, That no Person who, at the Time of the Execution of this Act, shall have any Military Office or Employment in *Great Britain* (other than in the Militia), shall execute any Power or Authority by this Act given to Commissioners as aforesaid.

XXIX. And be it further enacted by the Authority aforesaid, That if any Action, Plaint, Suit, or Information, shall be commenced or prosecuted against any Person or Persons for what he or they shall do in pursuance or Execution of this Act, the same shall be commenced within six Months after the Offence committed; and such Person or Persons so sued, in any Court whatsoever, shall and may plead the General Issue, Not Guilty, and upon any Issue joined, may give this Act, and the special Matter in Evidence; and if the Plaintiff or Prosecutor shall become nonsuit, or forbear further Prosecution, or suffer a Discontinuance, or if a Verdict pass against him, the Defendant shall recover Treble Costs; for which they shall have the like Remedy as in any Case where Costs by the Law are given to Defendants.

'XXX. And, for the better obviating such Frauds and Abuses as may be practised in discharging of 'Soldiers,' it is hereby further enacted by the Authority aforesaid, That no private Soldier, who shall be duly listed into his Majesty's Service by virtue of this Act (during the Time such Soldier shall remain in *Great Britain)*, shall be discharged from his Majesty's Service, without the Consent of the Colonel, or, in his Absence, the Field Officer commanding in Chief the Regiment, first had and obtained in Writing under their Hands and Seals for that Purpose; in which Writing the Cause of his Discharge shall be expressed, and a Duplicate or Copy of every such Discharge forthwith transmitted to the Secretary at War, to be by him kept and entered in a Book; or if a Marine, without the Consent of the Lord High Admiral, or the Commissioners of the Admiralty for the Time being, first had and obtained; and any Officer that shall presume to discharge any Soldier inlisted pursuant to this Act, in any other Manner contrary to this Act, shall, for such Offence, be cashiered.

XXXI. Provided always, and it is hereby enacted, That every Person who shall be impressed upon this Act, after he shall have continued in the Military Service of his Majesty, his Heirs and Successors, during the Space of five Years, shall be at Liberty, if he think fit, to demand his Discharge from the Colonel, or, in his Absence, the Officer commanding the Regiment or Company to which he shall belong, unless the Nation shall be then engaged in a War, and in that Case such Person shall remain in Service during the Continuance of War; and such Discharge shall be granted to him *gratis*, in Writing under the Hand of such Colonel or Officer, who is hereby empowered and required to give the same accordingly; any Thing herein contained to the contrary notwithstanding.

XXXII. And be it further enacted, That the said several Clerks to the said Commissioners, provided the said Copies or Duplicates be duly transmitted into the Office of the Admiralty, or Secretary at War, as aforesaid, shall have and receive, by the Hands of the Paymasters of his Majesty's Land Forces and Marines, or one of them, such Rewards as the Lord High Treasurer, or Commissioners of the Treasury for the Time being, upon Consideration of the Numbers of Men listed in the several Counties, Cities, Boroughs, or other Places, and the Pains and Charges of the several Clerks in this Service, shall judge the said Clerks severally and respectively to deserve.

XXXIII. Provided always, That his Majesty, when he shall be satisfied, by the said Returns of the Commissioners, or otherwise, that a sufficient Number of Recruits in the Whole shall be raised for his present Service, may be graciously pleased to suspend or stop the further Execution of this Act, by Proclamation or Order in Council, or other public Notice in the *London Gazette*; any Thing herein contained to the contrary notwithstanding.

XXXIV. Provided also, That his Majesty, when he shall judge it expedient for his Service, may at any Time suspend or enforce the Execution of this Act, in any County or Place of *Great Britain*, by Notice from his Majesty's Secretary at War; any Thing herein contained to the contrary notwithstanding.

XXXV. Provided always, and be it further enacted by the Authority aforesaid, That no Commissioner, Churchwarden, Overseer, Constable, Headborough, Tythingman, or other Parish or Town Officer, who shall be employed in the Execution of this Act, shall be liable, for or by reason of such Execution, to any of the Penalties mentioned in an Act, made in the twenty-fifth Year of the Reign of King *Charles* the Second, *For preventing Dangers which may happen from Popish Recusants*; or in one other Act, made in the first Year of the Reign of King *William* and Queen *Mary* (intituled, *An Act for abrogating the Oaths of Allegiance and Supremacy, and appointing other Oaths)*; or in one other Act, made in the Parliament holden in the thirteenth and fourteenth Years of the Reign of the late King *William* the Third (intituled, *An Act for the further Security of his Majesty's Person, and the Succession of the Crown in the Protestant Line; and for the extinguishing the Hopes of the pretended Prince of* Wales, *and all other Pretenders, and their open and secret Abettors.)*

XXXVI. Provided

XXXVI. Provided always, and be it enacted, That no Perſon or Perſons, hereby appointed to be a Commiſſioner or Commiſſioners for any County, Riding, City, Borough, Cinque-port, or Place, of *England*, *Wales*, or *Berwick upon Tweed* (except ſuch as duly qualified themſelves to be Juſtices of the Peace, or Commiſſioners for executing the ſaid Act for the Land Tax made and paſſed in the fifteenth Year of his preſent Majeſty's Reign, or any ſubſequent Act or Acts of Parliament for that Purpoſe), ſhall be capable, in *England*, *Wales*, or *Berwick upon Tweed*, of acting as a Commiſſioner or Commiſſioners in the Execution of this Act, or executing any the Powers of the Commiſſioners therein mentioned (unleſs it be the Power hereby given of adminiſtering Oaths), until ſuch Time as he or they reſpectively ſhall have taken the Oaths appointed by an Act of Parliament, made in the firſt Year of the Reign of King *William* and Queen *Mary* (intituled, *An Act for the abrogating the Oaths of Supremacy and Allegiance, and appointing other Oaths)*; and alſo in the ſaid Act (intituled, *An Act for the further Security of his Majeſty's Perſon, and the Succeſſion of the Crown in the Proteſtant Line; and for extinguiſhing the Hopes of the pretended Prince of* Wales, *and all other Pretenders, and their open and ſecret Abettors)*; which Oaths it ſhall and may be lawful to and for any two or more of the ſaid Commiſſioners to adminiſter, and they are hereby required to adminiſter the ſame to any other of the ſaid Commiſſioners; and that no Perſon or Perſons, hereby appointed to be a Commiſſioner or Commiſſioners for any Part of *Scotland* (except ſuch as duly qualified themſelves, according to the Laws of *Scotland*, to be Commiſſioners there for executing the ſaid Act for the Land Tax made and paſſed in the fifteenth Year of his preſent Majeſty's Reign, or any ſubſequent Act or Acts of Parliament for that Purpoſe), ſhall be capable of acting as a Commiſſioner or Commiſſioners in the Execution of this preſent Act, in any Part of *Scotland*, until ſuch Time as he or they reſpectively ſhall have duly qualified themſelves according to the Laws of *Scotland*, for that Purpoſe.

Commiſſioners in England not to act till they have taken the Oaths appointed by Acts

1 Gul. & Mar.

and 13 & 14 Gul. III.

nor Commiſſioners in Scotland, till they have qualified themſelves as the Laws there direct.

XXXVII. Provided always, and be it enacted, That if any Perſon hereby appointed a Commiſſioner for any County, City, Town, or Place, in *England*, *Wales*, or *Berwick upon Tweed* (except as before excepted), ſhall preſume to act as a Commiſſioner in the Execution of this Act, before he ſhall have taken the ſaid Oaths which by this Act he is required to take, and in the Manner hereby preſcribed, he ſhall forfeit to his Majeſty the Sum of two hundred Pounds, to be recovered by Action of Debt, or on the Caſe, Bill, Suit, or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoin, Protection, Wager of Law, or more than one Imparlance, ſhall be allowed; and that if any Perſon hereby appointed a Commiſſioner for any Shire, Stewartry, Burgh, or Place in *Scotland* (except as before excepted), ſhall preſume to act as a Commiſſioner in the Execution of this Act, before that he ſhall have qualified himſelf according to the Laws in *Scotland*, he ſhall forfeit to his Majeſty the Sum of fifty Pounds, to be recovered in the Court of Exchequer in *Scotland*, in the ſame Manner as any other Penalties are there recoverable.

Commiſſioners in England acting before they have taken the Oaths, forfeit 200 l.

and Commiſſioners in Scotland 50 l.

XXXVIII. Provided alſo, That in caſe there ſhall not be a ſufficient Number of Commiſſioners for any City, Borough, Town, Port, or Place, of *Great Britain* (for which by this Act Commiſſioners are ſpecially appointed), capable of acting according to the reſpective Qualifications required by this Act; then, and in every ſuch Caſe, any the Commiſſioners appointed for the County, Shire, or Stewartry at large, within which ſuch City, Borough, Town, or Place, doth ſtand, or which is next adjoining thereto, may act as Commiſſioners in the Execution of this Act, within ſuch City, Borough, Town, Port, or Place; any Thing herein contained to the contrary notwithſtanding.

Commiſſioners for the County, &c. at large, may act for any City, &c.

XXXIX. Provided always, and be it enacted by the Authority aforeſaid, That no Commiſſioner of the Land Tax, not being a Juſtice of the Peace, or a Magiſtrate of a Corporation or a Borough, ſhall be capable of acting as a Commiſſioner in the Execution of this Act, or of any of the Powers therein contained, in or for any County at large, within *England*, the Dominion of *Wales* (the Counties of *Angleſey*, *Merioneth*, *Cardigan*, *Caermarthen*, *Glamorgan*, *Montgomery*, *Pembroke*, *Caernarvon*, and *Monmouth*, excepted), or in or for any of the Ridings in the County of *York*, unleſs ſuch Perſon by himſelf, or his Tenants or Truſtees, was taxed or did pay, in the ſame County or Riding, for the Value of one hundred Pounds *per Annum*, or more, of his own Eſtate, by virtue of the ſaid Act for the Land Tax, made and paſſed in *England*, in the fifteenth Year of his Majeſty's Reign, or any ſubſequent Act or Acts of Parliament for that Purpoſe; or unleſs ſuch Perſon ſo appointed to be a Commiſſioner ſhall, at the Time of the Execution of this Act, by himſelf, his Tenants, or Truſtees, enjoy an Eſtate of Lands, Tenements, or Hereditaments, of the ſaid yearly Value of one hundred Pounds, or more, within the ſaid County or Riding reſpectively; any Thing herein contained to the contrary notwithſtanding.

Qualification of Commiſſioners for Counties at large within England.

XL. And it is hereby further enacted, That if any Perſon intended by this Act to be diſabled for the Cauſe laſt-mentioned, ſhall nevertheleſs preſume to act as a Commiſſioner in the Execution of this Act, or any of the Powers therein contained, every ſuch Perſon, for ſuch Offence, ſhall forfeit the Sum of fifty Pounds, to any Perſon or Perſons who will inform or ſue for the ſame, to be recovered in any of his Majeſty's Courts of Record at *Weſtminſter*, or in the Exchequer of *Scotland* as aforeſaid.

Perſons diſabled preſuming to act, forfeit 50 l.

XLI. Provided nevertheleſs, and it is hereby enacted, That no Perſon who is appointed to be a Commiſſioner for executing this Act in any Part of *Great Britain*, ſhall be diſabled, for the Cauſe laſt-mentioned, from acting as a Commiſſioner within and for any City, Borough, Cinque-port, or Corporate Town only, whereof he ſhall be an Inhabitant at the Time of the Execution of this Act, or from acting as a Commiſſioner within any of the Inns of Court or Inns of Chancery.

Commiſſioners may act for any City, &c. whereof they are Inhabitants, or for Inns of Court.

'XLII. And whereas ſome Doubts may ariſe whether Mayors, Bailiffs, and other Chief Magiſtrates of 'Cities, Boroughs, Towns Corporate, and Cinque-ports, for which Commiſſioners are ſpecially appointed 'by virtue of this Act, can act as Commiſſioners for executing this Act in the ſaid Cities, Boroughs, 'Towns Corporate, and Cinque-ports;' be it further enacted by the Authority aforeſaid, That all Mayors, Bailiffs, and other Chief Magiſtrates, who are appointed Commiſſioners for executing this Act, ſhall be, and have Power to act as Commiſſioners for executing this Act, within and for any City, Borough,

Mayors, Bailiffs, &c. to act as Commiſſioners ſpecially appointed.

rough, Town Corporate, or Cinque-port, wherein they inhabit at the Time of executing this Act, as well where Commissioners are specially appointed by this Act, as where they are not.

Chief Magistrates of Cities, &c. upon Notice from the Secretary at War, to enforce this Act within their Jurisdictions.

'XLIII. And whereas it may often be expedient for his Majesty's Service, that the Commissioners 'hereby appointed shall execute this Act in Cities, Towns, or other Places, when it may not be conve-'nient to enforce the Execution thereof through the County in which such City, Town, or Place, shall 'be respectively situate;' be it therefore enacted by the Authority aforesaid, That the Mayor or other Chief Magistrate of every City, Town, or Place, shall, upon receiving Notice for that Purpose from the Secretary at War, immediately proceed to put this Act in Execution within their respective Jurisdictions, in the same Manner, to all Intents and Purposes, as if such Mayor or other Chief Magistrate had received such Notice from the Sheriff of the County in which such City, Town, or Place, shall be respectively situate; any Thing in this Act contained to the contrary notwithstanding.

Bailiffs Followers and Assistants, &c. not deemed to follow any Calling.

XLIV. And it is hereby provided and enacted, That no Bailiff's Follower or Assistant, employed or belonging to any Sheriff, Bailiff of Liberties, Marshalsea Court, or any other Person or Persons that shall be so employed by any one that shall have the Power of executing any Warrant or Process whatsoever, shall be deemed thereby to follow or exercise any Calling or Employment, or to have a sufficient Support and Maintenance, within the Intent and Meaning of this Act.

Labourers, having proper Certificates, not liable to be impressed from May 25, to Oct. 25.

'XLV. And forasmuch as great Inconveniencies may happen by impressing Men during the Time of 'Harvest,' be it therefore enacted by the Authority aforesaid, That, from and after the twenty-fifth Day of *May*, one thousand seven hundred and seventy-eight, until the twenty-fifth Day of *October* following, no Harvest Labourer, or Person working at Hay Harvest or Corn Harvest Work, within the Time aforesaid, within the Kingdom of *Great Britain*, shall be impressed by virtue of this Act, but shall be free and exempted from the same during the Time aforesaid; provided they have a Certificate under the Hands of the Minister, and of one Churchwarden or Overseer of the Poor, or Elders, of the Parish or Place where they live, allowed under the Hand and Seal of one Justice of the Peace of the same County, Shire, Stewartry, Riding, City, or Place; which Certificate shall be given *gratis*.

Commissioners for executing this Act within the Castle of York.

'XLVI. And, for the more easy and better putting this Act in Execution,' be it enacted by the Authority aforesaid, That any three or more Commissioners for putting this Act in Execution in the several Ridings of the County of *York* (being Justices of the Peace), though not all of the same Riding, may, within the Castle of *York*, or Limits thereof, execute the Powers of this Act.

Commissioners for executing this Act in Threapwood.

'XLVII. And whereas divers Soldiers, who have deserted his Majesty's Service, have been harboured 'in a certain Place called *Threapwood*, lying within or near the Counties of *Chester* and *Flint*, or one of 'them, and adjoining to the Town of *Cuddington* in the said County of *Chester*;' be it further enacted by the Authority aforesaid, That the Commissioners hereby appointed for the County of *Chester*, and the Officers of the said Town of *Cuddington*, shall execute this Act in the said Place called *Threapwood*, according to the true Intent and Meaning thereof.

Officer not attending to receive Recruits, Commissioners may adjourn, and order the Detention of the impressed Men. Notice of Adjournment to be given to Officers attending this Service, &c. Officer to pay Subsistence Money for every Recruit, and incidental Charges.

XLVIII. And be it further enacted by the Authority aforesaid, That if at any of the Meetings of the Commissioners by this Act appointed, in any of their Subdivisions, they shall not be attended by some proper Officer appointed for the receiving of Recruits, either through Negligence or any unavoidable Accident, then, and in that Case, it shall and may be lawful to and for the said Commissioners to adjourn themselves to some other convenient Day, and they are hereby authorised to give Directions for detaining in Custody all such Persons as shall have been then brought before them by the Parish Officers to be inlisted, or such of them as they shall think duly qualified for his Majesty's Service; and the said Commissioners shall give Notice to any of the Officers attending on this Service, in the County or Place where such Subdivisions shall lye, of the Day of such Adjournment; and the said Officer is hereby required, either to attend himself, or to appoint some other Officer to attend such Commissioners, and to receive such Persons as the said Commissioners shall inlist into his Majesty's Service; and the Officers so receiving the Recruits shall pay, to such Person as the Commissioners shall appoint, Sixpence *per Diem* for the Subsistence of every Recruit then enlisted, from the Day of the last Meeting of the Commissioners to the said Day of Adjournment, the same to be charged to the Account of the several Regiments or Companies into which the said Recruits shall be inlisted, together with such Charges and Expences as shall appear to the said Commissioners to have been incurred on account of the detaining the said Persons, from the Day of the former Meeting of the said Commissioners to the Day of such Second Meeting, not exceeding three Pounds.

Continuance of this Act.

XLIX. And be it further enacted by the Authority aforesaid, That this Act, and every Thing herein contained, shall be and continue in Force until the End of the next Session of Parliament.

Form prescribed for making Entries pursuant to this Act.

L. And be it further enacted by the Authority aforesaid, That the several Entries which the Commissioners of the Land Tax are by this Act required to make, of the Names and Descriptions of all Volunteers, and also of all impressed Men, together with the other Particulars herein-before directed, be made according to the Form hereunto annexed.

| Recruit's Name. | Parish. | Heighth. | | Age. | Description of the Recruits. | For what Corps pressed. | For what Corps entered voluntarily. | Sum paid. | By whom paid. | Officer who received or refused the Recruit, and on what Day. | On what Grounds refused. |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Feet. | Inches. | | | | | | | | |
| | | | | | | | | | | | |

CAP.

## CAP. LIV.

An Act for granting to his Majesty a certain Sum of Money out of the Sinking Fund; and for applying certain Monies therein mentioned for the Service of the Year one thousand seven hundred and seventy-eight; and for further appropriating the Supplies granted in this Session of Parliament; and for carrying to the Aggregate Fund a Sum of Money which hath arisen by the Two Sevenths Excise.

'*Most Gracious Sovereign*,

'WE, your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain*, in Parliament 'assembled, towards raising the necessary Supplies which we have chearfully granted to your Ma-'jesty in this Session of Parliament, have resolved to give and grant to your Majesty the Sum herein-after 'mentioned;' and do therefore most humbly beseech your Majesty that it may be enacted, *&c.*

" 2,296,209 *l.* 1 *s.* 8 *d.* 2 *q.* granted out of the Sinking Fund, for the Service of the current Year; Trea-" sury empowered to raise the said Sum, or any Part thereof, by Loans or Exchequer Bills, on the Credit " of the Sinking Fund; All Persons who shall lend any Money upon the Credit of this Act to have a Tally " of Loan, with Orders for Repayment of the Money, with Interest. Orders to be registered in Course. " No undue Preference to be given in Payment. No Fee to be taken, on Forfeiture of Treble Damages, " with full Costs. Penalty of undue Preference in point of Registry or Payment. Auditor, *&c.* neglect-" ing his Duty, liable for Damages, *&c.* to be recovered at *Westminster*. No undue Preference in the re-" gistering, where Orders are brought the same Day; nor if subsequent Orders are paid before others not " brought in Course, so as Money be reserved for the preceding Orders. Orders may be assigned. If it " shall be judged more adviseable, the Treasury may raise the said Sum by Exchequer Bills instead of " Loans; and the Bills in such Case to be made in the Manner prescribed by the Land Tax Act of this " Session. All Advantages and Penalties in the Land Tax Act of this Session, relating to Loans or Ex-" chequer Bills thereby authorised to be made forth, extended to this Act. The said Exchequer Bills, In-" terest, and Charges, are to be paid out of the Sinking Fund. Bank authorised to lend to his Majesty " the Sum of 2,296,209 *l.* 1 *s.* 8 *d.* Halfpenny; notwithstanding an Act of 5 and 6 *Gul. & Mariæ*. The " Sum of 703,790 *l.* 18 *s.* 3 *d.* Halfpenny, Surplus of the Sinking Fund;—and 4,976 *l.* 17 *s.* 1 *d.* Halfpenny, " remaining in the Exchequer on *April* 5, 1778;—and 46,825 *l.* remaining of the Deductions of 6 *d.* in the " Pound upon all Salaries, *&c.* from the Crown;—and 37,921 *l.* 3 *s.* 10 *d.* Saving from the Pay of his Ma-" jesty's national Troops;—and 27,690 *l.* Savings from the Pay of sundry Regiments;—and such Monies " as shall be paid into the Exchequer between *April* 5, 1778, and *April* 5, 1779, of the Produce of the " Duties on *Gum Senega*, and *Gum Arabic*;—shall be applied towards making good the Supply. The " Monies arising by the Land Tax,—Malt Tax,—Lottery Act,—Loans, (1,500,000 *l.*)—further Loans, " (500,000 *l.*)—1,000,000 *l.* by the Vote of Credit,—and 703,790 *l.* 18 *s.* 3 *d.* Halfpenny, remaining in the " Exchequer on *April* 5, 1778, of the Surplusses of the Sinking Fund;—and 4,976 *l.* 17 *s.* 1 *d.* Halfpenny, " remaining in the Exchequer on *April* 5, 1778;—and 46,825 *l.* remaining of the Deductions of 6 *d.* in the " Pound upon all Salaries, *&c.*;—and 37,921 *l.* 3 *s.* 10 *d.* Savings out of the Pay of the national Troops;—" and 27,690 *l.* Savings out of the Pay of sundry Regiments of Foot;—and such Monies as shall be paid " into the Exchequer between *April* 5, 1778, and *April* 5, 1779, of the Produce of the Duties on *Gum* " *Senega* and *Gum Arabic*;—and 2,296,209 *l.* 1 *s.* 8 *d.* Halfpenny, by this Act granted out of the Excesses, " *&c.* composing the Sinking Fund;—together with the Money arising from the Sale of *French* Prizes " taken before the Declaration of War;—and also such Sums of Money as his Majesty shall direct to be ap-" plied to the public Service, which shall arise out of the Sale of the ceded Islands in the *West Indies*;—" shall be applied to the Uses following:—3,997,895 *l.* 16 *s.* towards Naval Services; 1,000,000 *l.* towards " paying off and discharging the Debt of the Navy; 4000 *l.* to the Royal Hospital for Seamen at *Green-" wich*, *&c.*; 382,816 *l.* 2 *s.* 8 *d.* for the Charges of the Office of Ordnance; 300,483 *l.* 13 *s.* 10 *d.* for the " Charges of the Office of Ordnance, not provided for in 1777; 4,833,666 *l.* 15 *s.* 11 *d.* Halfpenny, towards " maintaining the Land Forces, *&c.*; of which 634,240 *l.* 3 *s.* 11 *d.* for defraying the Charges of 20,057 " effective Men, *&c.* and 3213 Invalids, for Guards, *&c.* in *Great Britain*, &c.; 960,843 *l.* 18 *s.* 9 *d.* for " Forces and Garrisons in *Africa*, &c.; 52,923 *l.* 1 *s.* 6 *d.* to make good the Difference of Pay between the " *British* and *Irish* Establishment of Troops serving in *America*; 11,473 *l.* 18 *s.* 6 *d.* Halfpenny, for General " and General Staff-officers in *Great Britain*; 56,074 *l.* 19 *s.* 4 *d.* Halfpenny, for five *Hanoverian* Battalions " at *Gibraltar* and *Minorca*, and for Provisions for three of the said Battalions at *Gibraltar*, for the Year " 1778; 367,203 *l.* 9 *s.* 10 *d.* for 13,472 Troops of *Hesse Cassel*, &c.; 35,441 *l.* 19 *s.* 9 *d.* Halfpenny, for " two Regiments of *Hanau*, &c.; 1,645 *l.* 17 *s.* 1 *d.* to make good a Deficiency of a Vote of last Session; " 17,370 *l.* 8 *s.* 2 *d.* 3 *q.* for a Regiment of *Waldeck*, &c.; 92,947 *l.* 15 *s.* 8 *d.* for 4,300 *Brunswickers*, &c.; " 34,007 *l.* 2 *s.* 11 *d.* for 1,241 Troops of *Brandebourg Anspach*; 47,160 *l.* 13 *s.* 3 *d.* for Provisions for foreign " Troops serving in *America*; 27,379 *l.* 10 *s.* 8 *d.* for defraying the Charge of Artillery for foreign Troops, " for 1778; 286,632 *l.* 14 *s.* 6 *d.* for Augmentations of his Majesty's Forces, from their Commencements, " *&c.*; 90,939 *l.* 15 *s.* to the reduced Officers of the Land Forces and Marines; 712 *l.* 5 *d.* to the two " Troops of Horse Guards reduced, *&c.*; 238 *l.* for Pensions to Officers Widows, *&c.*; 105,431 *l.* 15 *s.* 5 *d.* " to the Out-pensioners of *Chelsea Hospital*; 18,895 *l.* 5 *s.* 2 *d.* for Augmentations of the Forces; 80,319 *l.* " 14 *s.* 1 *d.* for Augmentations of the Forces, from *March* 25, to *Dec.* 24, 1778; 402,622 *l.* 9 *s.* for the em-" bodied Militia, from *March* 26, to *Dec.* 24, 1778; 37,559 *l.* 7 *s.* 6 *d.* for Militia Clothing for 1778;



" 45,508 *l.*

" 45,608 *l.* 2 *s.* for three Regiments to be raiſed in *North Britain*, from *April* 25, to *Dec.* 24, 1778; " 18,071 *l.* 12 *s.* for Infantry, *&c.* of *Anhalt Zerbſt*; 1,406,923 *l.* 1 *s.* 4 *d.* 1 *q.* towards extraordinary Expences of the Land Forces, *&c.* not provided for; 1,500,000 *l.* for diſcharging Exchequer Bills of laſt Seſſion; 1,000,000 *l.* for paying off the Exchequer Bills of laſt Seſſion; 19,100 *l.* to make good to his Majeſty the like Sum iſſued in purſuance of the Addreſſes of the Houſe of Commons; 3,200 *l.* for the Civil Eſtabliſhment of the Iſland of *St. John*; 2,866 *l.* for the Civil Eſtabliſhment of *Georgia*; 4,701 *l.* 10 *s.* 8 *d.* for ſupporting the Civil Eſtabliſhment of *Nova Scotia*; 4,950 *l.* for the Civil Eſtabliſhment of *Eaſt Florida*; 4,900 *l.* for the Civil Eſtabliſhment of *Weſt Florida*; 2,372 *l.* for defraying Expences attending Surveys in *North America*; 13,000 *l.* for maintaining the *Britiſh* Forts, *&c.* on the Coaſt of *Africa*; 5,500 *l.* for ſupporting the Civil Eſtabliſhment of *Senegambia*; 105,227 *l.* 8 *s.* 3 *d.* for the Expences of recoining the deficient Gold Coin; 6,998 *l.* 12 *s.* 5 *d.* on account of new Roads, *&c.* in the Highlands of *Scotland*; 56,680 *l.* 2 *s.* 6 *d.* for Relief of *American* Civil Officers, *&c.*; 6,400 *l.* to Mr. *Moore*, for his Trouble in compiling a General Index to the Journals; 3,000 *l.* to the Rev. Mr. *Forſter*, for his Trouble in compiling a general Index to the Journals; 3,000 *l.* to the Rev. Dr. *Flexman*, for ditto; 500 *l.* to Mr. *Cunningham*, for ditto; 9,075 *l.* 3 *s.* 11 *d.* to make good to his Majeſty the like Sum iſſued to *Duncan Campbell*, for the Expence of confining, *&c.* Convicts on the *Thames*; 43,621 *l.* 10 *s.* 9 *d* Halfpenny, to the Sinking Fund, to make good the Deficiency on *July* 5, 1777, *&c.*; and 38,493 *l.* 2 *s.* 7 *d* Halfpenny, to make good the Deficiency of Grants for the Service of the Year 1777. The ſaid " Aids to be applied only to the Uſes before mentioned. Rules to be obſerved in the Application of the " Half-pay. By Act 17 *Geo.* III. a Sum not exceeding 93,616 *l.* 8 *s.* 4 *d.* was appropriated to be paid to reduced Officers. Overplus Monies, above ſatisfying ſaid Officers, to be diſpoſed of to Officers who were " maimed, *&c.* in the late Wars, or to Officers Widows and Children, as his Majeſty ſhall direct. " 31,154 *l.* 17 *s.* 8 *d.* 1 *q.* remaining in the Exchequer of the Two Seventhis Exciſe, to be carried to the " Aggregate Fund."

## CAP. LV.

**An Act to permit the Exportation of certain Goods, directly from *Ireland*, into any *Britiſh* Plantation in *America*, or any *Britiſh* Settlement on the Coaſt of *Africa*; and for further encouraging the Fiſheries and Navigation of *Ireland*.**

Preamble. Act 15 Car. II. recited.

' WHEREAS by an Act, made in the fifteenth Year of the Reign of King *Charles* the Second, intituled, *An Act for the Encouragement of Trade*, it is, among other Things, enacted, That, from ' and after the twenty-fifth Day of *March*, one thouſand ſix hundred and ſixty-four, no Commodity ' of the Growth, Production, or Manufacture of *Europe*, ſhall be imported into any Land, Iſland, Plantation, Colony, Territory, or Place, to his Majeſty belonging, or which ſhall hereafter belong unto, ' or be in the Poſſeſſion of, his Majeſty, his Heirs and Succeſſors, in *Aſia*, *Africa*, or *America* (*Tangier* ' only excepted), but what ſhall be *bona fide*, and without Fraud, laden and ſhipped in *England*, *Wales*, or ' the Town of *Berwick upon Tweed*: And whereas it is thought proper to allow the Exportation of Goods ' (except as herein-after excepted) directly from the Kingdom of *Ireland*, to the *Britiſh* Plantations in ' *America*, or into any of the Settlements belonging to *Great Britain* on the Coaſt of *Africa*:' Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That, from and after the twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-eight, it ſhall and may be lawful to export from the Kingdom of *Ireland*, directly into any of the *Britiſh* Plantations in *America*, or the *Weſt Indies*, or into any of the Settlements belonging to *Great Britain* on the Coaſt of *Africa*, in Ships or Veſſels which may lawfully trade to and from thoſe Places, any Goods, Wares, and Merchandize, being the Produce or Manufacture of *Ireland* (Wool and Woollen Manufacture in all its Branches mixed or unmixed, Cotton Manufactures of all Sorts mixed or unmixed, Hats, Glaſs, Hops, Gunpowder, and Coals only excepted); and all Goods and Commodities of the Growth, Produce, or Manufacture of *Great Britain*, which have been or may be legally imported from thence into the ſaid Kingdom of *Ireland*, Woollen Manufactures in all its Branches, and Glaſs, excepted); and all foreign Certificate Goods, which have been or may be legally imported from *Great Britain* into *Ireland*; any Law, Cuſtom, or Uſage, to the contrary notwithſtanding.

After June 24, 1778, all Goods, the Produce or Manufacture of Ireland (except Wool, and Woollen and Cotton Manufactures, Hats, Glaſs, Hops, Gunpowder, and Coals), may be exported from thence directly to America, or the Coaſt of Africa:

And all Britiſh Goods, (except Woollen Manufactures and Glaſs); and alſo all foreign Certificate Goods.

Maſter of the Veſſel exporting Goods as abovementioned, to produce a proper Certificate to the Collector, &c. of the Cuſtoms at the Port of his Arrival;

and deliver an Invoice of the Particulars of his Lading.

II. Provided always, and it is hereby further enacted by the Authority aforeſaid, That the Maſter, or Perſon having the Charge of every Ship or Veſſel exporting any ſuch Goods from *Ireland* to the ſaid Plantations or Settlements, ſhall, upon his Arrival there, produce to the Collector or other principal Officers of the Cuſtoms, or other public Officer at the Port or Place where he ſhall arrive, a Certificate, under the Hands and Seal of Office of the Collector and Comptroller of the Cuſtoms of the Port in *Ireland* where he took in his Lading, that Oath had been made before them, by the Exporter of ſuch Goods (which Oath they are hereby authoriſed to adminiſter), that the Goods mentioned in ſuch Certificate are *bona fide* of the Produce or Manufacture of *Ireland*; or that the ſame are of the Growth, Produce, or Manufacture of *Great Britain*, which had been legally imported from thence into *Ireland*; or that they are foreign Certificate Goods, which had been legally imported from *Great Britain* into *Ireland* (as the Caſe may be); and ſhall alſo deliver an Invoice of the Particulars of his Lading to ſuch Officers, in the Manner directed by an Act of Parliament, made in the third and fourth Years of the Reign of Queen *Anne*, intituled, *An Act to permit the Exportation of* Iriſh *Linen Cloth to the Plantations, and to prohibit the Importation of* Scotch *Linen into* Ireland; and ſhall in all other Reſpects, not altered by this Act, comply with the Regulations preſcribed by

by the said recited Act, or any other Law now in Force in this Kingdom, respecting Ships trading to the said Plantations or Settlements; otherwise such Ships, and the Goods laden on Board thereon, shall be subject and liable to the same Penalties and Forfeitures as if this Act had not been made.

Proviso relating to foreign Linens.

III. Provided always, and be it enacted, That nothing herein contained shall extend to permit the Exportation from the said Kingdom of *Ireland* to any of the Places aforesaid of any foreign Linens, whether the same be white or brown or checked, or painted, stained, or dyed, in the said Kingdom of *Ireland*.

This Act not to extend to Bar-iron, or Iron Wares, till certain Duties are laid thereon by the Irish Parliament.

IV. Provided always, and it is hereby further enacted by the Authority aforesaid, That nothing hereinbefore contained shall extend, or be construed to extend, to any Bar-iron, to Iron slit, rolled, plated, or tinned, nor to any Sort of manufactured Iron Wares, until a Duty of two Pounds ten Shillings *per* Ton, on such Bar-iron, and also a Duty of three Pounds three Shillings and Elevenpence *Irish*, *per* Ton, on such slit, rolled, plated, or tinned Iron, and manufactured Iron Wares, exported from *Ireland* to the *British* Colonies or Plantations in *America*, or to any of the Settlements belonging to *Great Britain* on the Coast of *Africa*, shall be imposed by some Act or Acts of Parliament to be made in the Kingdom of *Ireland*; and that then, and in such Case, it shall and may be lawful, from and after the Commencement of, and during the Continuance of, such respective Duties, but no longer, to export any such Iron or Iron Wares from the said Kingdom of *Ireland* directly to any *British* Colony or Plantation in *America*, or to any Settlement belonging to *Great Britain* on the Coast of *Africa*, in any Ship or Vessel that may lawfully trade thither, subject to the Regulations herein-before mentioned; any Thing in this Act, or in any other Act, to the contrary notwithstanding.

If any Bounty shall be granted in Ireland on the Exportation of such Iron or Iron Wares, then the Liberty granted by this Act to cease, &c.

V. Provided nevertheless, and it is hereby further enacted by the Authority aforesaid, That if any Bounty or Premium shall be granted or allowed in *Ireland*, on the Exportation of such Iron or Iron Wares from thence to the said *British* Colonies or Plantations, or to any Settlement belonging to *Great Britain* on the Coast of *Africa*; then, and in such Case, the Liberty herein-before given to export such Iron and Iron Wares thither directly from *Ireland*, shall, during the Continuance of such Bounty or Premium, cease and determine; and such Iron and Iron Wares shall, in all Respects, be subject to the like Restrictions and Regulations, Penalties and Forfeitures, as such Goods were and would be liable to if this Act had not been made.

No Cotton Manufactures to be exported from Ireland to America, &c. without a proper Certificate from some Custom-house in Great Britain; on Forfeiture of the Goods.

VI. Provided always, and it is hereby further enacted by the Authority aforesaid, That no Cotton Manufactures of any Kind, whether mixed or unmixed, shall be permitted to be exported from the said Kingdom of *Ireland* to any of the Places aforesaid, unless the Person or Persons exporting the same shall produce and deliver a Certificate properly authenticated from the Custom-house of some Port or Ports in *Great Britain*, particularizing the Quantities, Kinds, and Marks, of such Cotton Manufactures, and specifying that such Goods have been legally exported from *Great Britain*: And in case any Cotton Manufactures shall be offered to be exported from the said Kingdom of *Ireland* to any of the Places aforesaid, without such Certificate, or which on Examination shall not correspond with the Marks, Numbers, and Descriptions, contained in such Certificate, all such Manufactures shall be forfeited and seized, and appropriated, one Moiety thereof to the Informer, and the other Moiety to his Majesty, his Heirs and Successors.

The Liberty hereby granted of exporting Irish Manufactures, &c. not to take place till Duties are laid thereon equivalent to those on the same Manufactures, &c. in Great Britain.

VII. Provided always, and it is hereby declared and enacted, That the Liberty hereby granted of exporting Goods and Merchandize, the Manufacture of *Ireland*, to the Places herein-before mentioned, shall not take place except in such Cases as the said Goods and Merchandize now do, or hereafter shall, stand chargeable and pay Duties and Taxes to as great an Amount as Goods and Merchandize of the same Denomination and Quality exported from *Great Britain* to such Places now stand chargeable with (whether the said Charges be on the Importation of the Materials of which the said Goods and Merchandize are made, or by Duties on the Exportation of the same, or by Inland Excise not drawn back or compensated for by Bounties).

Recital of 15 Geo. III. Cap. 31;

'VIII. And whereas by an Act, made in the fifteenth Year of the Reign of his present Majesty (intituled, *An Act for the Encouragement of the Fisheries carried on from* Great Britain *and* Ireland, *and the* British *Dominions in* Europe; *and for securing the Return of the Fishermen, Sailors, and others employed in the said Fisheries, to the Ports thereof, at the End of the Fishing Season)*; it is amongst other Things provided and enacted, That no Bounty shall be allowed or paid for any Ship or Vessel employed as therein mentioned, by virtue of the said or any former Act of Parliament, unless the whole and entire Property of such Ship or Vessel shall belong to some of his Majesty's Subjects residing in that Part of his Majesty's Dominions from whence such Ship or Vessel shall be respectively fitted and cleared out: And whereas by another Act, made in the sixteenth Year of the Reign of his present Majesty (intituled, *An Act for the further Encouragement of the Whale Fishery carried on from* Great Britain *and* Ireland, *and the* British *Dominions in* Europe; *and for regulating the Fees to be taken by the Officers of the Customs in the Island of* Newfoundland); it is amongst other Things provided and enacted, That no Bounty shall be allowed or paid for any Ship which, from and after the first Day of *August*, one thousand seven hundred and seventy-six, shall be fitted out and employed in the Whale Fishery, in pursuance of the said Act, unless the whole and entire Property of such Ship or Vessel shall belong to some of his Majesty's Subjects residing in that Part of his Majesty's Dominions from whence such Ship or Vessel shall be respectively fitted and cleared out; which said Provisoes have been found prejudicial, inasmuch as they prevent any Co-partnership between his Majesty's Subjects residing in *Great Britain*, and his Majesty's Subjects residing in *Ireland*, for carrying on the said Fisheries;' be it therefore declared and enacted by the Authority aforesaid, That the said Bounties shall and may be allowed and paid for any Ship or Vessel, being the Property of his Majesty's Subjects residing in *Great Britain* or *Ireland*, employed in the said Whale Fisheries, which, from and after the twenty-fourth Day of *June*, one thousand seven hundred and seventy-eight, shall be fitted and cleared out from any Port in *Great Britain* or *Ireland*, pursuant to the Directions of those Acts, or any other Act of Parliament now in Force, although the whole and entire Property of such Ship or Vessel shall not belong to some of his Majesty's

and 16 Geo. III. Cap. 47.

The Bounties in the recited Acts mentioned shall be paid for all Vessels the Property of his Majesty's Subjects in Great Britain or Ireland,

jesty's Subjects residing in that Part of his Majesty's Dominions, from whence such Ship or Vessel shall be fitted and cleared out; any Thing in the said recited Acts to the contrary notwithstanding.

After June 24, 1778, all Ships built in Ireland, and owned by his Majesty's European Subjects, to be deemed British-built, &c.

IX. And be it further declared and enacted by the Authority aforesaid, That, from and after the twenty-fourth Day of *June*, one thousand seven hundred and seventy-eight, all Ships and Vessels whatsoever built in *Ireland*, and owned by his Majesty's Subjects residing in any Part of the *British* Dominions in *Europe*, shall be deemed *British*-built, and shall be intitled to the like Privileges and Advantages in all Respects as Ships built in *Great Britain*; and all Ships and Vessels belonging to any of his Majesty's Subjects residing in *Ireland*, and not *British*-built, shall be intitled to the same Privileges and Advantages in all Parts of his Majesty's Dominions as Ships belonging to his Majesty's Subjects residing in *Great Britain*, and not *British* or *Irish* built, are intitled to.

## CAP. LVI.

### An Act to permit the Importation of Cotton-yarn, the Manufacture of *Ireland*, into this Kingdom Duty-free.

Preamble. Act 12 Car. II. recited.

'WHEREAS by an Act, made in the twelfth Year of the Reign of King *Charles* the Second, intituled, *A Subsidy granted to the King of Tonnage and Poundage, and other Sums of Money, payable upon Merchandize exported and imported*, a Duty was imposed upon all Cotton-yarn imported into *England:* And whereas it is expedient that Cotton-yarn, of the Manufacture of *Ireland*, should be imported into *Great Britain* Duty-free;' be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, from and after the twenty-fourth Day of *June*, one thousand seven hundred and seventy-eight, no Subsidy, Custom, Duty, or other Imposition whatsoever, shall be demanded, received, or taken, upon any Cotton-yarn of the Manufacture of *Ireland*, which shall be imported directly from thence into *Great Britain*; provided the Master, or Person having the Charge of the Ship or Vessel importing the same, shall bring with him a Certificate or Certificates from the Chief Officer or Officers of the Port or Place in *Ireland* where such Goods shall be put on Board, expressing the Marks, Number, Tale, or Weight, of the Goods in each Bale or Package mentioned in the Bill or Bills of Lading, with the Name or Names, Place or Places of Abode, of the Exporter or Exporters from *Ireland*, and the Name or Names, Place or Places of Abode, of such other Person or Persons that shall have sworn the Goods therein mentioned to have been *bona fide* of the Manufacture of *Ireland*, without Fraud or Covin, and where and to whom the same are consigned in this Kingdom; and the Master, or Person having the Charge of the Ship or Vessel in which such Cotton-yarn shall be imported, shall also, upon his Arrival, make Oath, before the Collector, or other principal Officer of the Customs, at the Port of Importation (which Oath such Collector, or other principal Officer of the Customs, is and are hereby respectively authorised to administer), that the said Bales, Parcels, and Goods therein contained, are the same Bales, Parcels, and Goods, which were taken on Board, by virtue of the said Certificate or Certificates so to be produced; any Law, Custom, or Usage, to the contrary notwithstanding.

After June 24, 1778, Cotton-yarn, of the Manufacture of Ireland, may be imported into Great Britain Duty-free; the Master of the Vessel bringing with him a proper Certificate from the Officers of the Port where the Goods were put on Board, &c.

## CAP. LVII.

### An Act for raising a further Sum of Money, by Loans or Exchequer Bills, for the Service of the Year one thousand seven hundred and seventy-eight. 500,000 *l.*

## CAP. LVIII.

### An Act to explain and amend so much of an Act, made in the fourth Year of the Reign of his present Majesty, as relates to the preventing the clandestine Conveyance of Sugar and Paneles from the *British* Colonies and Plantations in *America* into *Great Britain*.

Preamble. Act 4 Geo. III. recited.

'WHEREAS, by an Act made in the fourth Year of the Reign of his present Majesty (intituled, *An Act for granting certain Duties in the* British *Colonies and Plantations in* America; *for continuing, amending, and making perpetual, an Act passed in the sixth Year of the Reign of his late Majesty King* George *the Second, intituled,* "An Act for the better securing and encouraging the Trade of his Majesty's Sugar Colonies in *America*;" *for applying the Produce of such Duties, and of the Duties to arise by virtue of the said Act, towards defraying the Expences of defending, protecting, and securing, the said Colonies and Plantations; for explaining an Act, made in the twenty fifth Year of the Reign of King* Charles *the Second, intituled,* "An Act for the Encouragement of the *Greenland* and *Eastland* Trades, and for the better securing the Plantation Trade;" *and for altering and disallowing several Drawbacks on Exports from this Kingdom, and more effectually preventing the clandestine Conveyance of Goods to and from the said Colonies and Plantations, and improving and securing the Trade between the same and* Great Britain), it was amongst other Things enacted, That, from and after the twenty-ninth Day of *September*, one thousand seven hundred and sixty-four, every Person or Persons, loading on board any Ship or Vessel, in any of the *British* Colonies or Plantations in *America*, any Rum or Spirits, Sugars or Paneles, Melasses or Syrups, as of the Growth, Product, or Manufacture, of any *British* Colony or Plantation, should, before the clearing out of the said Ship or Vessel, produce and deliver to the Collector, or other principal Officer of the Customs, at the loading Port, an Affidavit to prove the said Rum or Spirits, Sugars or Paneles, Melasses or Syrups, to be the Growth, Produce, or Manufacture, of the said Colonies or Plantations,

Certain Affidavits were to be delivered to the Collector, &c. by all Persons shipping any Sugars or Paneles, &c. in the British Colonies in America.

'tations, in the Manner directed by the ſaid Act; and that ſuch Collector, or other principal Officers 'of the Cuſtoms, ſhould, within thirty Days after the ſailing of the Ship or Veſſel, tranſmit an exact 'Copy of the ſaid Affidavit to the Secretary's Office for the reſpective Colony or Plantation where the 'Goods were ſhipped, on Forfeiture of five Pounds, to be recovered in the Manner directed by the ſaid 'Act: And whereas by another Act, made in the ſixth Year of the Reign of his preſent Majeſty, ſo 'much of the ſaid Act as related to Melaſſes or Syrups has been repealed: And whereas the Reſtrictions 'and Regulations, preſcribed by the ſaid Act of the fourth Year of the Reign of his preſent Majeſty, have 'been found inſufficient to prevent the Importation of Foreign Sugar and Paneles into this Kingdom;' for Remedy whereof, may it pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That, from and after the firſt Day of *March*, one thouſand ſeven hundred and ſeventy-nine, the Collector, or other principal Officer of the Cuſtoms, to whom ſuch Affidavit ſhall be produced and delivered, ſhall (without Fee or Reward), within thirty Days after the ſailing of the Ship or Veſſel, tranſmit one exact Copy of the ſaid Affidavit, to the Secretary's Office, for the reſpective Colony or Plantation where the Sugar or Paneles, referred to in the ſaid Affidavit, were ſhipped; and ſhall alſo, within the like Space of thirty Days, tranſmit another exact Copy of ſuch Affidavit to the Juſtices and Veſtry of the Pariſh and Pariſhes, Precinct or Precincts, where the ſaid Sugar or Paneles grew, or were produced and manufactured, on the Penalty of forfeiting fifty Pounds for every ſuch Omiſſion and Neglect.

After March 1, 1779, the ſaid Collector, &c. ſhall, within thirty Days after ſailing of the Veſſel, tranſmit a Copy of the Affidavit to the Secretary's Office for the Colony; and another Copy to the Juſtices, &c. of the Pariſh where the Sugar grew, &c. on Penalty of 50l.

II. And be it further enacted by the Authority aforeſaid, That in caſe any Juſtice of the Peace of the ſaid Colonies or Plantations ſhall, from and after the ſaid firſt Day of *March*, one thouſand ſeven hundred and ſeventy-nine, ſubſcribe his Name to any Paper or Parchment Writing, purporting to be an Affidavit for the Purpoſe directed by the ſaid Act of the fourth Year of the Reign of his preſent Majeſty, unleſs the Perſon or Perſons, purporting to make ſuch Affidavit, ſhall actually appear before him, and be ſworn upon the Holy Evangeliſts to the Truth of the ſaid Affidavit, that then, and in every ſuch Caſe, every ſuch Juſtice of the Peace ſhall forfeit and pay, for every ſuch Offence, the Sum of fifty Pounds.

Penalty on Juſtices ſigning Affidavits before they are properly authenticated.

III. And be it further enacted by the Authority aforeſaid, That, from and after the ſaid firſt Day of *March*, one thouſand ſeven hundred and ſeventy-nine, if any Sugar or Paneles ſhall be imported into *Great Britain*, from any *Britiſh* Colony or Plantation in *America*, without, or ſhall not be included in, the Certificate required in and by the ſaid Act of the fourth Year of the Reign of his preſent Majeſty, that then, and in either ſuch Caſe, all ſuch Sugar and Paneles ſhall be deemed and taken to be foreign Sugar and Paneles, and ſhall be liable to the ſame Duties, Reſtrictions, Regulations, Penalties, and Forfeitures, in all Reſpects; as Sugars and Paneles of the Growth, Produce, or Manufacture, of any *French* Colony or Plantation would be reſpectively liable to by Law; any Thing in the ſaid recited Act, or any Law, Uſage, or Cuſtom, to the contrary in any-wiſe notwithſtanding.

After March 1, 1779, Sugar or Paneles imported into Great Britain from America, without a proper Certificate, ſhall pay Duties as foreign Sugar, &c.

IV. Provided alſo, and it is hereby further enacted and declared by the Authority aforeſaid, That the ſeveral Penalties herein-before mentioned ſhall be ſued for, had, recovered, diſtributed, and diſpoſed of, in ſuch and the ſame Manner, to all Intents and Purpoſes, as the ſeveral Penalties mentioned in the ſaid before-mentioned Act, of the fourth Year of the Reign of his preſent Majeſty, are in and by the ſaid Act directed to be ſued for, had, recovered, diſtributed, and diſpoſed of.

Penalties to be ſued for, &c. in the ſame Manner as thoſe mentioned in the before-recited Act.

## CAP. LIX.

An Act to amend and render more effectual the Laws relating to the raiſing and training the Militia within that Part of *Great Britain* called *England*; and to eſtabliſh certain Regulations with reſpect to Officers ſerving in the Corps of Fencible Men directed to be raiſed in that Part of *Great Britain* called *Scotland*, and certain other Corps therein mentioned.

'WHEREAS it is of the utmoſt Importance to the internal Defence of this Country, in Times 'of War and Danger of Invaſion, that the Militia ſhould be kept up as complete as poſſible: And 'whereas by an Act, made in the ſecond Year of the Reign of his preſent Majeſty, intituled, *An Act to 'explain, amend, and reduce into one Act of Parliament, the ſeveral Laws now in being relating to the raiſing 'and training the Militia within that Part of* Great Britain *called* England, it is (amongſt other Things) 'enacted, That all ſuch Militia Men, whoſe Times of Service in the Militia ſhall be near expiring, 'during the Time the Regiment, Battalion, or Independent Company, in which they ſerved, ſhall be 'embodied and abſent from the County, Riding, or Place, to which they belong, ſhall be returned, by 'the Commanding Officer of ſuch Regiment, Battalion, or Independent Company, to the County, 'Riding, or Place, for which they ſerve, ſo as that they may reach the ſaid County by the Expiration of 'their Term; but no Proviſion is made for the immediate Supply of others in the Place of ſuch Militia 'Men ſo returned as aforeſaid, the Want of which, in actual Invaſion, or immediate Danger thereof, 'might be of the utmoſt Detriment to the public Safety: And whereas it would not only greatly promote 'the public Service, but be of much Eaſe and Advantage alſo to ſuch Perſons as may be choſen by Lot 'for ſuch Corps of Militia as may be at a Diſtance from Home, and to others, who may be willing to ſerve 'as Subſtitutes for the ſame, if ſuch Perſons, whoſe Times ſhall be near expiring, were to be engaged to 'continue as Subſtitutes for ſuch as may be choſen by Lot, as aforeſaid;' be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That whenever any Corps of Militia ſhall be embodied and abſent from the County, Riding, or Place, to which it

Preamble.

Act 2 Geo. III. recited.

Directions for Commanding Officers, when

the Militia is embodied, and at a Diſtance from Home.

Liſt of Private Men willing to renew their Service, to be tranſmitted to the Clerk of the General Meeting;

it belongs, the Commanding Officer of ſuch Corps ſhall apply to every Man whoſe Time ſhall be within four Months of expiring, and who in his Judgment ſhall be fit to ſerve, and inquire if he be willing to continue his Service for a further Term of three Years, and for what Sum or Price he ſhall be ſo willing to continue it, if required; and alſo that the Commanding Officer of every Corps, during ſuch Time as the ſame ſhall be embodied, and at a Diſtance from Home, as aforeſaid, ſhall, on the firſt Day of *January*, *March*, *May*, *July*, *September*, and *November*, reſpectively, or as ſoon after as conveniently may be, tranſmit to the Clerk of the General Meeting of the County or Riding to which his Corps ſhall belong, a Liſt of all ſuch Private Militia Men in the ſaid Corps, whom, upon Application made as aforeſaid, he ſhall find willing to renew their Service as aforeſaid; in which Liſt ſhall likewiſe be ſet down the Sum for which he ſhall be ſo willing to renew and continue his Service as aforeſaid; which Liſt ſhall be ſigned by the Militia Men ſo conſenting as aforeſaid, and be made in the following Form:

*Dated the* *Day of*

| Name of the County. | Names of the Men actually ſerving. | If Subſtitutes, for whom they ſerve. | Of the Pariſh of | In the Hundred of | Time of his Service expires on the | Engages to ſerve 3 Years longer, if required, for the Sum of | Signature of Conſent. |
|---|---|---|---|---|---|---|---|
| | A. B. | C. D. | P. | H. | | | A. B. |
| | E. F. | | Q. | J. | | | E. F. |
| | G. K. | L. M. | R. | N. | | | G. K. |

And that ſuch Signature as aforeſaid ſhall be binding and concluſive, to all Intents and Purpoſes, on the Perſon ſo ſigning as aforeſaid.

who ſhall tranſmit Duplicates to the Clerks of the Subdiviſion Meetings; Seven Days after which, Subdiviſion Meetings ſhall be held.

Buſineſs to be done at thoſe Meetings.

II. And be it enacted by the Authority aforeſaid, That the Clerk of the General Meeting ſhall tranſmit to each Clerk of the ſeveral Subdiviſion Meetings reſpectively, Duplicates or Copies of ſuch Parts of the ſaid Liſts as contain the Names of ſuch Perſons as ſerve for the Pariſhes, Townſhips, or Places, within ſuch reſpective Subdiviſions; and the Clerk of each Subdiviſion Meeting reſpectively ſhall, on Receipt thereof, forthwith give ſeven Days Notice for a Subdiviſion Meeting to be held, at which the whole Number, whoſe Times ſhall expire within four Months of the Date of the ſaid Liſts, ſhall be choſen by Lot, or otherwiſe ſupplied, according to the Statutes in that Caſe made and provided; and the Deputy Lieutenants or Juſtices preſent at the Subdiviſion Meeting, when the Men ſo choſen ſhall attend to be ſworn and enrolled, ſhall acquaint each Man who ſhall be choſen for any Pariſh, Townſhip, or Place, in the ſaid Subdiviſion, if there be any of thoſe who are at that Time ſerving for the ſame, who are willing to continue his or their Service as Subſtitute or Subſtitutes for the next three Years, after the Expiration of his or their preſent Term of Service, and alſo with the Price or Prices for which he or they are willing ſo to continue the ſame; and the Perſon or Perſons choſen as aforeſaid ſhall declare whether he or they be willing to give the Prices which ſhall appear, by the Liſts aforeſaid, to be agreed to be taken by the Perſons then ſerving, who ſhall have ſigned their Conſents as above directed; and ſuch Perſons as are willing ſo to give the Sums ſo ſet down as aforeſaid, ſhall ſignify their Conſent thereto, and ſhall forthwith pay, into the Hands of the Deputy Lieutenants or Juſtices, ſuch Sum or Sums as ſtand reſpectively in the ſaid Liſts againſt the Names ſo ſubſcribed as aforeſaid; which Sum or Sums of Money ſhall be, by the ſaid Deputy Lieutenants or Juſtices, remitted to the Commanding Officer of the Corps of Militia, and be by him paid to ſuch Perſons reſpectively as ſhall have engaged to ſerve as above mentioned, who, on the Receipt thereof, ſhall be ſworn and inrolled as is herein-after directed: And that it ſhall and may be lawful for any Juſtice of the Peace for the County, Riding, City, Diviſion, or Place, where ſuch Regiment, Battalion, or Independent Company, ſhall happen to be, to adminiſter the Oath to every ſuch Militia Man; and ſuch Juſtice is hereby required to certify ſuch Oath, under his Hand and Seal, to the Commanding Officer of the Regiment, Battalion, or Independent Company, according to the Form hereinafter directed; which Certificate ſhall be good and valid to all Intents and Purpoſes, as if the Perſon ſo ſworn had been inrolled.

Juſtice to adminiſter the Oath to Militia Men, and to certify the ſame.

*Form of* CERTIFICATE.

Form of Certificate.

ſhire, } ‘ *A. B.* of the Pariſh of *C.* in the County of *D.* hired as a Subſtitute to ſerve in the Militia
*to wit.* } ‘ for *E. F.* of the Pariſh of *G.* in the County of *H.* came this Day before me *I. K.* one of
‘ his Majeſty's Juſtices of the Peace for the County of and took and
‘ ſubſcribed the following Oath; *videlicet*,

“ I *A. B.*

'I *A. B.* do ſincerely promiſe and ſwear, That I will be faithful and bear true Allegiance to his Majeſty King *George*, his Heirs and Succeſſors; and I do ſwear that I am a Proteſtant, and that I will faithfully ſerve in the Militia within the Kingdom of *Great Britain* for the Defence of the ſame, during the Time which I am ſo certified for, unleſs I am ſooner diſcharged.

'*So help me* GOD.'

III. And be it further enacted by the Authority aforeſaid, That in all Counties where the Number of Men is ſufficient to form two Companies only, the eldeſt Captain ſhall rank as Major, but ſhall only be intitled to the Pay of Captain; and no Clerk ſhall be allowed where the Number of Men is ſufficient to form only one or two Companies, but the Receiver-general ſhall pay the Money neceſſary for ſuch Number of Men to the Commanding Officer of ſuch Company or Companies, who ſhall account with him for the ſame.

In Counties where there are only two companies, the eldeſt Captain to rank as Major, &c.

'IV. And whereas, by the Laws now in being for raiſing and training the Militia, within that Part of *Great Britain* called *England*, it is provided, that the Acceptance of a Commiſſion in the ſaid Militia ſhall not vacate the Seat of any Member returned to ſerve in Parliament: And whereas his Majeſty has thought proper, for the more effectual Protection and internal Defence of that Part of *Great Britain* called *Scotland*, to direct that fencible Men, in ſeveral of the Shires in that Part of the United Kingdom, ſhould be forthwith raiſed and embodied: And whereas Officers, ſerving in any of the ſaid Corps of fencible Men, will not, by virtue of ſuch Service, be intitled to receive Half-pay, or to have any Rank in the Army, after the ſaid Corps ſhall be diſmiſſed and diſembodied, but will be ſimilar to, and as near as may be on the ſame Footing with, Officers ſerving in the Militia of *England:* And whereas his Majeſty may think proper to grant Commiſſions to Officers to raiſe Corps for the Defence of this Country, the Officers of which Corps may likewiſe not be intitled to receive Half-pay, or to hold any Rank in the Army, after the ſaid Corps ſhall be reduced and diſembodied;' be it enacted and declared, That the Acceptance of a Commiſſion in any Corps of fencible Men, raiſed or to be raiſed in that Part of *Great Britain* called *Scotland*, or in any other Corps which his Majeſty may authoriſe and direct to be raiſed in any Part of *Great Britain*, in which the Officers ſhall not be intitled to Half-pay, or to any Rank in the Army, after the Reduction of the ſaid Corps, ſhall not, nor ſhall be conſtrued to vacate the Seat of any Member returned to ſerve in Parliament.

Acceptance of a Commiſſion in any Corps of fencible Men raiſed, or to be raiſed, in Great Britain, in which the Officers ſhall not be intitled to Half-pay, &c. on Reduction thereof, ſhall not vacate a Seat in Parliament.

'V. And whereas it is neceſſary to aſcertain the Rank to be held by the Officers of certain Corps raiſed, or to be raiſed, within that Part of *Great Britain* called *Scotland*, called Fencible Men, or of any other Corps of Men which may be raiſed within *Great Britain*, wherein ſuch Officers ſhall not be intitled to Rank or Half-pay, except during the Time of the actual Service of ſuch Corps, with reſpect to the Officers of the Militia of that Part of *Great Britain* called *England*, during the Time that the Officers of ſuch Corps, and of the Militia, ſhall ſerve together;' be it therefore enacted by the Authority aforeſaid, That the Officers of ſuch Corps and of the Militia, of equal Degree, ſhall rank according to the Date of their reſpective Commiſſions.

Officers in new-raiſed Corps of Fencible Men, and Militia Officers, to rank according to Seniority.

VI. And be it enacted by the Authority aforeſaid, That where a Battalion of Militia is commanded by a Lieutenant Colonel, who ſhall have been Commandant of the ſame for five Years or longer, it ſhall be lawful for the Lord Lieutenant of the County, Riding, or Place, to which ſuch Militia ſhall belong, with the Conſent of his Majeſty, to give to ſuch Lieutenant Colonel Commandant a Commiſſion of Colonel, any Thing in any Act of Parliament to the contrary notwithſtanding.

Lord Lieutenant, in certain Caſes, may give a Colonel's Commiſſion to a Lieutenant Colonel.

VII. And it is hereby further enacted by the Authority aforeſaid, That no Perſon ſerving as Quartermaſter, Surgeon, or Battalion Clerk, in the Militia, ſhall, from the Time of paſſing this Act, be appointed to any other Commiſſion in the Militia, higher than that of a Lieutenant, during the Time he acts as ſuch, though he ſhould have ſuch Qualification as the Law requires for ſuch higher Commiſſion.

No Quartermaſter, Surgeon, or Battalion Clerk, to be promoted higher than a Lieutenant.

'VIII. And whereas, in and by the ſaid recited Act, it is (amongſt other Things) enacted, That when the Militia of any County, Riding, or Place, ſhould be ordered out into actual Service, it ſhould and might be lawful for the Captain of any Company of Militia to augment his Company, by incorporating, with the Conſent of his Majeſty's Lieutenant, or, in the Abſence of his Majeſty's Lieutenant, with the Conſent of two or more of the Deputy Lieutenants, any Number of Perſons who ſhould offer themſelves as Volunteers, and who ſhould appear to him to be ſufficiently trained and diſciplined, and provided with proper Clothes, Arms, and Accoutrements, and who ſhould take the Oath, and perform the other Acts therein preſcribed;' be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the Commanding Officer, with the Conſent of his Majeſty's Lieutenant, or, in the Abſence of his Majeſty's Lieutenant, with the Conſent of any two or more of the Deputy Lieutenants, to accept a Number of Volunteers to ſerve in the ſaid Militia, either to be incorporated into the other Companies, or to be formed into a diſtinct Company, in which latter Caſe Commiſſions may be granted by his Majeſty's Lieutenant to Officers legally qualified to command the ſame.

Commanding Officer, with the Conſent of the Lord Lieutenant, &c. may accept of Volunteers, to be incorporated into the other Companies, or to form a diſtinct Company.

IX. Provided always, That the Number of Volunteers in any Battalion ſhall not exceed the Number of Men contained in any one Company of the ſaid Battalion; and though ſuch Volunteers ſhould not be provided with proper Clothes, Arms, and Accoutrements, upon the Repreſentation of his Majeſty's Lieutenant, or of two or more of the Deputy Lieutenants, ſuch Volunteers ſhall have the ſame Allowance, with regard to Pay, Arms, Clothes, and Accoutrements, as Militia Men are by Law intitled to, during the Time of their continuing in actual Service.

Number of Volunteers in any Battalion not to exceed the Number of Men in one Company of the ſame, &c.

X. And be it further enacted by the Authority aforeſaid, That no Perſon who is intitled to Half-pay ſhall be deemed or taken to forfeit or quit ſuch Half-pay, during the Time he ſhall ſerve as a Lieutenant or Enſign in any Regiment, Battalion, or Independant Company of Militia, but that the ſame ſhall nevertheleſs continue; and, inſtead of the Oath now appointed, ſuch Officer ſhall take the following Oath:

Officers intitled to Half-pay, not to forfeit the ſame by ſerving as Lieutenants or Enſigns in the Militia.

"I *A. B.*

Oath to be taken by such Officers.

'I *A. B.* do swear, That I had not, between the any Place or Employment
'of Profit, civil or military, under his Majesty, besides my Allowance of Half-pay as a reduced
' in late Regiment of (*or* Allowance as
' in late Troop of Horse Guards, *or*
' Regiment of Horse reduced), save and except my Pay as a Lieutenant *or* Ensign (*as the Case may be*)
' for serving in the Militia of the County of

And the taking the said Oath shall be sufficient to intitle such Person to receive his Half-pay, or the said Allowance, without taking any other Oath; any Thing in the said recited Act, or any other Law, Statute, or Usage, to the contrary notwithstanding.

When Militia is on actual Service, two Deputy Lieutenants, &c. shall have the same Powers at Meetings, as are vested in three Deputy Lieutenants, &c. by the recited Act.

XI. And be it further enacted by the Authority aforesaid, That at any Meeting for any County, City, or Town, whose Militia shall be at that Time on actual Service, it shall be lawful for any two or more of the Deputy Lieutenants of such County, City, or Town, or for any one Deputy Lieutenant together with any one Justice of the Peace of such County, to have and exercise all the Powers conferred, by the said recited Act, with respect to the Militia, on any three Deputy Lieutenants, or any two Deputy Lieutenants together with any one Justice of the Peace, or any one Deputy Lieutenant together with any two Justices of the Peace, of any County at large, any Thing in the said recited Act to the contrary notwithstanding; and that the said Deputy Lieutenant or Deputy Lieutenants, and Justice of the Peace or Justices of the Peace, as aforesaid, shall have a Power to adjourn themselves from Time to Time as they shall see proper.

Explanation of the recited Act in relation to Militia Men who shall abscond or desert.

'XII. And whereas Doubts have arisen whether any Principal or Substitute, duly sworn and inrolled, 'according to the Act of the second Year of his present Majesty, who shall neglect to join the Corps to 'which he belongs, or who after having joined it shall desert or absent himself from his Duty in the same, 'before the Expiration of the Term for which he was so sworn and inrolled, can be taken up and punished 'according to Law, after the Expiration of the three Years for which he was so engaged and sworn;' it is hereby declared to be the true Intent and Meaning of the said Act, That every Principal, Substitute, and Volunteer, shall faithfully perform his three Years Service; and if he shall abscond or desert, or absent himself from his Duty in the same, before the Expiration of the Time for which he was inrolled, whenever he is taken, he shall be subject to be punished for such Default or Desertion, and shall be obliged to complete the Remainder of his three Years Service as was unexpired at the Time of such his Default or Desertion.

Substitutes deserting, shall, besides suffering Military Punishment, serve three Years from the Day of their Apprehension.

'XIII. And whereas several Persons have made a Practice of taking Money to serve, and have deserted, 'and the pecuniary Penalty on such Persons in general cannot be levied for want of Substance, and the 'Alternative of six Months Imprisonment, in the common Gaol of the County to which they belong, 'tends not only to corrupt instead of amending their Morals, but is a Loss to the Public as well as to their 'Families, and also a great Expence to such Parish as is by Law obliged to support such Families;' be it therefore enacted by the Authority aforesaid, That every Substitute, sworn and inrolled after passing this Act, who shall desert, whenever he shall be taken, over and above such Military Punishment as shall be inflicted on him, shall serve for and during the Space of three Years, to be computed from the Day on which he was apprehended; and the Commanding Officer shall order Notice to be given, to the Clerk of the Subdivision in which he is engaged to serve, of his Desertion, and the Time of his Apprehension, that he may make a fresh Entry of his Name in the Roll of the Men to serve for such Parish, for three Years from the Time of his Apprehension, as aforesaid.

When any Militia Man deserts, Commanding Officer to certify the same to the Deputy Lieutenants, &c. who shall hold a Subdivision Meeting, and ballot for another Person to serve in his Room.

XIV. And be it enacted by the Authority aforesaid, That in case any Principal, Substitute, or Volunteer, shall abscond, desert, or absent himself from his Duty, and shall not return or be taken in the Space of three Months, that then, upon Certificate thereof from the Commanding Officer of the Regiment, Battalion, or Independant Company, to the Deputy Lieutenants and Justices of the Peace of the Hundred or Division for which such Person so absconding, deserting, or absenting himself, was so chosen by Lot, hired, or served as Substitute or Volunteer; and such Deputy Lieutenants and Justices of the Peace are hereby required to hold a Subdivision Meeting, and to proceed to ballot for another Person to serve and be returned to the Regiment, in the Room of such Person so having absconded, deserted, or absented himself; and in case such Absentee shall at any Time return or be taken, he shall, notwithstanding any Person shall be so chosen to serve in his Room, be compelled to serve out the Remainder of his Time, as herein before directed.

Persons ballotted pretending to be Quakers, must produce a Certificate thereof, signed by two reputable Housekeepers of that Persuasion.

'XV. And whereas, in order to evade the Provisions already made by the Laws now in being con- 'cerning the raising of the Militia, Persons may pretend to be Quakers who are not actually of that Per- 'suasion,' be it enacted by the Authority aforesaid, That, from and after the passing of this Act, when the Lot shall have fallen on any one being, or pretending to be, one of the People called *Quakers*, no Man shall be deemed, taken, and accepted to be a Quaker within the Meaning of the said recited Act, of the second Year of the Reign of his present Majesty, unless he produces, before the Deputy Lieutenant and Justices at their Subdivision Meeting, a Certificate, under the Hand of two or more reputable Housekeepers of the People called *Quakers*, acknowledging him to be one of their Persuasion.

Persons employed in his Majesty's Dock-yards not liable to serve as Militia Men;

'XVI. And whereas Doubts have arisen whether Persons employed in his Majesty's Dock-yards are by 'the said recited Act, made in the second Year of the Reign of his present Majesty, liable to serve, by 'themselves or Substitutes, as Militia Men;' for obviating such Doubts, be it enacted by the Authority aforesaid, That no Person or Persons actually employed or mustered in his Majesty's Dock-yards shall be compelled to serve personally, or provide a Substitute to serve in the Militia; any Thing in the said recited Act, or any other Law, to the contrary notwithstanding.

XVII. Provided

XVII. Provided also, and be it further enacted, That no Person actually employed and mustered in his Majesty's Service at the *Tower of London*, *Woolwich Warren*, the several Gun-wharfs at *Portsmouth*, *Chatham*, *Sheerness*, and *Plymouth*, or at the several Powder Mills, Powder Magazines, or other Storehouses belonging to his Majesty, under the Direction of the Board of Ordnance, shall be compelled to serve personally or find a Substitute in the Militia; any Law, Usage, or Custom, to the contrary notwithstanding.

nor those employed in his Majesty's Service at the Tower, Woolwich Warren, the Gun-wharfs, &c.

XVIII. And be it enacted by the Authority aforesaid, That any Person who shall have faithfully served as a Serjeant in any one Corps of Militia for fifteen Years, and who shall be discharged from the same, on account of his Age or Infirmities, during the Time the Corps in which he served shall be in actual Service, shall, on the Recommendation of the Commanding Officer of the said Corps, and the Lord Lieutenant and two Deputy Lieutenants of the County, Riding, or Place, to which the said Corps belongs, or on the Death or Removal, or in the Absence of the Lord Lieutenant, by the Commanding Officer and three Deputy Lieutenants of the County, Riding, or Place, to which the said Corps belongs, be entitled to Examination at the *Chelsea* Board, and be capable to be placed on the Pension of Five-pence *per Diem*, if the said Board shall judge him deserving thereof.

Serjeants who shall have served fifteen Years in any one Corps of Militia, and discharged on account of Age, &c. shall be intitled to Examination at the Chelsea Board, &c.

XIX. And be it enacted by the Authority aforesaid, That any Person being a Serjeant on the Establishment of *Chelsea Hospital*, at an Allowance of Twelve-pence a Day, and being appointed to serve in any Corps of Militia, shall and may receive the said Allowance of Twelve-pence a Day, together with his Pay from the said Corps of Militia; any Law, Usage, or Custom, to the contrary thereof notwithstanding.

Serjeants on the Establishment of Chelsea Hospital at 1 s. a Day, being appointed to serve in the Militia, shall receive the said Allowance, together with their Pay in the Militia,

XX. And be it enacted, That any Serjeant of Militia (who shall, by the Commanding Officer of his Regiment, or by the Sentence of a Court-martial, be found guilty of misbehaving himself as such, and to have deserved being reduced into the Ranks) shall, besides any Punishment so to be inflicted by the Court-martial, be obliged to serve in the Regiment to which he belongs as a private Militia Man for the Space of one Year from the Time of his being so reduced into the Ranks, notwithstanding he may have already served three Years before his being appointed a Serjeant.

Serjeants of Militia, who, for Misbehaviour, are reduced to the Ranks, shall be obliged to serve a Year therein, notwithstanding they may have already served three Years.

XXI. And be it enacted by the Authority aforesaid, That in all Counties where the Number of Men are sufficient to form four Companies, but are not sufficient to form a Regiment, it shall and may be lawful to and for his Majesty's Lieutenant to appoint two Persons legally qualified to serve without Pay as Field Officers in such Battalion, with the same Rank as if the Number were sufficient to form a Regiment.

In certain Counties, Lord Lieutenant may appoint two Field Officers without Pay, &c.

'XXII. And whereas the several Militia Acts do not sufficiently explain how far any Person, chosen 'by Lot to serve in the Militia, shall be compellable to serve, if he has removed from the Place wherein 'his Name was inserted in the List before he was so chosen by Lot: And whereas many Impediments 'and Delays have arisen to the Militia Service from such Uncertainty, and from the different Opinions 'which prevail among the Deputy Lieutenants and Justices of the Peace respecting this Question; and 'Servants and unmarried Men have availed themselves of these Doubts, and have frequently changed 'their Places of Abode on Purpose to avoid the Service, by which Means the Lots usually fall on married 'Men, and the Burthen thereby becomes unequal;' be it therefore enacted by the Authority aforesaid, That every Person chosen by Lot to serve in the Militia, shall be liable to such Service, notwithstanding such Removal.

Every Person chosen by Lot to serve in the Militia, shall be liable thereto, notwithstanding he may have changed the Place of his Abode.

XXIII. And be it further enacted by the Authority aforesaid, That in case three Deputy Lieutenants shall not attend at any Annual or other General Meeting appointed, by virtue of the several Laws now in Force for raising and training the Militia, for any County, Riding, or Place, that two or one Deputy Lieutenants or Deputy Lieutenant attending at such Meeting, shall and may adjourn such Meeting to any other Time, and to any Place in such County, Riding, or Place; and in case no Deputy Lieutenant shall attend at the Time and Place appointed for such Meeting, that then the Clerk of the General Meetings, or his Deputy then and there attending, shall and may adjourn such Meeting to any other Time, and to any Place, in such County, Riding, or Place.

If three Deputy Lieutenants shall not attend at any General Meeting, the same to be adjourned.

'XXIV. And whereas the Families of Substitutes, hired Men, or Volunteers, serving in the Militia 'when embodied and called out into actual Service, and ordered to march, may become chargeable to the 'Parishes to which they belong;' be it therefore enacted by the Authority aforesaid, That One-half of the Allowance made to such Families shall be reimbursed to the Overseer or Overseers of the Parish, Tithing, or Township, where the Family of any such Substitute, hired Man, or Volunteer, shall become chargeable, by the Treasurer of the County, Riding, or Place, in which such Parish, Tithing, or Township, shall lie; and the Account of the said Overseer and Overseers, verified on Oath before a Justice of the Peace within the County, Riding, or Place, in which the Family of such Substitute, hired Man, or Volunteer, shall be chargeable, and countersigned by a Justice of the Peace for such County, Riding, or Place, shall be a sufficient Voucher to the said Treasurer for the Payment of such Sum.

When the Families of Substitutes, &c. become chargeable to their Parishes, Half the Expences shall be reimbursed to the Overseers by the Treasurer of the County, &c.

XXV. Provided always, That any Relief which shall be given to the Family of any Militia Man, during the Time of actual Service, shall not deprive such Militia Man from voting for the Election of any Member to serve in Parliament.

Proviso.

'XXVI. And whereas the Deputy Lieutenants, Chief Magistrates, and Justices of the Peace, in 'several Counties, Cities, and Places, where the Militia have been raised, have in some Instances pro'ceeded to chuse by Lot, and to swear in Militia Men and Substitutes for such respective Counties, Cities, 'and Places, previous to the Times at which the same ought to have been done pursuant to the Provisions 'contained in the Militia Laws now in being;' be it enacted by the Authority aforesaid, That such Proceedings

Deputy Lieutenants, &c. indemnified for having sworn in Militia Men, &c. previous to the Times ap-

pointed for that Purpose.

Proceedings of the said Deputy Lieutenants, Chief Magistrates, and Justices of the Peace, are hereby declared valid and effectual; and the said Deputy Lieutenants, Chief Magistrates, and Justices of the Peace, are hereby respectively indemnified for such their Proceedings.

All Militia Officers above the Rank of Lieutenant, to deliver in their Qualifications within six Months after the passing this Act, or after accepting their Commissions, otherwise such Commissions to be void.

XXVII. And be it further enacted by the Authority aforesaid, That any Person holding, or hereafter accepting a Commission in the Militia of a higher Rank than that of Lieutenant, not having already delivered in his Qualification, who shall neglect to deliver in, to the Clerk of the Peace of the County, Riding, or Place, in and for which he is or shall be appointed, a specific Description of his Qualification, in Writing, signed by himself, within six Months after the passing of this Act, or within the Space of six Months from the Time of his accepting of such Commission as aforesaid, shall be, and is hereby declared incapable of holding the same, and the said Commission is hereby declared null and void to all Intents and Purposes whatsoever.

The Benefits, &c. granted to Justices by an Act of 24 Geo. II. extended to Lieutenants, &c. acting in Execution of Militia Laws.

'XXVIII. And whereas an Act was made in the twenty-fourth Year of the Reign of his late Majesty 'King *George* the Second (intituled, *An Act for the rendering Justices of the Peace more safe in the Execution 'of their Office; and for indemnifying Constables, and others, acting in Obedience to their Warrants):* And 'whereas it is necessary to extend the Provisions of the said Act to this Act, with respect to Lieutenants 'and Deputy Lieutenants;' be it therefore enacted by the Authority aforesaid, That all and every Lieutenant and Deputy Lieutenant, acting in the Execution of the Militia Laws, shall be intitled to all the Benefits and Protections by the said Act granted to such Justices of the Peace.

## CAP. LX.

An Act for relieving his Majesty's Subjects professing the Popish Religion from certain Penalties and Disabilities imposed on them by an Act, made in the eleventh and twelfth Years of the Reign of King *William* the Third, intituled, *An Act for the further preventing the Growth of Popery.*

Preamble.

Act 11 and 12 Gul. III.

'WHEREAS it is expedient to repeal certain Provisions in an Act of the eleventh and twelfth 'Years of the Reign of King *William* the Third, intituled, *An Act for the further preventing the 'Growth of Popery*, whereby certain Penalties and Disabilities are imposed on Persons professing the Po-'pish Religion;' may it please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the said Act as relates to the apprehending, taking, or prosecuting, of Popish Bishops, Priests, or Jesuits; and also so much of the said Act as subjects Popish Bishops, Priests, or Jesuits, and Papists, or Persons professing the Popish Religion, and keeping School, or taking upon themselves the Education or Government or Boarding of Youth, within this Realm, or the Dominions thereto belonging, to perpetual Imprisonment; and also so much of the said Act as disables Persons educated in the Popish Religion, or professing the same, under the Circumstances therein mentioned, to inherit or take by Descent, Devise, or Limitation, in Possession, Reversion, or Remainder, any Lands, Tenements, or Hereditaments, within the Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick upon Tweed*, and gives to the next of Kin, being a Protestant, a Right to have and enjoy such Lands, Tenements, and Hereditaments; and also so much of the said Act as disables Papists, or Persons professing the Popish Religion, to purchase any Manors, Lands, Profits out of Lands, Tenements, Rents, Terms, or Hereditaments, within the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick upon Tweed*, and makes void all and singular Estates, Terms, and other Interests or Profits whatsoever out of Lands, to be made, suffered, or done, from and after the Day therein mentioned, to or for the Use or Behoof of any such Person or Persons, or upon any Trust or Confidence, mediately or immediately, for the Relief of any such Person or Persons; shall be, and the same, and every Clause and Matter and Thing herein-before mentioned, is and are hereby repealed.

Certain Clauses in the said Act, relating to the prosecuting Popish Bishops, &c.; and imprisoning for Life Papists who keep Schools; and disabling Papists to inherit Lands by Descent, &c. in England or Wales, &c. &c. repealed.

Persons having or claiming any Lands, &c. under Titles not hitherto litigated, shall hold the same, notwithstanding the said Act.

II. And be it enacted by the Authority aforesaid, That every Person and Persons having or claiming any Lands, Tenements, or Hereditaments, under Titles not hitherto litigated, though derived from any Descent, Devise, Limitation, or Purchase, shall have, take, hold, and enjoy the same, as if the said Act, or any Thing therein contained, had not been made; any Thing in the said Act contained to the contrary notwithstanding.

This Act not to affect any Action now depending, &c.; nor to extend to any Person who shall not, within six Months after passing this Act, or coming of Age, &c. take the following Oath.

III. Provided always, and be it enacted, That nothing herein contained shall extend, or be construed to affect any Action or Suit now depending, which shall be prosecuted with Effect, and without Delay.

IV. Provided also, That nothing herein contained shall extend, or be construed to extend, to any Person or Persons but such who shall, within the Space of six Calendar Months after the passing of this Act, or of accruing of his, her, or their Title, being of the Age of twenty-one Years, or who, being under the Age of twenty-one Years, shall, within six Months after he or she shall attain the Age of twenty-one Years, or being of unsound Mind, or in Prison, or beyond the Seas, then within six Months after such Disability removed, take and subscribe an Oath in the Words following:

The Oath.

'I *A. B.* do sincerely promise and swear, That I will be faithful and bear true Allegiance to his Majesty 'King *George* the Third, and him will defend, to the utmost of my Power, against all Conspiracies 'and Attempts whatever that shall be made against his Person, Crown, or Dignity; and I will do my

'utmost

'utmoſt Endeavour to diſcloſe and make known to his Majeſty, his Heirs and Succeſſors, all Treaſons 'and traiterous Conſpiracies which may be formed againſt him or them; and I do faithfully promiſe to 'maintain, ſupport, and defend, to the utmoſt of my Power, the Succeſſion of the Crown in his Ma-'jeſty's Family, againſt any Perſon or Perſons whatſoever; hereby utterly renouncing and abjuring any 'Obedience or Allegiance unto the Perſon taking upon himſelf the Stile and Title of *Prince of Wales*, 'in the Lifetime of his Father, and who, ſince his Death, is ſaid to have aſſumed the Stile and Title of '*King of Great Britain*, by the Name of *Charles the Third*, and to any other Perſon claiming or pretend-'ing a Right to the Crown of theſe Realms; and I do ſwear, that I do reject and deteſt, as an un-'chriſtian and impious Poſition, That it is lawful to murder or deſtroy any Perſon or Perſons whatſoever, 'for or under Pretence of their being Heretics; and alſo that unchriſtian and impious Principle, That no 'Faith is to be kept with Heretics: I further declare, that it is no Article of my Faith, and that I do 'renounce, reject, and abjure, the Opinion, That Princes excommunicated by the Pope and Council, 'or by any Authority of the See of *Rome*, or by any Authority whatſoever, may be depoſed or murdered 'by their Subjects, or any Perſon whatſoever: And I do declare, that I do not believe that the Pope of '*Rome*, or any other foreign Prince, Prelate, State, or Potentate, hath, or ought to have, any temporal 'or civil Juriſdiction, Power, Superiority, or Pre-eminence, directly or indirectly, within this Realm. 'And I do ſolemnly, in the Preſence of God, profeſs, teſtify, and declare, That I do make this Decla-'ration, and every Part thereof, in the plain and ordinary Senſe of the Words of this Oath; without 'any Evaſion, Equivocation, or mental Reſervation whatever, and without any Diſpenſation already 'granted by the Pope, or any Authority of the See of *Rome*, or any Perſon whatever; and without 'thinking that I am or can be acquitted before God or Man, or abſolved of this Declaration, or any Part 'thereof, although the Pope, or any other Perſons or Authority whatſoever, ſhall diſpenſe with or annul 'the ſame, or declare that it was null or void.'

Which Oath it ſhall be competent to his Majeſty's High Court of Chancery, or to any of his Majeſty's Courts of Record at *Weſtminſter*, the Courts of Great Seſſions within the Principality of *Wales* and County Palatine of *Cheſter*, the Courts of Chancery or Common Pleas within the Counties Palatine of *Lancaſter* and *Durham*, or to any Court of General or Quarter Seſſions of the Peace of any County, Riding, Liberty, City, Borough, Town, or Place, in the Kingdom of *England*, or in the Principality of *Wales*, to adminiſter, and they are hereby required to adminiſter the ſame accordingly: Of the taking and ſubſcribing of which Oaths a Regiſter ſhall be kept and preſerved, in the Manner preſcribed by the Laws now in being requiring Oaths from Perſons taking Offices or Employments.

Court of Chancery, Courts of Record at Weſtminſter, Courts of Great Seſſions in Wales, &c. may adminiſter the Oath.

A Regiſter to be kept of the taking and ſubſcribing the ſame.

V. Provided always, and it is hereby enacted and declared, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to any Popiſh Biſhop, Prieſt, Jeſuit, or Schoolmaſter, who ſhall not have taken and ſubſcribed the above Oath in the above Words before he ſhall have been apprehended or any Proſecution commenced againſt him.

This Act not to extend to any Popiſh Biſhop, &c. who ſhall not have taken the ſaid Oath before he was apprehended, &c.

## CAP. LXI.

An Act for repealing certain Proviſions in two Acts, made in the firſt Year of the Reign of Queen *Anne*; one intituled, *An Act for the Relief of the Proteſtant Purchaſers of the forfeited Eſtates in* Ireland; and the other intituled, *An Act for advancing the Sale of the forfeited Eſtates in* Ireland, *and for veſting ſuch as remain unſold by the preſent Truſtees in her Majeſty, her Heirs and Succeſſors, for ſuch Uſes as the ſame were before veſted in the ſaid Truſtees; and for the more effectual ſelling and ſetting the ſaid Eſtates to Proteſtants; and for explaining ſeveral Acts relative to the Lord* Bophin *and Sir* Redmond Everard.

Preamble.

'WHEREAS by an Act, paſſed in the firſt Seſſion of the firſt Year of Queen *Anne*, intituled, *An 'Act for the Relief of the Proteſtant Purchaſers of the forfeited Eſtates in* Ireland, it is enacted, That 'all Diſpoſitions and Sales of the ſeveral Lands, Tenements, and Hereditaments, Eſtates and Intereſts, 'therein mentioned, which had been then ſold or contracted for, or ſhould be thereafter ſold, by the 'Truſtees therein mentioned, ſhould be made to Proteſtants only; and that every Papiſt, or Perſon pro-'feſſing the Popiſh Religion, ſhould be diſabled and made incapable to take any Part thereof, or any 'Intereſt in or out of the ſame; and that all Conveyances and Declarations of Truſt to any Papiſt, or 'Perſon profeſſing the Popiſh Religion, concerning the ſame, ſhould be void and of none Effect; and 'that no ſuch Papiſt, or Perſon profeſſing the Popiſh Religion, during his continuing to be ſuch, ſhould 'be capable to inherit, take, or make Title to, by Deſcent, Purchaſe, Limitation, Deviſe, or other 'Conveyance, or to have, hold, or enjoy, any of the ſaid Lands, Tenements, and Hereditaments, Eſtates 'or Intereſts, or any Truſt or Intereſt therein; and that if any Perſon profeſſing the Popiſh Religion, or 'educated in the ſame, and not having ſolemnly and publickly renounced it, being of full Age, ſhall not, 'within the Space of ſix Months after the accruing of his or her Title, or, being under the Age of 'eighteen Years, ſhall not, within ſix Months after he or ſhe ſhall attain the Age aforeſaid, take the Oath 'of Allegiance and Supremacy, and ſubſcribe the Declaration in the ſaid Act mentioned, and continue to 'be a Proteſtant, every ſuch Perſon ſhall be diſabled to inherit or take by Deſcent, Deviſe, or Limitation, 'or Purchaſe, any of the ſaid Eſtates or Intereſts, or any Truſt or Intereſt in or out of the ſame; but that, 'during the Life of ſuch Perſon, or till his Conformity, the next of his Kindred who ſhall be a Pro-'teſtant ſhall have and enjoy the Premiſes, without being accountable for the Profits; and that all Leaſes

Recital of an Act of 1 Annæ, Seſſ. 1.;

'for.

'for Lives or Years, or otherwiſe, to be made of any of the ſaid Premiſes, ſhall be made to ſuch Perſons 'only as are of the Proteſtant Religion: And if any ſuch Leaſe ſhall be made to, or in Truſt for, any Pa- 'piſt, or Perſon profeſſing the Popiſh Religion; or if any ſuch Leaſe be made to a Proteſtant, and the 'ſame ſhall be afterwards aſſigned to, or in Truſt for, a Papiſt, or Perſon profeſſing the Popiſh Religion, 'every ſuch Leaſe and Aſſignment ſhall be void, and the Perſon making ſuch Leaſe or Aſſignment, and the 'Perſon to whom, or for whoſe Uſe or Benefit, the ſame ſhall be made (in caſe of Acceptance), ſhall for- 'feit treble the full Value of the ſaid Lands ſo aſſigned and accepted: And whereas the ſaid ſeveral Prohi- 'bitions and Penalties were re-enacted and further enforced, by an Act paſſed in the ſecond Seſſion of the 'firſt Year of her Majeſty Queen *Anne*, intituled, *An Act for advancing the Sale of the forfeited Eſtates in* 'Ireland; *and for veſting ſuch as remain unſold by the preſent Truſtees in her Majeſty, her Heirs and Succeſſors,* '*for ſuch Uſes as the ſame were before veſted in the ſaid Truſtees; and for the more effectual ſelling and ſetting* '*the ſaid Eſtates to Proteſtants; and for explaining ſeveral Acts relative to the Lord* Bophin *and Sir* Redmond 'Everard:' May it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid herein-recited Acts, paſſed in the firſt Year of the Reign of her late Majeſty Queen *Anne*, ſo far as they prohibit, diſqualify, or diſable any Papiſt, or Perſon profeſſing the Popiſh Religion, from taking, holding, or enjoying, any Eſtate, Right, Title, Intereſt, Claim, Property, or Demand, of, to, or in, any of the Lands, Tenements, Hereditaments, Eſtates, or Intereſts, in the ſaid Acts mentioned; or which inflict any Penalty on the Perſon making or accepting any Intereſt in the ſame, ſhall, from and after the paſſing of this Act, be repealed, and ceaſe and be void to all Intents and Purpoſes whatſoever.

Which was further inforced by an Act of the ſame Year, Seſſ. 2.

The recited Acts in Part repealed.

## CAP. LXII.

An Act to continue an Act, made in the ſixteenth Year of his preſent Majeſty, intituled, *An Act to authorize, for a limited Time, the Puniſhment, by hard Labour, of Offenders, who, for certain Crimes, are or ſhall become liable to be tranſported to any of his Majeſty's Colonies and Plantations.* [*Continued till June* 1, 1779.]

## CAP. LXIII.

An Act for enabling Truſtees under particular Turnpike Acts, to meet and carry ſuch Acts into Execution, notwithſtanding they may not have met or adjourned agreeable to the Directions of ſuch Acts; and for preventing Diſputes touching the Payment of Tolls for Horſes or Carriages belonging to or employed by Officers or Soldiers on Duty.

Preamble.

'WHEREAS it has happened, and may hereafter happen, that the Truſtees appointed, or to be 'appointed, by Act of Parliament, for amending or repairing particular Turnpike Roads, have 'omitted, or may omit, to meet or adjourn in the Manner directed by ſuch Acts reſpectively, or that the 'Day or Days, appointed for the Firſt Meeting of the Truſtees, has or have elapſed, or may elapſe, before 'the paſſing of ſuch Acts reſpectively, whereby the Intent of ſuch reſpective Acts hath been or may be 'fruſtrated;' for Remedy whereof, be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That in all Caſes where the Truſtees, appointed, or to be appointed, by any Act or Acts of Parliament, made or to be made, for amending or repairing any particular Turnpike Roads, ſhall not have met, or ſhall not meet, on the Day or Days appointed, or to be appointed, for their Firſt Meeting, by any ſuch Act or Acts reſpectively, or on any Day or Days appointed, or to be appointed, by Adjournment, for their Meeting, or have not adjourned, or ſhall not adjourn, in the Manner directed by any ſuch Act or Acts of Parliament, or when the Day appointed, or to be appointed, for the Firſt Meeting of the Truſtees, has elapſed, or may elapſe, before the paſſing of ſuch Act or Acts; it ſhall and may be lawful for any five or more of the Truſtees appointed to execute ſuch Act or Acts reſpectively, in any or either of the Caſes aforeſaid, to cauſe Notice, under their Hands, to be affixed on all the Turnpike Gates which ſhall be then erected on ſuch Roads reſpectively; or, if no Turnpike Gate ſhall be then erected, to cauſe the like Notice to be affixed in ſome conſpicuous Place, in one of the Market-towns near the Roads directed to be repaired as aforeſaid, and alſo to be publiſhed in ſome Newſpaper circulated in that Part of the Country, at leaſt twenty Days before the intended Meeting, appointing the Truſtees to meet at the Place where the laſt preceding Meeting was appointed to have been held, or at the Place directed for the Firſt Meeting of ſuch Truſtees, if no preceding Meeting ſhall have been held; and the ſaid Truſtees, when met in purſuance of ſuch Notice, ſhall and may, and they are hereby empowered to carry ſuch Act or Acts into Execution, in the ſame and as full and ample a Manner, to all Intents and Purpoſes, as they might or could have done, if no ſuch Neglect or Omiſſion had happened, or ſuch Act or Acts had been paſſed previous to the Day or Days appointed for the Firſt Meeting of the Truſtees reſpectively, and ſuch Truſtees had met on ſuch Day or Days according to ſuch Appointment.

In caſe the Truſtees under any Act for repairing Turnpike Roads ſhall neglect to meet on the Day appointed, &c. any five Truſtees may appoint a Meeting.

'II. And whereas Diſputes have ariſen with reſpect to the Exemptions meant to be allowed, by ſeveral 'Acts of Parliament for repairing of public Roads within this Kingdom, for the Horſes of Officers and 'Soldiers upon their March or Duty, and for Carriages attending them;' in order to prevent ſuch Diſputes for the future, be it enacted and declared by the Authority aforeſaid, That no Toll or Duty whatſoever ſhall be demanded or taken, by virtue of any Act of Parliament already made, or hereafter to be made, for repairing any of the public Roads within this Kingdom, for or in reſpect of any Horſes belonging to Officers or Soldiers upon their March or upon Duty, or for any Horſes, Cattle, or Carriages, employed in carrying

Carriages and Cattle employed in carrying the Arms or Baggage of Officers or Soldiers on their March,

carrying or conveying the Arms or Baggage of any such Officers or Soldiers, or in carrying any sick, wounded, or disabled Officers or Soldiers; and no Carriages so employed shall be subject to be weighed at any Engine erected, or to be erected, upon any Turnpike Road, or the Owner or Driver thereof liable to any Penalty or Forfeiture for carrying any greater Weight than is or may be allowed by Law to be conveyed in any such Carriage, any Act of Parliament made or to be made to the contrary hereof notwithstanding.

&c. exempted from Tolls. Such Carriages not liable to be weighed.

## CAP. LXIV.

An Act for enabling his Majesty to raise the Sum of one million, for the Uses and Purposes therein mentioned.

## CAP. LXV.

An Act for settling and securing a certain Annuity on the Earl of *Chatham*, and the Heirs of the Body of the late *William Pitt* Earl of *Chatham*, to whom the Earldom of *Chatham* shall descend, in Consideration of the eminent Services performed by the said late Earl to his Majesty and the Public.

'*Most Gracious Sovereign*,

'WHEREAS we, your Majesty's most dutiful and loyal Commons, did unanimously address ourselves to your Majesty, humbly to beseech your Majesty that you would be graciously pleased to bestow some signal and lasting Mark of your Royal Favour, on the Family of the late *William Pitt* Earl of *Chatham*, and to assure your Majesty, that whatever, from your Princely Goodness, your Majesty should think proper to be granted, this House, animated by the Gratitude which they, in common with the rest of your Majesty's Subjects, feel towards the Memory of that upright and disinterested Minister, and ambitious of giving a Testimony of their Approbation to that public Virtue and spirited Conduct which directed the Councils of this Country in the last glorious and successful War, would, with the greatest Chearfulness, make good to your Majesty; to which Address, your Majesty was pleased to return this most gracious Answer; That your Majesty would take the same into your Consideration, and that you would do therein what should appear to your Majesty to be most proper, agreeable to the Desire of your faithful Commons; and also, by your Majesty's most gracious Message, to declare, That your Majesty, being desirous to comply, as speedily as possible, with the said Request of your faithful Commons, had given Directions for the granting to the present Earl of *Chatham*, and to the Heirs of the Body of the late *William Pitt*, to whom the Earldom of *Chatham* shall descend, an Annuity of four thousand Pounds *per Annum*, out of the Civil List Revenue; but that your Majesty, not having it in your Power to extend the Effects of the said Grant beyond the Term of your Majesty's Life, recommended it to the House to consider of a proper Method of extending, securing, and annexing the same to the Earldom of *Chatham*, in such Manner as should be thought most effectual for the Benefit of the Family of the said *William Pitt* Earl of *Chatham*:' We, your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain*, in Parliament assembled, duly considering your Majesty's most gracious Intention, do most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in Lieu of the said Annuity of four thousand Pounds *per Annum*, so directed to be granted to the present Earl of *Chatham*, and to the Heirs of the Body of the late *William Pitt*, to whom the Earldom of *Chatham* shall descend, as aforesaid, one Annuity or yearly Rent or Sum of four thousand Pounds of lawful Money of *Great Britain*, shall be issuing and payable out of, and charged and chargeable upon, the Duties and Revenues which compose the Fund commonly called *The Aggregate Fund*, and every or any of them (after paying, or reserving sufficient to pay, all such Sum and Sums of Money as have been directed by any former Act or Acts of Parliament to be paid out of the same, but with Preference to all other Payments which shall or may hereafter be charged upon, or payable out of, the said Aggregate Fund); and the same shall from Time to Time be paid quarterly, in Manner and Form following; that is to say, To *John* now Earl of *Chatham*, and to the Heirs Male of the Body of the late *William Pitt* Earl of *Chatham* begotten, to whom the said Title, Honour, and Dignity of Earl of *Chatham* shall descend; which said Annuity or yearly Rent or Sum shall commence and take Effect from the fifth Day of *July*, in the Year of our Lord one thousand seven hundred and seventy-eight, and shall be paid and payable at the four usual Days of Payment in the Year, that is to say, the tenth Day of *October*, the fifth Day of *January*, the fifth Day of *April*, and the fifth Day of *July*, by even and equal Portions; the first Payment thereof to be made at the tenth Day of *October*, in the Year of our Lord one thousand seven hundred and seventy-eight.

Preamble.

An Annuity of 4,000 l. per Annum to be paid, out of the Aggregate Fund, to John Earl of Chatham, and the Heirs Male of the late William Pitt Earl of Chatham, to whom the said Title shall descend.

The said Annuity to be paid quarterly.

First Payment on Oct. 10, 1778.

II. Provided always, and be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said *John* Earl of *Chatham*, and the Heirs Male of the Body of his Father, the said late *William* Earl of *Chatham*, for the Time being, to whom the said Annuity or yearly Rent or Sum shall descend, being at the Age of twenty-one Years, or above, by any Deed or Deeds in Writing to assign, limit, or appoint, any Part of the said Annuity or yearly Rent or Sum, not exceeding the Sum of one thousand Pounds yearly, by way of Jointure or Provision for any Woman or Women which he or they respectively shall happen to marry or take to Wife, for the Life or Lives of such Wife or Wives; but that the said Annuity shall not be charged or chargeable with more than one such Jointure at any one Time.

The Earl of Chatham, &c. empowered to charge the said Annuity with a Jointure of 1,000 l. yearly.

Commissioners of the Treasury to sign Warrants for Payment of the said Annuity quarterly, without any Fees.

III. And it is hereby further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Commissioners of his Majesty's Treasury now being, and the High Treasurer and Under-treasurer of the Exchequer and Commissioners of the Treasury for the Time being, and they are hereby authorised and required, by Warrant under their Hands, to direct the Auditor of the Receipt of the Exchequer, now and for the Time being, to make forth and pass Debentures, from Time to Time, for paying the said Annuity or yearly Rent or Sum of four thousand Pounds, as the same shall, from Time to Time, become due and payable, without any Fees or Charges to be demanded or taken for paying the same, or any Part thereof; which said Warrant, and the Debentures to be made forth and passed thereupon, shall be a sufficient Authority to the several and respective Officers of the Receipt of the Exchequer, now and for the Time being, for the Payment of the said Annuity or yearly Rent or Sum to the said *John* Earl of *Chatham*, and the Heirs Male of the Body of the said late *William* Earl of *Chatham* begotten as aforesaid, or to such other Person or Persons as shall be intitled to receive any Part of the said Annuity as aforesaid, at the respective quarterly Feast Days in this Act before appointed for Payment thereof, without any further or other Warrant, to be sued for, had, or obtained in that Behalf.

Such Warrants, after signed, to be valid, notwithstanding the Demise of his Majesty, &c.

IV. And it is hereby further enacted by the Authority aforesaid, That, after signing of such Warrant, the same shall be good, valid, and effectual in Law, according to the Purport and true Meaning thereof, and of this Act; and shall not be determinable or revocable by or upon the Demise of his Majesty (whom God long preserve), or of any of his Heirs or Successors, or by or upon the Death or Removal of any of the said Commissioners of the Treasury, or the Lord High Treasurer, or by or upon the Determination of the Power, Office, or Offices, of them, or any of them.

Commissioners of the Treasury, &c. without Fee or Reward, to do all Things necessary to render this Act effectual.

V. And be it further enacted by the Authority aforesaid, That the Commissioners of the Treasury now being, and the High Treasurer of the Treasury for the Time being, Chancellor and Under-treasurer, Chamberlains and Barons of the Exchequer, and all other the Officers and Ministers of the Court of Exchequer, and of the Receipt thereof, now and for the Time being, shall, and they are hereby authorised and strictly enjoined and required to do, without Fee or Reward, all such Acts, Matters, and Things, as are herein-before directed and required, or shall be necessary to be done and performed by them, or any or either of them, in order to render this Act, and the several Payments hereby directed, effectual.

Receipt of the Earl of Chatham, &c. shall be a sufficient Discharge. The Annuity to be Tax-free. If Officers of the Exchequer shall refuse to pay the Annuity on Demand, &c. they may be prosecuted for the same.

VI. And be it enacted by the Authority aforesaid, That the Acquittance or Acquittances, Receipt or Receipts, of the said *John* Earl of *Chatham*, and the Heirs Male of the Body of the said late *William* Earl of *Chatham*, and of such other Person or Persons as shall be intitled or authorised to receive the said Annuity or yearly Rent or Sum, or any Part thereof, shall be a good and sufficient Discharge for the Payment thereof, without any further or other Warrant to be sued for or obtained in that Behalf; and that the said Annuity or yearly Rent or Sum, and every Part thereof, shall be free and clear from all Taxes, Impositions, and other public Charges whatsoever: And in case any of the Officers of the Receipt of his Majesty's Exchequer shall refuse or neglect to pay the said Annuity or yearly Rent or Sum, or any Part thereof, according to the true Intent and Meaning of this Act, or to do any Act necessary to enable the said *John* Earl of *Chatham*, and the Heirs Male of the Body of the said *William* late Earl of *Chatham*, and such other Person or Persons as shall be intitled to receive the said Annuity, or any Part thereof, to receive the same, then the said *John* Earl of *Chatham*, and the Heirs Male of the Body of the said *William* late Earl of *Chatham*, and such other Person or Persons as shall be intitled to receive the said Annuity or yearly Rent or Sum, or any Part thereof, may from Time to Time sue, prosecute, and implead, such Officers, or any of them, their Executors and Administrators, by Bill, Plaint, or Action of Debt, and shall or may recover Judgments, and sue out Executions thereupon, against such Officers respectively, their Heirs, Executors, or Administrators, for so much of such Sum or Sums of Money then due and owing upon the said Annuity, yearly Rent, or Sum, or any Part thereof, as shall have been in the Hands of the Officer or Officers of the Receipt of the Exchequer, at the Time or Times when Demands shall have been legally made of the Payment of the said Annuity, yearly Rent, or Sum, or any Part thereof, as aforesaid, or for the Refusal or Neglect to do any Act necessary to be done by such Officer or Officers respectively.

The Annuity vested in John Earl of Chatham, &c. and not to be aliened or incumbered for any longer Term than the Life of the Party; except in making Jointures. Public Act.

VII. And be it further enacted by the Authority aforesaid, That the said Annuity, yearly Rent, or Sum of four thousand Pounds, shall be, and the same is by this Act vested in the said *John* Earl of *Chatham*, and the Heirs Male of the Body of the said late *William* Earl of *Chatham*, to whom the said Title, Honour, and Dignity of Earl of *Chatham* shall descend; and that the same, or any Part thereof, shall not at any Time or Times hereafter be aliened, conveyed, disposed, charged, or incumbered, by the said *John* Earl of *Chatham*, or by any of the Heirs Male of the said late *William* Earl of *Chatham*, for any greater or larger Estate or Time than during the natural Life of the Person so aliening, conveying, disposing, charging, or incumbering the same, or so as to prevent the same from descending to the Heirs Male in Tail, according to the Limitation aforesaid, other than, and according to, and in pursuance of, the Power for making such Jointures as aforesaid.

VIII. And be it declared and enacted by the Authority aforesaid, That this Act shall be adjudged, deemed, and taken, in all Cases, and in all Courts and Places, to be a public Act.

## CAP. LXVI.

An Act for making proper Drains and Sewers, for the Purpose of carrying off the Water, from the Prebendal Estate of *Halliwell* and *Finsbury*, in the Suburbs of the City of *London*; and for other Purposes therein mentioned.

## CAP. LXVII.

An Act for authorising the Justices of the Peace for the County of *Middlesex* to sell the present Session-house for the said County, and for enabling them to build another Session-house in a more convenient Situation,

tuation, and to keep the same in Repair; and for applying the Sum of eleven thousand Pounds (to be borrowed upon the Credit of the Surplusses of a certain Fund, commonly called *The Orphans Fund*) towards defraying the Expence of building the said Session-house.

## CAP. LXVIII.

An Act for building a Bridge across the River *Tawey*, at a Place called *The Wich Tree*, in the Parish of *Llansamlett*, to the opposite Shore in the Parish of *Llangevelach*, in the County of *Glamorgan*; for making proper Avenues or Roads to and from the said Bridge; and also for repairing and widening the Road from *Pentre-brook*, near a Place called *Aberdwyberthy*, in the Parish of *Saint John's*, near *Swansea*, to the said intended Bridge.

## CAP. LXIX.

### An Act for repairing the Highways and Bridges in the County of *Stirling*.

Preamble.

'WHEREAS the Powers granted by Law in *Scotland* relative to Highways and Bridges, and the 'Services in Work and Money which are thereby authorised to be exacted and levied, have been 'found insufficient to amend and keep in Repair the Roads and Bridges within the County of *Stirling*; and 'that other and further Powers are necessary, in order effectually to carry the Intention of the said Laws 'into Execution;' and as this cannot be obtained without the Aid of Parliament; may it please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, for the more easy and effectual Execution of the Powers granted by this Act, the said County shall be divided into eight Districts, as follows; *videlicet*, The first District, comprehending the Parishes of *Buchanan*, *Drymen*, *Balfron*, *Killearn*, *Strathblane*, and *Fintry*, the Place of Meeting being *Killearn*: The second District, comprehending the Parishes of *Campsey*, *Baldernock*, *Kilsyth*, and *Kilpatrick*, the Place of Meeting being *Kilsyth*: The third District, comprehending the Parishes of *Denny* and *Dunipace* (excepting the Lands of *Torwoodhead*), the Lands of *Auchenbowie*, *Canglors*, *Bannockburn*, *Plean*, *Shiock*, *Garcleush*, *Blackhill*, *Sauchie*, *Chartershall*, *Polmaise*, *Balquhiderock* on the East Side of *Saint Ninian's Burn*, the Lands of *Greenyards*, Easter and Wester, in the Parish of *Saint Ninians*, the West Barony of *Callander*, *Seabegs*, and *Castlecary*, in the Parish of *Falkirk*, the Place of Meeting being *Denny*: The fourth District, comprehending the Parishes of *Stirling*, *Gargunnock* and *Kippin*, *Saint Ninian's*, on the West of *Saint Ninian's Burn*, the Lands of *Dundaff*, *Craigengelt* and *Gringates*, in the said Parish of *Saint Ninians*, the Place of Meeting being *Stirling*: The fifth District, comprehending the Parish of *Alva*, the Place of Meeting being *Alva*: The sixth District, comprehending the Parishes of *Logie*, and *Lecropt*, the Place of Meeting being *Logie*: The seventh District, comprehending the Parishes of *Polmont*, *Slamannan*, *Muiravonside*, and the Lands of the East Barony of *Callander*, in *Falkirk* Parish, the Place of Meeting being *Lauriestion*: And the eighth District, comprehending the Parish of *Falkirk* (excepting as aforesaid), the Parishes of *Airth*, *Larbert* and *Bothkennar*, and the Lands of *Torwoodhead*, in the Parish of *Dunipace*, the Lands of *Powhouse*, *Carnock*, *Kersey*, *Cowie*, *Bolfornought*, *Throsk*, *Poppletrees*, and the two *Bandeaths*, in the Parish of *Saint Ninians*, the Place of Meeting being *Falkirk*.

The Shire to be divided into Eight Districts.

The aforegoing Division may be altered at any General Meeting before that of 1780.

II. Provided always, That the aforegoing Division of the County into Districts, and Places of Meeting, shall be subject to any future Alteration by any general Meeting of the Trustees under this Act, which shall be held at any Time before the annual general Meeting in the Year one thousand seven hundred and eighty, and not afterwards: Provided always, That Notice of any intended Proposition for such Alteration of the Districts, at any annual Meeting, shall be delivered, in Writing, to their Clerk, and advertised by him in the *Edinburgh Caledonian Mercury*, once every Week, for three Weeks before such annual Meeting

Qualification of Trustees.

III. And be it enacted by the Authority aforesaid, That all and every Person, who is at present, or shall be at any Time after the passing of this Act, in his own Right, or in the Right of his Wife, in the actual Possession and Enjoyment, as Proprietor or Life-renter, of Lands lying in the County of *Stirling*, valued in the Cess Book of the said County at one hundred Pounds *Scots* of valued Rent, and the eldest Son of every Person possessed of two hundred Pounds of valued Rent as above; and the Chief Magistrate of the Town of *Stirling* for the Time being, and one Master of each Hospital, in the said Town of *Stirling*, for the Time being, shall be, and they are hereby nominated and appointed Trustees for making and repairing the Highways, Roads, and Bridges, within the said County, and for executing all other the Powers by this Act given and granted.

Penalty on Persons acting without the necessary Qualifications.

IV. And be it enacted by the Authority aforesaid, That if any Person not qualified as aforesaid shall act as a Trustee, every such Person shall, for such acting, forfeit the Sum of twenty Pounds Sterling, to be applied for Reparation of the Roads lying within that District in which he has acted, deducting therefrom the Expence of the Prosecution, which may be raised and carried on at the Instance of any one of the Trustees, before the Justices of Peace of the County, as herein-after mentioned.

Time and Place of Meeting, and Order of Proceeding.

V. And be it enacted by the Authority aforesaid, That the said Trustees, or any seven or more of them, shall, in order to carry this present Act into Execution, meet at *Stirling*, upon the eighth Day of *June*, one thousand seven hundred and seventy-eight; and thereafter yearly upon the same Day, and at the same Place, that the Commissioners of Supply for the said County of *Stirling* shall be directed, by the Land Tax Act of the Year then current, to assemble for the Purposes of assessing the Land, and of choosing a Conveener, Collector, and Clerk; and that the said Trustees so assembled, at the aforesaid general Meeting, shall have Power, and are hereby empowered to adjourn to the next, or any after lawful Day, if they shall see Cause so to do, and to name a Preses or Chairman of their Meeting, and a Clerk during Pleasure, who shall attend the Meetings of the said Trustees, and shall enter their whole Proceedings regularly in a Book to be kept for that Purpose; and likewise shall, as often as required, by any Person or Persons having

an Intereſt in the ſame, make and give out Copies or Extracts of the Orders or Proceedings of the Truſtees within three Days after ſuch Requiſition (at ſuch certain moderate Fee for the ſame, as ſhall be fixed by the ſaid Truſtees in a general Meeting aſſembled); and that ſuch Copies or Extracts ſhall contain the Warrant for putting theſe Orders into Execution; and that the ſaid Truſtees, in their firſt general Meeting or adjourned Meeting aforeſaid, and in all their ſubſequent annual general Meetings or adjourned Meetings aſſembled, ſhall have Power, and they are hereby empowered and required to nominate and appoint one or more of their own Number to act, without Salary, as Surveyor or Surveyors in any of the Diſtricts aforeſaid, in which his Qualification lies; and at the ſaid general Meetings the ſaid Truſtees ſhall alſo appoint early and convenient Times and Places for the firſt Meetings in each Year of the Truſtees within the reſpective Diſtricts before mentioned; and that the Truſtees, at ſuch Diſtrict Meetings aſſembled, ſhall have Power afterwards to adjourn as they ſhall ſee Cauſe.

A Surveyor to be appointed.

Truſtees to have the Superintendence of the Roads and Bridges.

VI. And be it enacted by the Authority aforeſaid, That the Truſtees of the different Diſtricts ſhall (under the Reſtrictions after-mentioned) ſuperintend, and have the Direction and Cognizance of the ſeveral Roads and Bridges within their reſpective Diſtricts, and ſhall have Power to appoint the Order in which the ſame ſhall be made or repaired, and to appropriate the Services and Monies to be exacted and raiſed, by virtue of this Act, from each Diſtrict, within ſuch their reſpective Diſtrict only; and that the ſaid Truſtees, in ſuch Diſtrict Meetings aſſembled, ſhall be, and are hereby empowered to appoint a Preſes or Conveener, and if neceſſary a Depute Clerk for each Diſtrict, and to adjourn from Time to Time; and that the Preſes or Conveener of ſuch reſpective Diſtrict Meetings, ſhall have Power, and he is hereby empowered and required, to call Meetings of the Truſtees for the ſaid Diſtrict, as often as he ſhall be required ſo to do by any two Truſtees within ſuch Diſtrict, upon ten Days previous Notice to be given at the Church Doors within the Diſtrict; and in caſe any Difference of Opinion in ſuch Diſtrict Meeting ſhall ariſe among the ſaid Truſtees, concerning the Application of the Services or Money, any one of the Truſtees who ſhall either think himſelf aggrieved, or ſhall think ſuch Application improper, may complain to the next annual general Meeting, giving eight Days Notice in Writing, to the Clerk of the Diſtrict Meeting, of his Intention to bring an Appeal, and the Matter thereof, which annual general Meeting ſhall have Power, and is hereby empowered to hear and determine the ſame; but the Works ſhall, notwithſtanding, proceed as directed by the Majority of the Diſtrict Meeting, until the Determination of ſuch Appeal; and it ſhall be lawful for any one Truſtee to act at a Diſtrict Meeting, in caſe the other Truſtees do not attend; and that all Meetings under the Authority of this Act ſhall begin to be held at Mid-day, and not earlier, and that each Member ſhall defray his own Expence, but without diſabling or reſtraining the ſaid Truſtees from making and giving a reaſonable Allowance to Collectors, Clerks, and Overſeers, for their Trouble.

Parties aggrieved may appeal to the next annual General Meeting.

Overſeers to be appointed, &c.

VII. And be it alſo enacted by the Authority aforeſaid, That the ſaid Truſtees, in Diſtrict Meetings aſſembled, ſhall have Power, and are hereby empowered to appoint Overſeers within their reſpective Diſtricts, and to remove or diſmiſs them, and appoint others as they ſhall find neceſſary, and that the ſaid Overſeers may, by a Juſtice of the Peace of the Bounds, be made Conſtables, for the ſpecial Purpoſe of acting as Conſtables in the Buſineſs of the Highways and Roads, and for that Purpoſe only; and any Perſon refuſing to accept of the Office of Overſeer, ſhall forfeit the Sum of three Pounds Sterling.

Treaſurers to give Security.

VIII. And be it further enacted by the Authority aforeſaid, That the Treaſurer or Treaſurers appointed by the ſaid Truſtees, ſhall give Security to the Amount at leaſt of one Year's Receipt.

18 s. Sterling on each 100 l. Scots of valued Rent, or 12 s. on each Ploughgate, may be levied in Lieu of Statute-work.

IX. And be it further enacted by the Authority aforeſaid, That, from and after the paſſing of this Act, the Statute-work, in Whole or in Part, in the Option of the Truſtees of each Diſtrict, ſhall be converted by an Aſſeſſment on the valued Rent, or on the Ploughgate, as the ſame ſhall be aſcertained and determined by them at their annual Meetings for that Purpoſe, variable according to the Condition of the Roads in the Diſtrict, but ſo as not to exceed eighteen Shillings Sterling on each one hundred Pounds *Scots* of valued Rent, or twelve Shillings Sterling on each Ploughgate, and ſo in Proportion for a larger or ſmaller Valuation or Quantity of Land; and the Truſtees in each Diſtrict, who make Choice of the latter Mode of Aſſeſſment, ſhall make up a Liſt of the Ploughgates therein, and each Eſtate and Farm ſhall be held to contain as many Ploughgates, as the Arable and Paſture Lands might reaſonably keep of Ploughs, if under Tillage; and the Truſtees are hereby empowered to take ſuch Proof as they ſhall think neceſſary for aſcertaining the Number of Ploughgates; and that Copies of ſuch Liſts as are made up by them ſhall be tranſmitted to the Clerk of the general Meeting, and entered in the Books to be kept by him; and if any Perſon thinks himſelf aggrieved hereby, he may complain to the next Quarter Seſſion for Redreſs.

Perſons aggrieved may appeal to the Quarter-Seſſion.

Who are to be ſubjected to the Regulations and Aſſeſſments.

X. And be it enacted by the Authority aforeſaid, That all Heritors, in the natural Poſſeſſion of their own Lands, as well as Tenants and Sub-tenants, ſhall be ſubjected to the Regulations and Aſſeſſments aforeſaid: Provided always, That Graſs Grounds let without Liberty of Tillage, and Grounds let for Tillage for any Term not exceeding three Years, without a Leaſe or tacit Relocation following on a Leaſe, ſhall be held to be in the natural Poſſeſſion of the Heritor.

Three Days Work for each Horſe and Cart, or 3 s. Sterling for each Horſe.

XI. And be it enacted by the Authority aforeſaid, That every Perſon not otherwiſe hereby aſſeſſed, who ſhall keep Carts or other Carriages, for drawing Coal or Lime, or any Commodities or Goods whatever, ſhall be ſubject and liable in three Days Work of each Horſe and Cart ſo employed by him, her, or them; or, in the Option of the Truſtees, in a Sum not exceeding three Shillings Sterling for each Horſe kept by them.

Cottagers, Tradeſmen, &c. to perform ſix Days Work, or to pay 2 s. Sterling each Perſon.

XII. And be it further enacted by the Authority aforeſaid, That all Cottagers, Houſeholders, Labourers, and Tradeſmen, not being Servants hired by the Year, nor liable to ſend out Carts or Wains, ſhall be obliged, when required, to perform ſix Days Work annually on the Highways by themſelves, or by proper Perſons employed by them; or, in their Option, to pay two Shillings Sterling each Perſon for the ſaid ſix Days Work.

XIII. And be it further enacted by the Authority aforesaid, That all Miners, Colliers, Salters, Nailers, and Workmen at Furnaces, of the Age of twenty-one Years and upwards, shall perform six Days Work on the Highways annually, when required, by themselves, or by proper Persons employed by them; or, in the Option of the Proprietors, Lessees or Tacksmen of such Mines, Coal-works, Salt-works, Nail-works, or Furnaces, where they are employed, shall pay two Shillings Sterling for each Person above described; and that the Money arising therefrom be laid out on such public Roads within the District, as the Proprietors of such Works when carried on by themselves, or the Tacksmen when let, shall think most advantageous for their respective Works; and that the Money shall be laid out under the Inspection of two or more Trustees appointed by this Act, not having Interest in the said Works, appointed by the District in which they are situated; and it is hereby declared, that all those who are liable to perform Services in Terms of this Act, shall be obliged to perform the same when required (Seed-time and Harvest excepted): Provided nevertheless, That no Person shall be obliged to perform Statute-work on any Road at a greater Distance than four measured Miles from his or her Place of Residence; and that it shall be lawful for the Trustees, in their annual District Meeting assembled, to free or exempt from any Part of the said Work, or Payment of the Conversion thereof, all such Persons as shall appear to them to be in indigent Circumstances, or unable to perform the same.

Miners, Colliers, Salters, &c. to perform six Days Work, or pay 2s. Sterling.

No Person to perform Statute-work more than four Miles from his Residence.

XIV. And be it enacted by the Authority aforesaid, That every Person liable in such Statute-work as aforesaid, who shall neglect or refuse to perform the same, or to make Payment of the converted Prices thereof when required (within ten Days after such Requisition made to them, either personally or at their Dwelling-houses, or by Advertisements at the Parish Churches on a *Sunday*), shall be liable in Manner following; *videlicet*, Each Person failing to perform the Statute-work, or to pay the Conversion, shall be liable in double the Sum at which his Service or Labour shall be converted; and that the Whole of these Conversions in Money shall be levied in virtue of a Warrant under the Hand of any one Justice of the Peace of the said County, proceeding upon the Oath of the Collector or Overseer, that such Person has not paid, or has been absent; and that such Warrants shall contain Authority for arresting the said Person's Effects, and for poinding and distraining the same; and that the Officer to whom the same shall be directed, shall summarily seize and distrain the readiest Goods or Effects of the said Person, and shall, at the End of three Days after such Distress, sell the same by public Roup or Auction, to the highest Offerer, at the next Town or Village to the Ground of the Lands upon which such Distress was made, for Payment of the Sum for which such Person or Persons shall respectively be liable, and of the necessary Charges, rendering the Overplus to the Owner; and that no Suspension, Appeal, Complaint, or Action, shall stop the Performance of the Statute Services, or Payment of the converted Prices thereof, or Duty of valued Rent, for that Year in which they have been appropriated: Saving always nevertheless to the Parties their Redress, either from the Persons by whom they shall have been aggrieved, or out of their several Duties, Services, and Conversions, for the Year next after the Determination of the Cause.

Penalty on Persons liable, neglecting to perform the Work or pay the Conversion.

XV. Provided always, That if it shall appear that the Statute-work, or Conversions thereof, or any Part of the same, in any District, have not been applied, the Trustees at their next general Meeting shall have Power, and are hereby required to order the Conversion of the unapplied Statute-work of such deficient District, to be applied in any of the other Districts where the general Meeting shall judge most necessary.

How the Money levied and unapplied is to be disposed of.

XVI. And be it also further enacted by the Authority aforesaid, That the respective District Meetings shall annually, on or before the last *Tuesday* of *March*, make up an exact and regular Report, containing an Account of the whole Money received and expended on the Highways and Bridges; and also of the Number of Persons who have performed Statute-work, or paid the Composition for the same, the Work performed, and the Offences committed, for the preceding Year, within the District under their Direction respectively; and that such Report, signed by the Preses and Clerk of the respective District Meetings, shall be transmitted by the said Clerk to the Clerk of the general Meeting, to be held at *Stirling* at least eight Days before the annual general Meeting, and shall by the Clerk of the general Meeting be entered in his Book, and laid before the Trustees at their said Meeting; and that in case of Failure to make out and transmit such Report, the Preses and Clerk of the District Meeting so failing shall each be liable in a Penalty or Fine of five Pounds Sterling for each Offence, to be levied by Distress in Manner before mentioned.

The several Districts to make up their Accounts annually.

XVII. And be it further enacted by the Authority aforesaid, That the said Overseers (after having first obtained Warrant for so doing, under the Hand of one or more Justice or Justices of the Peace) shall be, and are hereby empowered, to take out of any Lands that shall appear to them most proper and convenient (other than Gardens, Orchards, planted Walks, Lawns, or Pleasure Grounds), Stones, Sand, Gravel, and other Materials, for making and repairing the said Roads, doing the least Damage possible, and making Satisfaction to the Owner or Occupier of the Ground, the Amount of such Satisfaction to be ascertained as herein-after directed.

Overseers empowered to take Materials out of the nearest Grounds, &c.

XVIII. And be it enacted by the Authority aforesaid, That no Person shall leave Carts or other Carriages, or shall lay, or cause to be laid, any Timber, Stone, Lime, Dung, Compost, Soil, or Matter whatsoever, on or within five Yards of the Side of the said Roads, unless within a sufficient Fence between the Roads (except Materials for building Houses and inclosing Grounds); and that any Person or Persons so offending shall forfeit the Materials or other Matter so laid down, and also the Sum of twenty Shillings Sterling, to be recovered and levied in the same Manner as the converted Price of Labour, one-half thereof to be paid to the Informer, and the other Half thereof to be applied for making and repairing the Roads within the District; and in case it shall not appear who laid down the said Timber, Stone, Lime, Dung, Compost, Soil, or other Matter above-mentioned, that the Possessors or Occupiers of the Grounds on which the same shall be laid down, or the Possessors and Occupiers of the Lands immediately adjacent

Penalty on Persons leaving Obstructions on the Roads.

adjacent to that Part of the Road on which the same shall be found, shall be deemed and held to be the Layers down thereof.

Penalty on Persons spoiling the Roads.

XIX. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall haul or draw, or cause to be hauled or drawn, upon any Part of the said Roads, any Tree, Log, or Piece of Timber, or any Stone or other Thing whatsoever, otherwise than upon a Wheel-carriage, Sledge, or Carr, or shall suffer any Tree, Log, or Piece of Timber or Stone, or other Matter whatsoever, which shall be conveyed upon a Wheel-carriage, Sledge, or Carr, to drag upon any Part of such Roads, or shall turn his Plough on any Part of the said Roads, such Person shall, for every such Offence, forfeit the Sum of ten Shillings Sterling, to be recovered and levied in Manner before directed.

Trustees empowered to make Passages for Water.

XX. And be it further enacted by the Authority aforesaid, That where it shall be found necessary to make Passages for the Water from the Ditches on the Side of the Roads, through the Ground of any adjacent Proprietor, the Trustees are hereby empowered so to do, and to keep them clear and open.

Hedges and Trees to be lopped or pruned.

XXI. And be it further enacted, That where Hedges or Branches of Trees hang over the Road, so as to annoy or obstruct the free Passage, the Owners shall cut or lop the same; and on their failing so to do when required, any one or more Justice or Justices may appoint Persons to cut or lop such Hedges or Branches of Trees, as prove a Nuisance to the said Highways: Provided that no Person be compelled, nor any Surveyor permitted, to cut or prune any Hedge at any other Time than between the last Day of *September* and the last Day of *February*; and that no Person shall be obliged to fell any Timber Trees growing in Hedges at any Time whatsoever, except where the Highway or Road shall be ordered to be enlarged, as is hereinafter directed, or to cut down or grub up any Oak Trees growing within such Highway or Road, or in such Hedges, except in the Months of *April*, *May*, *June*, or *July*; or any Ash, Elm, or other Trees, in any other Months than *December*, *January*, and *February*.

Trustees may widen Roads;

XXII. And be it enacted by the Authority aforesaid, That the said Trustees, or any seven of them, in a general or District Meeting assembled, shall be, and hereby are empowered to widen, or cause to be widened, any Road, to a Breadth not exceeding thirty Feet, exclusive of the Ditches or Drains on each Side thereof: Provided always, That in the Entries to Towns and Villages, the said Trustees assembled as aforesaid, shall have Power to widen such Entries to a Breadth not exceeding forty Feet; and for these Purposes, the Trustees shall be empowered to remove Fences and Houses, whose Side-walls do not exceed twelve Feet in Height, or other Obstructions, six Months Notice being always given to the Proprietors or Possessors of Houses, before the same are removed, and Satisfaction being always made, to the Owner or Owners and Lessees of Land, for so much Ground as shall be taken to widen the said Roads, above and beyond twenty Feet wide of clear passable Road, and for the Fences and Houses removed; such Satisfaction to be ascertained by the View, upon Oath, of five Trustees (one of whom to be a Justice of the Peace) of the District where such Road or Roads is or are to be widened; the said five Trustees to be appointed by a general Meeting of the Trustees of such District, who shall give at least ten Days Notice of such View to the Owner or Owners and Lessees of the Lands where such Road or Roads is or are to be widened.

making Satisfaction for Ground taken, &c.

Such Satisfaction to be previous to widening the Roads.

XXIII. And be it enacted by the Authority aforesaid, That no Road shall be widened, or Houses or Fences removed, till actual Payment of the Satisfaction so ascertained to be made to the said Owner or Owners and Lessees of the Lands where such Road or Roads is or are to be widened.

New Fences to be made.

XXIV. Provided always, and be it enacted, That where any Fences are removed, new and sufficient Fences shall be made by the Owner or Owners and Lessees of Lands, within eight Calendar Months after the Removal of such Fences, under Forfeiture of a Sum equal to the Money paid to them for the same, such Forfeiture to be applied towards Repair of the Roads in such District.

Roads to be measured, and Mile-stones erected.

Penalty on removing or defacing Mile-stones.

XXV. And be it further enacted by the Authority aforesaid, That the said Trustees, or any seven or more of them, in a general or District Meeting assembled, shall cause the Roads to be measured, and Stones or Posts to be erected near the Sides thereof, denoting the Distance of each Mile, or such other Distances as they shall judge convenient: And if any Person or Persons shall wilfully break, destroy, damage, pull up, or remove, any such Stones or Posts, or obliterate or deface any Letters or Figures that shall be made, inscribed, or put thereon, and shall be thereof convicted before any one or more Justice or Justices of the Peace for the County; such Person or Persons so offending shall respectively forfeit and pay the Sum of twenty Shillings Sterling for every Stone or Post so wilfully broken, destroyed, damaged, pulled up, removed, obliterated, or defaced; to be levied and recovered in the same Manner as other Penalties are by this Act directed to be recovered and levied; and such Forfeitures shall be applied, one Moiety to the Informer, and the other Moiety in repairing the Stones or Posts so broken up, damaged, or defaced, or in supplying new ones in their Stead; and if there shall be any Overplus of such Forfeitures, the same shall be laid out in repairing the said Roads; and in case the Person or Persons so offending and convicted shall have no sufficient Goods and Chattels whereon such Forfeitures may be levied, then it shall and may be lawful for any one or more Justice or Justices of the Peace for the County, by Warrant under his or their Hand or Hands, to commit such Person or Persons to the common Gaol of the County, therein to remain for any Space not exceeding three Calendar Months, or until the Payment of the Penalty aforesaid.

Trustees may assess the District in 400*l.* Sterling, on the 100*l.* Scots of valued Rent.

'XXVI. And whereas it has been found by Experience, That the Sum of ten Shillings *Scots*, upon 'each one hundred Pounds *Scots* of valued Rent, authorised to be levied by an Act of the Parliament of '*Scotland*, made in the Second Parliament of King *Charles* the Second, and intituled, *An Act for repairing* '*Highways and Bridges*, is insufficient for keeping the Roads and Bridges in the said County in Repair,' be it therefore enacted by the Authority aforesaid, That it shall be in the Power of the Trustees of each District, at their annual Meeting, to assess the District in a further Sum, not exceeding Tenpence Sterling upon each one hundred Pounds *Scots* of valued Rent, to be expended and laid out upon the Highways and Bridges within the said District; and that the old Assessment of ten Shillings *Scots*, on each one hundred Pounds *Scots*, shall be, and the same is hereby reserved to the Disposal of the Justices of Peace as formerly.

XXVII. Provided always, and be it enacted by the Authority aforesaid, That in case of any sudden Damage being done to any Bridge or Bridges, within the said County, and which may require an immediate Support or Repair, that it shall be in the Power of any two Trustees, and they are hereby empowered to give Orders for making such Repair or Repairs, but so as the Sum to be expended thereupon shall not exceed five Pounds Sterling, and that the Money so expended shall be provided for and paid by an Order of the next general Meeting, on an Application to them for that Purpose. Sudden Damage to Bridges may be repaired by two Trustees.

XXVIII. And be it enacted by the Authority aforesaid, That the Sums to be raised and levied by virtue of this Act, shall be applied by the said Trustees, in the first Place, to defray and pay the Charges of obtaining and passing this Act, and afterwards wholly and totally to the Uses and Purposes before mentioned, and to no other Purpose or Use whatsoever. Expences of this Act to be first paid.

XXIX. And be it enacted by the Authority aforesaid, That the Powers by this Act given and granted, shall take place from and after the passing of this Act, and have Continuance during the Term of twenty-five Years, and from thence to the End of the then next Session of Parliament. Act to continue in Force 25 Years.

XXX. And be it further enacted by the Authority aforesaid, That the Extent of the Satisfaction to be made to any Person or Persons for the Damage sustained by such Person or Persons, in consequence of the Powers granted by this Act, except as to widening the Roads as above mentioned, shall be ascertained and determined by a Sentence of two Justices of the Peace; and that in case such Person or Persons shall think themselves aggrieved by such Sentence, they may apply for Redress in Manner herein-after mentioned. Justices of the Peace to ascertain Damages.

XXXI. And be it also enacted by the Authority aforesaid, That all Actions and Complaints for all and any of the Penalties and Forfeitures imposed by this Act, and for any Wrong or Injury done or suffered in any Matter relative to or in consequence of any of the Powers by this Act given and granted, shall be originally brought before two or more Justices of the Peace of the said County, and shall be commenced within the Space of three Calendar Months after the Penalty or Forfeiture is incurred, or Wrong done, or Injury suffered, and not afterwards. Actions and Complaints to be brought before the Justices, &c.

XXXII. Provided always, That in case any Person or Persons shall think himself or themselves aggrieved by the Sentence or Judgment of the Justices of Peace upon any of the Matters or Things referred to their Determination, it shall and may be lawful to the said Person or Persons to appeal for Redress to the next General Quarter Session of the said County, at which not fewer than three Justices shall be present; and such Appeal shall be lodged within six Days after the Sentence complained of; and if any Person or Persons shall think himself or themselves aggrieved by the Judgment of the Quarter Sessions, it shall be lawful for such Person or Persons to apply for Redress by summary Complaint to the Court of Session: Provided always, That before such Application, the Party making the same shall find Caution to pay the Sum of forty Shillings Sterling, besides full Costs of Suit, in case such Party shall not prevail in the same. Persons aggrieved may appeal to the Quarter Sessions, and from them to the Court of Session.

XXXIII. Provided always, That nothing in this Act shall subject Clergymen to perform any Services, or to the Payment of any Conversion, on account of their Manses and Glebes. This Act not to affect Clergymen.

XXXIV. And be it enacted by the Authority aforesaid, That this Act shall be deemed and held to be a public Act; and shall be judicially taken Notice of by all Judges, Justices, and others, without specially pleading the same. Public Act.

## CAP. LXX.

### An Act to enable *Hector Munro* Esquire, to build and maintain a Harbour and Pier at the Town of *Findhorn*, in the County of *Elgin* and *Forres*.

'WHEREAS a proper Harbour on the South Side of the *Murray Firth*, in *North Britain*, is much wanted for the Reception and Protection of Vessels resorting to the Northern Seas; and the Town of *Findhorn*, upon the River *Findhorn*, within the Barony of *Muirtoun*, and County of *Elgin* and *Forres*, is, by its Situation immediately above the Entrance of the said River into the Sea, a most commodious Place for that Purpose: And whereas *Hector Munro* of *Novar* Esquire, sole Proprietor of the said Barony, is desirous to build, at his own Expence, a sufficient Harbour and Pier adjoining to the said Town of *Findhorn*, in Consideration of such Tolls, for a Term of Years, as may be adequate for building and maintaining the said Harbour and Pier, which will be of great public Utility to that Part of the united Kingdom;' but as the same cannot be effected without the Aid and Authority of Parliament, may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful to and for the said *Hector Munro*, his Heirs and Assigns (Proprietors of the said Barony of *Muirtoun*), or such Person or Persons as he or his Foresaids shall appoint, from Time to Time, and at all Times hereafter, to build, maintain, and preserve, an Harbour and Pier upon the River *Findhorn*, at or near the Town of *Findhorn*, within the said Barony of *Muirtoun* and County of *Elgin* and *Forres*; and to deepen, clean, and preserve the said Harbour, and the Additions and Improvements which may be made thereto by this present Act, from Dirt and Mud, and other Obstructions whatsoever; and also to build and erect, and cause to be built and erected therein, Piers and Quays, Jettees and Breasts of proper Dimensions, and all other necessary Works within the said Harbour, for the Reception and more convenient lading and unlading of Ships and Vessels resorting thereto; and also to erect, or cause to be erected, all necessary Buildings and Warehouses for receiving of Goods and Merchandise, and that in such Manner as the said *Hector Munro* and his Foresaids, or such Person or Persons as he or they shall appoint, shall judge to be necessary and expedient. Preamble. Hector Munro empowered to build a Harbour and Pier, &c.;

II. And be it enacted by the Authority aforesaid, That, from and after the fifteenth Day of *May*, one thousand seven hundred and seventy-eight, it shall and may be lawful to and for the said *Hector Munro* and his Foresaids, and such Person or Persons as they shall appoint, to demand, collect, receive and take, of and to collect the following

and

and from all and every the Maſters and Owners of any Ships and Veſſels, Barks, Lighters, and Boats trading to and from the ſaid Harbour, the following Tolls and Duties; *videlicet*,

Tolls.

For every Boll of Grain, conſiſting of four Firlots, one Halfpenny.
For every Boll of Meal, one Farthing.
For every Barrel of *Engliſh* Coals, conſiſting of three *Wincheſter* Buſhels, one Halfpenny.
For every Ton of *Scots* Coals, conſiſting of twenty hundred Weight, Threepence.
For every Groſs of Quart Bottles, one Penny; and for other Bottles, in Proportion to their Size.
For each one hundred Bolls of Lime, one Shilling and Sixpence.
For each Boll of foreign Salt, three Farthings.
For each Boll of native Salt, one Halfpenny.
For forty ſolid Feet of Wood in Logs, Fourpence.
For each one thouſand Slates and Pantiles, Sixpence.
For each one thouſand Bricks, Fourpence.
For each Barrel of Salmon, one Penny Farthing.
For each one hundred Salmon-kitts, one Shilling and Eightpence.
For each Barrel of Herrings, three Farthings.
For each one hundred Barrel-hoops, one Halfpenny.
For each one hundred and fifty Half-barrel Hoops, one Halfpenny.
For each one thouſand *Virginia* Barrel-ſtaves, one Shilling; and ſo in Proportion for other Staves.
For all coarſe Goods not herein particularly rated, two Pounds on each one hundred Pounds of their Value; and ſo in Proportion.
For each Barrel of Goods uſually imported or exported in Barrels, one Penny; for each ſmall Parcel, one Halfpenny.
For all empty Caſks, One-fourth of what they pay when full.

And from all and every the Maſters and Owners of any Ships, Veſſels, Barks, Lighters, and Boats, trading to and from the ſaid Harbour, the following Anchorage Duties; *videlicet*,

For every Veſſel of three hundred Tons, or upwards, eight Shillings.
For every Veſſel from two hundred to three hundred Tons, ſeven Shillings.
For every Veſſel from one hundred and fifty to two hundred Tons, ſix Shillings.
For every Veſſel from one hundred to one hundred and fifty Tons, five Shillings.
For every Veſſel from ſeventy-five to one hundred Tons, four Shillings.
For every Veſſel from fifty to ſeventy-five Tons, three Shillings.
For every Veſſel from thirty to fifty Tons, two Shillings.
For every Veſſel from fifteen to thirty Tons, one Shilling.
For every Veſſel from ſix to fifteen Tons, Sixpence.
And for every Veſſel under ſix Tons, Threepence.

Proviſo.

III. Provided always, That all and every the Maſters and Owners of all Ships, Veſſels, Barks, Lighters, and Boats, that come within the Bar of *Findhorn*, and load or unload their Cargoes within the ſaid Bar, ſhall be liable to pay the ſaid Rates and Anchorage Duties, whether they do or do not take the Benefit of the Pier.

Owners of Veſſels to permit them to be meaſured,

IV. And provided always, That the Maſters and Owners of all Ships and Veſſels, Barks, Lighters, and Boats, trading to and from the ſaid Harbour, and liable to the Payment of the Rates and Duties by this Act impoſed, ſhall ſuffer and permit the ſaid Ships and Veſſels, Barks, Lighters, and Boats, to be meaſured by the ſaid *Hector Munro* and his Foreſaids, or by ſuch Perſon or Perſons as he or they ſhall, from Time to Time, appoint for that Purpoſe; and ſhall pay the Rates and Duties aforeſaid, according to ſuch Meaſurement; and that every Owner or Maſter aforeſaid, who ſhall refuſe to have his or their Ship, Veſſel, Bark, Lighter, or Boat, meaſured as aforeſaid, ſhall, for every ſuch Offence reſpectively, forfeit and pay the Sum of five Pounds Sterling to the ſaid *Hector Munro* and his Foreſaids.

on Forfeiture of 5 l.

Collectors and other Officers to be appointed.

V. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to the ſaid *Hector Munro* and his Foreſaids to nominate and appoint a Collector or Collectors, Receiver or Receivers, for levying the Rates and Duties by this Act granted, and ſuch other Officers and Servants as they ſhall judge neceſſary to be employed under them, for carrying the ſame into Execution; and from Time to Time to remove ſuch Officers or Servants, or any of them, and to appoint others in their Place.

Clauſe to prevent evading the Payment of Rates and Duties.

'VI. And, to prevent any Delay or Evaſion in the Payment of the Rates and Duties aforeſaid,' be it further enacted, That, from and after the ſaid fifteenth Day of *May*, one thouſand ſeven hundred and ſeventy-eight, there ſhall be produced to the Collector or other Officer of his Majeſty's Cuſtoms at *Findhorn*, by the Maſter or Owners of every Ship, Veſſel, Bark, Lighter, or Boat, coming into, or ſailing out of, the ſaid Port or Harbour of *Findhorn*, or liable to the Rates and Duties in this Act granted, a Receipt or other ſufficient Voucher of the Payment of the ſaid Rates and Duties; and that until ſuch Production be made, and the Collector or other Officers aforeſaid ſhall be ſatisfied with the ſame, the ſaid Collector and other Officers ſhall not take or receive any Entry or Cocket, or other Diſcharge or Clearance, or take any Report outward of any Ship, Veſſel, Bark, Lighter, or Boat, Foreign or *Britiſh*, liable or ſubject to the Payment of the ſaid Rates and Duties, under the Penalty of five Pounds Sterling.

Hector Munro, &c. may go on Board Veſſels, and demand the Rates;

VII. And be it enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid *Hector Munro* and his Foreſaids, and to ſuch Perſon and Perſons as ſhall be for that Purpoſe authoriſed by him or them, to go on Board any Ship, Bark, Lighter, Veſſel, or Boat, and to take the Dimenſions thereof; and to demand, collect, and receive, from any Owner, Maſter, or other Perſon having the Charge

Charge of any Ship, Bark, Lighter, Veſſel, or Boat, the Rates and Duties by this Act impoſed and made due and payable; and in caſe of Delay or Refuſal of Payment, to take, ſeize, and detain, preferable to, and notwithſtanding of any Attachment, Arreſtment, or other Right whatſoever, claimable by, or due to, any other Perſon or Perſons, any of the Goods, Merchandiſe, Tackle, Furniture, and Apparel, of or belonging to any ſuch Ship, Bark, Lighter, Veſſel, or Boat, and the ſame to take, ſeize, and detain, until the ſaid Duty and Duties be ſatisfied and paid; and that in caſe of any Neglect or Delay in Payment of the ſaid Rates and Duties, or any of them, for the Space of three Days after ſuch taking, ſeizing, and detaining aforeſaid, it ſhall and may be then lawful to and for the ſaid *Hector Munro* and his Foreſaids, and to and for ſuch Perſon and Perſons authorized by them as aforeſaid, to cauſe the ſame to be appraiſed by two or more ſufficient Perſons, and afterwards to ſell and diſpoſe of the Goods or other Effects ſo taken and appraiſed, and therewith to ſatisfy the Duty and Duties ſo neglected or delayed to be paid, together with the Charge of ſuch ſeizing, taking, detaining, and ſelling (as the ſame ſhall be aſcertained by the Sellers on Oath), rendering to the Maſter or Owners of ſuch Ship, Bark, Lighter, or other Veſſel, or Owners of ſuch Goods, the Overplus (if any be) on Demand.

and in caſe of Refuſal may levy the ſame by Diſtreſs.

VIII. And be it further enacted by the Authority aforeſaid, That if any Maſter, Commander, or other Perſon taking upon himſelf the Command, or appearing to be Maſter or Commander, or any Owner, Factor, or Conſignee, of any Ship, Bark, or other Veſſel, ſhall, at any Time from the Commencement of this Act, elude or avoid the Payment of any Rates and Duties hereby granted, by any Method whatſoever, every ſuch Maſter, Commander, or other Perſon aforeſaid, ſhall, for every ſuch Offence, forfeit unto the ſaid *Hector Munro* and his Foreſaids the Sum of five Pounds Sterling; and ſhall, notwithſtanding, ſtand charged with, and be liable to, the Payment of the ſaid Rates and Duties.

Owners of Veſſels refuſing to pay Duties, to forfeit 5 l. Sterling.

IX. And be it likewiſe enacted by the Authority aforeſaid, That the ſaid *Hector Munro* and his Foreſaids ſhall and may, and they are hereby authoriſed and empowered, from Time to Time, to borrow and take up at Intereſt any Sum or Sums of Money, not exceeding at any one Time the Sum of five hundred Pounds Sterling; and to grant, aſſign, and ſet over, the ſeveral Rates, Duties, and Tonnage, given and granted by this Act, to any Perſon or Perſons whatſoever, who ſhall be willing to advance and lend Money thereon, for ſecuring the Payment of the ſame, with Intereſt, reſpectively; and that the Money ſo to be borrowed and advanced ſhall be employed for the Ends and Purpoſes of this Act, and not otherwiſe.

Hector Munro empowered to borrow 500 l.; and to aſſign the Rates as a Security.

'X. And whereas the ſaid *Hector Munro* is Superior of the Village of *Findhorn*, and has the Nomination and Appointment of the Baron Baillie of *Muirtoun*, within which the ſaid Village is ſituate: And whereas it will tend greatly to the Improvement of the ſaid Harbour, and to the Accommodation of the Public, that the ſaid *Hector Munro* and his Foreſaids, and any Perſon or Perſons appointed by them, had Power and Authority to remove (after reaſonable Notice to the Perſon or Perſons immediately intereſted) all unneceſſary Obſtructions within the ſaid Port and Harbour, and upon the Quays and Piers belonging to the ſame, and to order and regulate, with reſpect to the Stations and Places of mooring of the Ships and other Veſſels within the ſaid Port and Harbour, and with reſpect to the Time of Continuance upon the ſaid Quay of Goods and Merchandiſe, or others whatſoever; and to make ſuch other Bye-laws, Orders, and Regulations, for the better Government and Management of the ſaid Port and Harbour, as to them the ſaid *Hector Munro* and his Foreſaids ſhall ſeem meet and expedient;' be it therefore further enacted by the Authority aforeſaid, That no Ship, Bark, Lighter, Boat, or Veſſel, which ſhall be laid by as unfit for further Sea Service, or neglected by the Owner, ſhall be permitted to be and remain in any of the Piers or Quays erected within the ſaid Harbour of *Findhorn*, ſo as to incumber the ſame; but that in every ſuch Caſe it ſhall and may be lawful to and for the ſaid *Hector Munro* or his Foreſaids, or ſuch Perſon or Perſons as he or they ſhall appoint, immediately to cauſe ſuch Ship, Bark, Lighter, Boat, or Veſſel, ſo unſerviceable or neglected, to be, at the Expence of the Owner or Owners of the ſame, removed from the ſaid Quays and Piers, or any of them, and to lay the ſaid Ship or other Veſſel on any Part of the Strand or Sea Shore within the High-water Mark, or any other Place of Safety without the ſaid Harbour, and there to moor ſuch Ship or other Veſſel; and that on or before Demand of Payment is made by the ſaid *Hector Munro*, or his Foreſaids, from the Owner or Owners, Maſter or Agents, of ſuch Ship, Bark, or other Veſſel, of the Charge of removing and mooring ſuch Ship, Bark, or other Veſſel as aforeſaid, ſuch Charges and Expences ſhall be firſt ſeen and allowed by the Baron Baillie of the Barony of *Muirtoun* for the Time being; and that in caſe of Refuſal or Neglect of Payment of ſuch Charges and Expences allowed as aforeſaid, for the Space of five Days after Demand ſhall be made, then, and in every ſuch Caſe, it ſhall and may be lawful to and for the ſaid *Hector Munro* and his Foreſaids, to levy ſuch Expences by Diſtreſs and Sale of the ſaid Ship, Bark, Lighter, Boat, or other Veſſel, or any of her Tackle, Apparel, or Furniture, or any Part thereof, rendering the Overplus, if any ſuch there be (after deducting the Charge of taking, keeping, and Sale of ſuch Diſtreſs), to the Owner or Owners, Maſter, Factor, or Agent, of ſuch Ship, Bark, Lighter, Boat, or Veſſel, whenever the ſame ſhall be demanded.

Obſtructions to be removed from the Harbour,

at the Expence of Owners, &c.

XI. And be it alſo enacted by the Authority aforeſaid, That it ſhall not be lawful to, or in the Power of, any Perſon or Perſons, who ſhall have landed or cauſed to be landed and laid any Goods or Merchandiſe, Timber, Wood of any Kind, Maſts, Yards, Pumps, Boats, Anchors, Cables, Caſks, Guns, Ballaſt, Paving-ſtones, Lime-ſtones, Slates, Soapers Waſte, Dung or Manure, or any other Thing (other than Materials for the neceſſary Repairs of the Piers and Quays, and for immediate Uſe in Shipping), upon any of the Piers and Quays or Landing-places within the ſaid Harbour, or in any of the Avenues leading to the ſaid Quays and Piers, or any of them, to continue or permit the ſame, or any Part thereof, to remain and lie thereon for any longer Time than forty-eight Hours; and that in all ſuch Caſes where the ſaid Goods, or others aforeſaid, ſhall have ſo continued beyond the ſaid Space of forty-eight Hours, it ſhall and may be lawful to and for the ſaid *Hector Munro*, and his Foreſaids, to remove or cauſe to be removed all ſuch Goods and other Things, as he or they ſhall ſo find lying, continuing, and being, on the ſaid Quays and

Goods not to remain on the Piers beyond a limited Time.

Piers and other Places, above the said limited Time, to some Place or Places of Safety, and therein to detain and keep the same till Payment of the Charges of such Removal and Detention, and of such Consideration besides, to the said *Hector Munro* and his Foresaids, for their Trouble in and about the same, as the said Baron Baillie of *Muirtoun* shall think reasonable; and if such Charges and Expences shall not be paid within the Space of five Days after Demand made thereof by the said *Hector Munro* or his Foresaids, then, and in every such Case, he and they respectively are hereby authorised and required to levy the same by Distress and Sale of the said Goods and Chattels so respectively secured, and render the Overplus, if any be, to the Owner or Owners, the Charges of taking, keeping, and making Sale of such Distress, being deducted and allowed, and on the same being demanded.

Warehouses to be provided for depositing Goods, &c.

XII. And be it further enacted by the Authority aforesaid, That the said *Hector Munro*, and his Foresaids, shall and may, and they are hereby authorised and empowered, out of any of the Rates and Duties aforesaid, to rent, or hire by the Year, or otherwise, any convenient Warehouse, Yard, or other Place, for the receiving, safe keeping, or lodging, of such Goods, or other Things so to be removed from the Quays, and other Places, as aforesaid, or to inclose, erect, or build any such Yard, Warehouse, or other Buildings, on their own Ground, or on Ground to be purchased by them, as to them shall seem most meet and fitting.

Gunpowder, and other Combustibles to be removed off the Quays,

XIII. And be it further enacted by the Authority aforesaid, That no Gunpowder, Tar, Pitch, Rosin, Hemp, Flax, Faggots, Furze, Brandy, or other Spirituous Liquors, Turpentine, Oil, Hay, Straw, Tallow, Grease, Shavings of Wood, or other such combustible Things, shall be suffered to be and remain on the Quays and Piers aforesaid, already constructed, or hereafter to be constructed, within the said Port and Harbour of *Findhorn*, or in any Part thereof, or upon the Deck of any Ship or Vessel in the said Piers or Quays, lying in the Harbour aforesaid for above the Space of twenty-four Hours after passing the Custom-house Officers; and that in case such Goods and Things cannot be conveniently removed or got off from such Quays, Place, or Places, by Day-light, that then, and in every such Case, the Owners of such Goods and Things shall be obliged, and are hereby required, to set and maintain, at their own Expence, a sufficient Number of careful, discreet, and sober Persons to guard and watch over the same, for such and so many Hours, according to the Season of the Year, as the said *Hector Munro* and his Foresaids shall signify and appoint; and in case the Owner or Owners of such Goods and other Things shall make Default herein, every such Owner or Owners, Master or Mate, shall forfeit and pay, for every such Offence, the Sum of five Pounds Sterling.

on Forfeiture of 5l.

Ships, &c may be removed from one Birth to another,

XIV. And be it also enacted by the Authority aforesaid, That the said *Hector Munro* and his Foresaids, or such other Person or Persons as they shall authorise and appoint, shall and may, and he or they are hereby authorised and empowered, when and so often as he or they shall judge necessary, to remove, or cause to be removed, any Ship, Vessel, Bark, Lighter, or Boat, lying in any of the Entrances or Passages of the said Harbour of *Findhorn*, or at any Quay, Pier, and Breast, already built, or hereafter to be built by virtue of this Act, or in any other Part of the said Harbour, from the Birth or Lying-place, at which they shall respectively happen to be stationed or moored at the Time, to any other Birth or Lying-place, as he or they shall think proper; and in case the Master, Mate, or any other Person having and taking the Command and Charge of the said Ship, Bark, Vessel, Lighter, or Boat, shall, after Notice given him in Writing, or left in Writing on Board the Ship or Vessel intended to be removed twelve Hours before the said Removal by the said *Hector Munro* and his Foresaids, or by such other Person or Persons as they shall appoint, neglect or refuse to remove, or cause to be removed, during the first High-water or Tide after such Notice, such Ship, Vessel, Bark, Lighter, or Boat, from her said Birth, to such other Birth or Mooring-places as are or shall be appointed unto them by the said *Hector Munro* or his Foresaids, or by any other Person authorised by him or them, that then the said *Hector Munro*, or his Foresaids, or any other Person or Persons he or they shall order or appoint, shall have Power, and are hereby directed and empowered, immediately after such Notice, Neglect, or Refusal, to remove, or cause to be removed, such Ship, Vessel, Bark, Lighter, or Boat, lying as aforesaid, from their present Birth and Mooring-place, to such other Birth and Mooring-place as the said *Hector Munro* or his Foresaids shall judge proper; and that the Masters, Commanders, Owners, and Consignees of such Ship, Vessel, Bark, Lighter, or Boat, so to be removed as aforesaid, shall respectively pay to the said *Hector Munro* or his Foresaids, all such Costs and Charges as shall be reasonably expended in removing such Ship, Vessel, Bark, Lighter, or Boat, to be recovered, levied, and applied, in like Manner as the Forfeitures and Penalties imposed by this Act are herein-after ordered to be recovered, levied, and applied; and that every Master, Commander, Mate, or other Person taking upon himself the Command of any Ship, Vessel, Bark, Lighter, or Boat, or the Owner, Factor, Consignee, or Agent, or other Person or Persons whatsoever, who shall obstruct or hinder the Removal of any such Ship, Vessel, Bark, Lighter, or Boat, shall, for every such Offence, forfeit the Sum of five Pounds Sterling.

at the Expence of the Owners.

Ships in Distress to be allowed a Preference,

XV. And be it further enacted by the Authority aforesaid, That in case any Ship or Vessel shall arrive or come into the said Harbour of *Findhorn* in Distress, or meet with any Misfortune in the Harbour aforesaid, it shall and may be lawful to and for the Baron Baillie of the Barony of *Muirtoun* aforesaid, upon a Petition to him in Writing, by the Master, Commander, or Owner of such Ship or Vessel, or Owner of any Goods on Board such Ship or Vessel, and upon Proof being made before him of such Distress, to give a Preference to such Ship or Vessel being in Distress as aforesaid, both as to the Birth at the Piers and Quays, and as to the Course of discharging, to any other Ship or Vessel arrived before her in the Port aforesaid; and that every Master or Commander of any Ship or Vessel lying within the Harbour of *Findhorn*, who shall refuse or delay to comply with the Order of the said Baillie, in favour of the said Ship or Vessel in Distress as aforesaid, shall forfeit the Sum of five Pounds Sterling, to be levied and applied in the Manner herein-after directed.

XVI. And

XVI. And be it enacted by the Authority aforesaid, That, from and after the said fifteenth Day of *May*, one thousand seven hundred and seventy-eight, it shall not be lawful to any Person or Persons to throw or empty any Ballast, Dust, Ashes, or Rubbish, Shingle, Stones, or other Things, into the said Harbour, or to dig and take away any Ballast, Shingle, Stones, or other Things, from within the same, to the Hurt or Prejudice of the said Harbour, or of the Works erected or to be erected for the Security and Accommodation of the same, or any Part thereof, under the Penalty of forty Shillings Sterling for every such Offence. Penalty on throwing Ballast, &c. into the Harbour.

XVII. And be it further enacted by the Authority aforesaid, That such Person or Persons, who shall or may hereafter have Occasion to throw or cast out any Ballast, from out of any Ship or other Vessel, upon any Quay, Pier, or Breast, or other Place, in or about the said Quays, Piers, Breasts, or other Works, made or to be made as before mentioned, belonging to the said Port and Harbour, shall not suffer the same to be and remain on the said Quays, Piers, Breasts, or other Places, but shall immediately after cast and carry away, or cause the same to be carted and carried away, to such Place or Places as the said *Hector Munro* and his Foresaids shall for such Purposes provide and appoint, on Pain of forfeiting, for every such Offence, the Sum of forty Shillings Sterling. Ballast, &c. to be removed off the Quays.

XVIII. And be it enacted by the Authority aforesaid, That the Master or Owner of every Ship, Bark, Lighter, Boat, or other Vessel, lying or trading in the Harbour of *Findhorn*, shall be, and is hereby made answerable to the said *Hector Munro* and his Foresaids for the Amount or Value of any Damage or Mischief that shall be done by any of the Servants, Boatmen, Bargemen, or Watermen, on board the same, to any of the Piers, Quays, Breasts, or other Works, already constructed, or that shall be constructed by virtue of this Act, with full Costs of Suit, and that such Damages and Costs shall be sued for and recovered in Manner herein-after directed. Masters of Vessels answerable for Damages done by their Crews.

XIX. And be it enacted by the Authority aforesaid, That it shall not be lawful for any Person or Persons whatsoever to pack, or cause to be packed, upon any of the Piers, Quays, or Breasts, built or to be built as aforesaid, any Herrings or other Fish, or to suffer Herrings and other Fish, which are packed, to lie upon the said Piers, Quays, and Breasts, longer than forty-eight Hours; and that after they have lain the said Space, it shall and may be lawful to and for the said *Hector Munro*, or his Foresaids, to carry away the said Herrings, or other Fish, and lay them in a Cellar or Warehouse, at the Expence of the Owner or Proprietor, and to detain the said Herrings and other Fish, till the Charges of carrying them from the Piers, Quays, and Breasts, shall be satisfied, and the Cellar-rent paid. Fish not to lie on the Quays above a certain Time.

XX. And be it enacted by the Authority aforesaid, That it shall and may be lawful to and for the said *Hector Munro* and his Foresaids, or any Collector to be appointed by them for receiving any Part of the Rates and Duties granted by this Act, to prosecute and recover the several Fines, Penalties, Forfeitures, Damages, and Costs of Suit, by this present Act imposed, in all such Cases where the Sum to be recovered shall amount to five Pounds Sterling, or upwards, by Action, Bill, Complaint, or Information, within six Months after such Offence is committed, before any two or more Justices of the Peace, within whose Jurisdiction the Offender or Offenders shall reside or be apprehended; and that the said Justices of the Peace shall, and they are hereby empowered and required to proceed to the Trial of such Offences in a summary Way, and upon Conviction of the Offender or Offenders, by their own Confession, or by the Oath of one or more credible Witness or Witnesses, to award and give such Orders, Judgments, and Decrees, as to them shall seem most agreeable to the true Intent and Meaning of this Act; and that in Default of Payment of the several Fines, Penalties, Forfeitures, Damages, and Costs of Suit, herein-before enacted, which shall be awarded and ordered by the Justices of Peace, the Person or Persons who shall be convicted of any of the Offences before described, shall and may be sent, by the Justices of the Peace, to the Prison or House of Correction nearest to the Place where the Offender or Offenders shall be apprehended, and there to be kept to hard Labour for such Time (not exceeding six Months) as such Justices shall direct: and that the whole Fines, Penalties, and Forfeitures aforesaid, which shall be recovered by the said *Hector Munro* and his Foresaids, or their Collectors, after Deduction of the necessary Charges of recovering the same, shall be applied for and towards the building, making, erecting, maintaining, and repairing, the Work or Works aforesaid, and to no other Use or Purpose whatsoever. Penalties and Forfeitures how to be recovered and applied.

XXI. And be it further enacted by the Authority aforesaid, That every other Penalty, Fine, and Forfeiture imposed, and which shall be incurred by virtue of this Act, and not amounting to the Sum of five Pounds Sterling, shall and may be sued for and recovered by the said *Hector Munro* and his Foresaids, before any one Justice of the Peace within whose Jurisdiction the Offender or Offenders before mentioned shall be apprehended, or reside for the Time, by Action, Bill, Complaint, or Information made in that Behalf within six Months after such Offence shall have been committed; and that the Justice of Peace aforesaid shall have Power, and he is hereby empowered and required, to proceed to the Trial of such Offences summarily; and upon Conviction of the Offender or Offenders in any of the Ways before mentioned, to give such Orders, Judgments, and Decrees, as to him shall seem most agreeable to the true Intent and Meaning of this Act; and in Default of Payment of the several Fines, Forfeitures, and others last mentioned, to be awarded by the said Justice of the Peace, the Person which shall be convicted as aforesaid shall and may be sent, by the said Justice of the Peace, to the nearest Prison or House of Correction, for such Time as the said Justice shall direct, not exceeding three Months; and that the said pecuniary Penalties, not exceeding five Pounds Sterling, shall, after Deduction of the necessary Charge of recovering the same, be applied one Half thereof to the Use of the Informer, and the other Half to the Minister and Kirk Session of *Kinloss*, for the Use of the Poor of that Parish. How Penalties under 5 l. may be recovered.

XXII. Provided always, That it shall and may be lawful to and for the said Justices of the Peace, or any of them, by whom such Judgment, Sentence, or Determination, shall be given, pronounced, or made, from Time to Time, when they see Cause, to mitigate, compound, or lessen, any of the Penalties or Forfeitures aforesaid, as he or they in his or their Discretion shall think fit, so as such Mitigation or Penalties and Forfeitures may be mitigated.

Compoſition do not extend to remit above one Moiety of the Penalty inflicted and directed to be levied by this Act, and that every ſuch Mitigation or Compoſition ſhall be a ſufficient Diſcharge for the Perſons offending reſpectively, for ſo much of the ſaid Penalties and Forfeitures as ſhall be ſo mitigated, leſſened, or remitted.

Materials may be taken from Waſte Grounds,

XXIII. And be it enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid *Hector Munro* and his Foreſaids, or their Agents and Servants, to open Stone Quarries, Sand, Clay, and Gravel Pits, and to dig, gather, take, and carry away, from ſuch Quarries and Pits, any Stone, Sand, Gravel, Clay, and other Materials, in and out of any Waſte or Common Grounds lying within the ſaid Barony of *Muirtoun*, for carrying on, executing, and repairing the ſeveral Piers, Quays, and Breaſts, and other Works already built, or authoriſed to be built by virtue of this Act, without paying any Thing for ſuch Waſte and Common Ground opened and uſed as aforeſaid; and that in caſe the ſaid *Hector Munro* and his Foreſaids ſhall judge it improper and inconvenient to open, dig, and carry away, Stones and Gravel, Clay and other Materials, from the ſaid Waſte or Common Ground, and that ſufficient Materials for the Purpoſes aforeſaid cannot eaſily be got from the ſame, that then it ſhall and may be lawful to, and in the Option of, the ſaid *Hector Munro* and his Foreſaids, their Deputies, Agents, Officers, or Servants, to open, quarry, and dig, ſuch Stones, Sand, Gravel, Clay, and other Materials aforeſaid, and to carry the ſame in and out of any Grounds within the ſaid Barony of *Muirtoun*, where ſuch Materials are or may be found, and from Time to Time to cauſe the ſame to be carried off, or ſo much thereof as the ſaid *Hector Munro* and his Foreſaids, and their Agents or Servants, ſhall judge neceſſary for the Purpoſes aforeſaid, and for keeping the ſaid Works in good Order and Repair; the ſaid *Hector Munro* and his Foreſaids making reaſonable Satisfaction for the Damage done to the Surface of the Ground, and for the Value of the Stones, Sand, Gravel, Clay, and other Materials ſo to be carried in and out of the aforeſaid Ground, to the Tackſmen, and other Parties intereſted in ſuch Grounds to which ſuch Damage ſhall be done or occaſioned, and Materials carried away in Manner aforeſaid.

or from private Grounds,

making Satisfaction for Damages.

Roads to be made to Quarries, &c. for getting Materials.

XXIV. And be it enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid *Hector Munro* and his Foreſaids, and their Agents and Servants, to make, uſe, and maintain Roads from the ſaid Waſte and Common Ground, or other Grounds aforeſaid, opened for quarrying and digging Stones, Sand, Gravel, Clay, and other Materials, to any Part of the River or Firth of *Findhorn*, or from the ſaid Pits and Quarries ſo to be opened as aforeſaid, directly to the Harbour of *Findhorn*, and to make the ſame through any Ground belonging to any Perſon or Perſons whatſoever (not being the Ground on which any Houſe ſtands, or any Garden, Orchard, and Walk or Walks planted, or Avenue to any Houſe); the ſaid *Hector Munro* and his Foreſaids making reaſonable Satisfaction for the Damage done to the Ground through which the ſaid Road or Roads paſs, to the Proprietor, Liferenter, Tackſman, and other Parties concerned and intereſted in ſuch Grounds to which ſuch Damage ſhall be done or occaſioned as aforeſaid.

Perſons wilfully deſtroying the Works, to be committed.

XXV. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons whatſoever ſhall, after the ſaid fifteenth Day of *May*, one thouſand ſeven hundred and ſeventy-eight, maliciouſly, wilfully, or wantonly, demoliſh, break down, deſtroy, or ſet on Fire, any of the Jettees, Piers, Quays, Breaſts, or other Works, conſtructed or to be conſtructed in, or belonging to, the ſaid Harbour of *Findhorn*, or any Ship, Boat, or other Veſſel, lying or being therein, every ſuch Perſon or Perſons ſo offending ſhall be committed; and the Court and Courts, by and before whom ſuch Perſon or Perſons ſhall be indicted and tried, ſhall, and hereby have Power and Authority to commit ſuch Perſon or Perſons to the neareſt Priſon or Houſe of Correction, there to be kept to hard Labour for ſuch Time, not exceeding twelve Months, as the ſaid Court or Courts ſhall think proper.

Hector Munro, &c. may make Bye-laws for deepening, &c. the Harbour;

XXVI. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid *Hector Munro* and his Foreſaids, to make, ordain, and eſtabliſh, ſuch Orders, Rules, and Bye-laws, for the better deepening, clearing, cleanſing, and keeping in Repair, the Harbour of *Findhorn* aforeſaid, and for the better regulating, governing, and managing the Jettees, Piers, Quays, and other the Works erected or to be erected, made or ſet up, in the Harbour aforeſaid, and for the better executing the other Purpoſes of this Act; and alſo, from Time to Time, as Occaſion may require, to repeal, add to, amend, or alter, ſuch Rules, Orders, and Bye-laws, as to them ſhall ſeem meet, fitting, and requiſite, and to fix and appoint reaſonable pecuniary Penalties, not exceeding forty Shillings Sterling, for the Non-obſervance or other Breach of all or any ſuch Rules or Bye-laws, or any Part of them, to be recovered and applied in ſuch Manner, and according as the Penalties under five Pounds Sterling are ordained to be recovered, levied, and applied; and the ſaid *Hector Munro* and his Foreſaids ſhall cauſe the ſaid Rules, Orders, and Bye-laws, to be printed and diſtributed, and hung up in the moſt conſpicuous Place of the Town of *Findhorn*, and to pay the Expence and Charge thereof out of the Rates and Duties aforeſaid.

which ſhall be hung up in a conſpicuous Place in Findhorn.

Saving the Right to the Ferry over the River Findhorn.

XXVII. Provided nevertheleſs, and be it further enacted, That nothing herein contained ſhall extend, or be conſtrued to extend, to alter, abridge, or leſſen, the Right of the ſaid *Hector Munro*, his Heirs and Aſſigns, Proprietors of the ſaid Barony of *Muirtoun*, to Ferry-boats and Dues upon and acroſs the ſaid River and Bay of *Findhorn*; any Thing herein contained to the contrary notwithſtanding.

Perſons proſecuted for executing this Act, may plead the ſame, and recover full Coſts.

XXVIII. And be it further enacted by the Authority aforeſaid, That in caſe any Suit or Action ſhall be commenced againſt the ſaid *Hector Munro* and his Foreſaids, or any other Perſon or Perſons, for any Thing done in purſuance of this Act, the Defendant or Defendants, in ſuch Suit or Action, may produce this Act, and plead that the ſaid Things were done in purſuance and by the Authority of this Act: And if it ſhall appear ſo to be done, that then the Defendants ſhall be abſolved from every ſuch Suit, Action or Actions, and ſhall have full Coſts and Expences in the Defence thereof awarded to them from and againſt the Proſecutor or Proſecutors of the ſame.

XXIX. And be it further enacted by the Authority aforesaid, That all Sheriffs, Justices of the Peace, Judges and Magistrates, with their Officers, Messengers at Arms, and all other Officers and Executioners of the Law whatsoever, and every of them, are hereby required to be aiding and assisting in putting this Act into due and effectual Execution: And that this Act shall be deemed, taken, and allowed, in all the Courts of Law and Equity, as a Public Act; and all Judges and Justices are hereby required to take Notice thereof as such, without specially pleading the same. Justices, &c. to assist in the Execution of this Act. Public Act.

## CAP. LXXI.

An Act for empowering the Mayor, Aldermen, and Commons, of the City of *London*, in Common Council assembled, to make a Street or Opening from *Moorfields*, opposite *Chiswell-street*, towards the East into *Bishopsgate-street*; and also from the East End of *Chiswell-street* Westward into *Barbican*; and to raise, upon the Credit of the Surpluses to arise out of a certain Fund, commonly called *The Orphans Fund*, the Sum of sixteen thousand five hundred Pounds for such Purpose.

## CAP. LXXII.

An Act for erecting a Building for holding the Courts and exercising the Jurisdiction of the Dean and Chapter of the Collegiate Church of *Saint Peter* in *Westminster*, within the City and Liberty of *Westminster*, and for holding the Quarter Sessions of the Peace and transacting the other public Business of the said City and Liberty; and for appropriating Part of the Surpluses of the *Orphans Fund*, towards defraying the Expence thereof.

" Preamble. Commissioners appointed, who may purchase a Piece of Ground for erecting a Court-house. " No more than 7,500 *l.* to be expended therein. Bodies Corporate, *&c.* empowered to sell and convey " Lands. The Purchase-money for Lands in Settlement, to be laid out in Purchase of others to the same " Uses. Commissioners empowered to build the Court-house. Court-house not to be taxed higher than " the Premises purchased were taxed. Commissioners not to purchase any Ground till valued by a Sur- " veyor. Commissioners not to begin building the Court-house, until they have approved of a Plan, and " agreed to an Estimate thereof, and contracted for building thereon. The Expence of repairing the " Court-house to be defrayed out of the County Rates. By whose Order the Court-house shall be re- " paired. Recital of Act 5 *&* 6 *Gul. & Mar.* for establishing the Orphans Fund; and 21 *Geo.* II. and " 7 *Geo.* III. for augmenting the same. City of *London* to pay an Annuity of 247 *l.* 10 *s.* to the Commis- " sioners, by Half-yearly Payments. The Mayor, *&c.* to grant fifty-five Bonds for securing the Annuity. " The Bonds to be numbered, and may be sold. Annuities to be redeemable by the City on six Months " Notice. The Orphans Fund charged with the Payment of the Annuities. The Justices to pay to the " Commissioners (out of the County Rates) such further Sum as shall be necessary, not exceeding 2000 *l.* " Expences of this Act how to be paid. Commissioners may appoint Officers, and allow them Salaries. " Place and Time of first Meeting. Fifteen Commissioners may appoint an extraordinary Meeting. " Proceedings to be entered in a Book. A yearly Account of all Monies received and paid to be made " by the Treasurer, and deposited with the Clerk of the Peace. Persons may inspect the Books, *&c.* " When the Court-house is built, *&c.* the Authority of the Commissioners to cease, and Court-house " vested in the Dean of *Westminster*, &c. Saving the Rights of the Justices for *Middlesex* to hold their " Meetings in *Westminster*. Writings to be without Stamps. Limitation of Actions. General Issue. " Treble Costs. Public Act."

## CAP. LXXIII.

An Act for paving the High Street or Road leading from *Aldersgate-bars*, in the Parish of *Saint Botolph without Aldersgate*, *London*, to the Turnpike near the End of *Goswell-street*, in the County of *Middlesex*; and for applying the Sum of five thousand Pounds, to be raised upon the Credit of the Surpluses to arise out of a certain Fund commonly called *The Orphans Fund*, for such Purpose.

## CAP. LXXIV.

An Act to amend an Act, passed in the twenty-sixth Year of King *George* the Second, *more effectually to enable the Parishioners of the Parish of* Christchurch, *in the County of* Middlesex, *to purchase, hire, or erect a Workhouse, for the employing and maintaining the Poor of the said Parish, and for the more effectual Support and Employment of the Poor therein.*

## CAP. LXXV.

An Act for making a Navigable Canal from the Town of *Basingstoke*, in the County of *Southampton*, to communicate with the River *Wey*, in the Parish of *Chertsey*, in the County of *Surrey*; and to the South-east Side of the Turnpike Road in the Parish of *Turgis*, in the said County of *Southampton*.

' WHEREAS the making a Navigable Canal from the Town of *Basingstoke*, in the County of *Southampton*, through or near the several Parishes, Hamlets, or Places of *Basingstoke*, *Eastrop*, *Basing*, *Mapledurwell*, *Andwell*, *Nately*, *Skewers*, *Newnham*, *Rotherwick*, *Hartley-Westpal*, *Turgis*, *Heckfield*, Preamble.

'*Heckfield*, *Grewell*, *Odiham*, *Winchfield*, *Dogmersfield*, *Crondall*, *Yately*, *Alderſhott*, *Aſh*, *Purbright*, *Waking*, *Horſell*, and *Chertſey*, to communicate with the River *Wey*, in the Pariſh of *Chertſey*, in the County of *Surrey*, and from the South-eaſt Side of the Turnpike Road in the ſaid Pariſh of *Turgiſs*, over or near '*Turgiſs-green*, and through the ſaid Pariſh of *Hartley-weſtpall*, to communicate with the ſaid Canal at a Farm called *Hull's Farm*, in the ſaid Pariſh of *Hartley-weſtpall*, will tend to improve the Lands and Eſtates within the ſaid Counties, and will be of public Utility: And whereas the ſeveral Perſons hereinafter particularly named are deſirous, at their own proper Coſts and Charges, to make and complete ſuch Navigable Canal as aforeſaid, in caſe they ſhall be authoriſed ſo to do by Authority of Parliament:' May it therefore, &c.

" Names of Proprietors; who are incorporated. Their Title. Company of Proprietors empowered to make a Navigable Canal from *Baſingſtoke* to the River *Wey*, and to build Bridges, Tunnels, Sluices, &c. and to dig Gravel, Clay, and other Materials, and make Towing-paths. Satisfaction to be made for Damages. Canal may be carried through any Land, which, on *Jan.* 1, 1777, was not a Garden, &c. Power to enter upon Lands to take Levels, &c. Width of the Ground to be taken for the Canal, &c. limited. Owners of Lands, who are under Incapacities, empowered to ſell and convey the ſame. Sales and Conveyances to be valid. Conveyances to be inrolled. Copyhold Lands to be ſurrendered. Commiſſioners appointed to ſettle Differences reſpecting the Value of the Lands, or the Damages to be ſuſtained. If any of the Parties are diſſatisfied with the Determination of the Commiſſioners, then the Value of the Lands, and the Damages, to be aſcertained by a Jury. How the Jury ſhall be ſummoned. Jurors may be challenged. Verdict of the Jury, and Judgment thereupon, to be final. Previous Notice to be given. Penalty on Sheriff, Coroner, Jurors, &c. making Default. By whom the Expences of the Jury ſhall be paid. Party requeſting the Jury, to give Security for proſecuting the Complaint. Commiſſioners not to receive any Complaint, unleſs Application be firſt made to the Proprietors. How Perſons giving falſe Evidence ſhall be puniſhed. Upon Payment or Tender of the Money agreed for, the Company of Proprietors may take Poſſeſſion of Lands, &c. and erect any Works thereon. Determinations of the Commiſſioners or Jury to be recorded by the Clerk of the Peace, and may be given in Evidence. Lands veſted in the Company of Proprietors. The Purchaſe-money for Lands in Settlement, if above the Sum of 20*l.* to be laid out in Purchaſe of others to the ſame Uſes; and until ſuch Purchaſe, to be placed in the Funds. Commiſſioners to determine what Share of the Purchaſe-money ſhall be paid to Perſons having particular Intereſts. How Purchaſe-money may be recovered from the Company of Proprietors. If Damages and Coſts are not paid in four Months, they may be levied by Diſtreſs. Annual Rents charged upon the Rates. Method of Recovery thereof. The Canal to be carried through only certain Parts of the Eſtates of Mr. *Aſhe* and Mr. *Penruddocke*, unleſs they conſent. Bridges to be built acroſs the Canal. A Bridge to be made over *Tundry-pond*, in *Dogmerſfield-park*; and Bridges acroſs the Canal, along the Roads made by *Solomon Dayrolles* Eſquire, near *Henley-park*. Nothing ſhall be done to prejudice Mr. *Dayrolles*'s Ponds or Mills. Certain Brooks and Streams running into the River *Loddon* not to be diverted. Water not to be diverted to the Prejudice of the *Wey* Navigation. Clauſe to indemnify Lord *Onſlow* from any Loſs in his Tolls, provided ſuch Loſs be occaſioned by means of the Canal. How the Damages are to be aſcertained. Company of Proprietors not to divert any Water which uſually ſupplies Lord *Onſlow*'s Ponds. Perſons wilfully deſtroying the Works, to be puniſhed as Felons. Penalty on obſtructing the Navigation. Clauſe for ſecuring Coals, Iron-ſtone, &c. to the Owners of the Lands where found; who may cut Soughs, &c. to unwater the ſame; but not work any Mines within a certain Diſtance of any Tunnels, without Conſent of the Company of Proprietors. No Mines, &c. to be worked within twenty Yards of the Canal without Conſent of Proprietors. Proprietors may examine whether Mines are worked within twenty Yards of the Canal; and in that Caſe, the Canal to be ſecured from Damage at the Expence of the Owners of the Mines. Company of Proprietors to contribute 86,000*l.* to be divided into Shares. No Proprietor to have leſs than one nor more than forty Shares. Application of the Money. The Money to be divided into 860 Shares. Shares veſted in the Subſcribers. What Proportion of the Profits of the Navigation each Subſcriber will be intitled to. Company of Proprietors empowered to raiſe among themſelves a further Sum of 40,000*l.*; of which, any Proprietor may ſubſcribe for ten Shares. Subſcribers to be paid Intereſt. Every Subſcriber for one 860th Share deemed a Proprietor; and may vote by Proxy; and ſhall be intitled to give one Vote for every 100*l.* ſubſcribed. General Meetings of the Company of Proprietors. Committee to be appointed. Power to hold ſpecial Meetings. Committees to be ſubject to the Controul of the General Meetings of the Company. Books of Accounts to be locked up. On Failure of a ſufficient Number at the General Aſſembly, no Committee ſhall be appointed, but another Meeting held for that Purpoſe. Penalty on Proprietors not attending the ſecond Meeting. General Aſſembly to audit and ſettle the Accounts. General Aſſembly and Committees empowered to make Calls. Committees to manage the Affairs of the Company. Proprietors to pay the Calls at the Time required, under a Penalty for Default; and if not paid within two Calendar Months, then to forfeit their reſpective Shares. No Forfeiture of a Share to take place unleſs declared at a General Aſſembly within ſix Calendar Months, &c. General Aſſembly empowered to remove any of the Committee, and any of their Officers, and to revoke or alter any Rules, Directions, &c. Power to make Bye-laws. Executors, Adminiſtrators, Guardians, &c. liable to pay the Calls. In caſe of Deficiency of Aſſetts, any other Perſons may become Proprietors of the Shares, on paying the Money advanced thereon. Proprietors enabled to ſell or diſpoſe of their Shares, &c. After a Call is made, no Perſon to ſell till ſuch Call be paid. Form of the Conveyance of Shares. Company of Proprietors not to begin any of the Works till 86,000*l.* be ſubſcribed, and 10 *per Cent.* paid to the Treaſurer. A Clerk

" 10

" to be appointed, who shall enter the Names of the Proprietors, and also their Proceedings. Proceed-
" ings of the Commissioners to be entered. The Commissioners may appoint a Clerk. Rates granted to
" the Company of Proprietors. Method of recovering the Rates. Exemptions from Payment of Rates.
" Additional Rates for certain Things remaining on the Wharfs longer than twenty-four Hours. Masters
" of Vessels to give an Account thereof, and of their Lading. Penalty on Refusal. Penalty on giving a
" false Account. What shall be deemed a Ton of Timber. Vessels may be weighed or measured, in case
" of any Difference respecting the Rates. By whom the Expences of such weighing and measuring shall
" be paid. The Canal, and the Roads and Ways, open and free to all Persons on paying the Rates.
" Dimensions of the Vessels. No Vessel under fifteen Tons to pass through the Locks without Consent
" of Proprietors. Clause respecting Passage Boats, &c. The Canal not to be carried on the West Side
" of *Tylney-hall* Park, without the Consent of Lord *Tylney*. In case the Canal shall be made on the West
" Side of *Tylney-hall* Park, no greater Toll to be taken than one Penny Halfpenny *per* Mile for a Ton.
" In case the Canal shall be made through *Grewell-hill*, it may be continued on the East Side of *Tylney-*
" *hall* Park to *Turgiss*. The Canal not to be cut through any Part of Lord *Tylney*'s Estate till a certain
" Proportion be completed. Proprietors empowered to make Tunnels, Drains, &c. for supplying the
" Canal with Water; who are to keep them in Repair. Watering-places for Cattle to be preserved.
" Towing-paths to be separated and fenced from the adjoining Lands. Convenient Bridges or Arches to
" be made over the Canal, &c. If the Company of Proprietors shall not make proper Fences, Bridges,
" &c. the Owners of the adjoining Lands may make the same, and recover the Expences from the Com-
" pany. Owners of Lands authorised to alter any such Fences, Bridges, &c. at their own Expence, with
" Consent of the Committee. The Company restrained from erecting any Mills on the Canal, &c.
" and from erecting any Warehouses, Wharfs, &c. near any capital House, or on any Garden, &c. with-
" out Consent of the Owners: and from cutting down Timber, except within the Line of the Canal.
" Lords of the Manors, and Owners of Land, not to be restrained from erecting Wharfs, Quays, &c.
" within their Manors or Lands; or from landing Goods thereat. Rates payable for the same, vested in
" the said Lords and Owners. If such Lords or Owners shall not (upon receiving proper Notice from the
" Company of Proprietors) erect sufficient Warehouses, &c. the same may be done by the Company, on
" making Satisfaction. What shall be paid for Wharfage. Names of the Masters to be painted on the
" Vessels. Vessels may be measured at any Time, at Expence of the Company. Graduated Figures to
" be painted on Vessels, denoting their Weight. Penalty on Masters for Neglect, &c. Owners of Ves-
" sels answerable for Damage done by their Bargemen, &c. Company of Proprietors authorised to make
" Spaces for Vessels to turn or pass each other. Penalty on Bargemen suffering the Water to remain in
" any Lock longer than is necessary; and on not properly opening and shutting the Gates of the Locks,
" &c. Penalty on Persons wilfully placing their Vessels so as to obstruct the Navigation. Vessels sunk
" may be weighed by the Company, at the Expence of the Owners. Penalty on Persons obstructing the
" Navigation by floating Timber, or over-loading Vessels, &c. and on Persons throwing Rubbish into
" the Canal. The Canal not to be under the Controul of the Commissioners of Sewers. Penalty on
" Bargemen having on Board Guns, &c. to take or destroy any Fish or Game; and on the Master per-
" mitting the same. Proviso relating to the River *Wey*. Three Parts of a Map or Plan, with proper
" References, to be signed by the Speaker of the House of Commons. With what Persons they shall be
" deposited. Proprietors shall not deviate from the Line laid down in the Plan, without Consent of Land-
" owners or the Commissioners, except in certain Cases. The Line of the Canal in *Dogmersfield-park* not
" to be deviated from, without Sir *Henry St. John*'s Consent. The Company may make Branches from
" the Canal to Lime-kilns, &c. with Consent of the Land-owners. Proprietors of the *Wey* Navigation
" shall receive Tonnage of 1 *s.* only, for Boats, between the Canal and the *Thames*. The *Wey* Proprie-
" tors to keep their Locks 81 Feet long and 14 Feet wide, and in good Repair. When Commissioners
" die, or refuse to act, new ones to be chosen. Qualification of Commissioners. Penalty on acting if
" not qualified. Commissioners to be sworn. The Oath. Notice to be given of the Commissioners
" Meetings. Commissioners may act as Justices. No Commissioner to hold any Place of Profit under
" this Act. Commissioners to hold Special General Meetings, if required by the Company of Proprie-
" tors, or by any Owners of Lands. A journment of Meetings of Commissioners. Commissioners may
" hold Special Meetings for ascertaining Damages. Places of holding the Commissioners Meetings. All
" Business at Meetings to be determined by a Majority. Saving the Rights of Lords of Manors, and
" Owners of Lands. Company of Proprietors not empowered to make any Erections or Buildings other
" than for the Purpose of the Navigation. Owners of Lands may use Pleasure-boats, free of Duty.
" Lands in Possession of the Company, not made use of for five Years, &c. shall be reconveyed to the
" former Owners. How the Value thereof shall be ascertained. Writings exempt from Stamp-duty.
" Proceedings not to be quashed for Want of Form. The Canal to be measured, and Stones set up, in
" order to ascertain the Rates. Penalties and Forfeitures how to be recovered and applied. Distress not
" to be deemed unlawful for Want of Form. Persons aggrieved may appeal to the Quarter Sessions. If
" Subscribers neglect to pay their Subscriptions, they may be sued. Limitation of Actions. General
" Issue. Treble Costs. Public Act."

## CAP. LXXVI.

An Act for better paving, cleansing, lighting, and watching, the Streets and Lanes in the Town of *Dover* in the County of *Kent*, and in the several Parishes of *St. Mary the Virgin* and *St. James the Apostle* in the said Town and County; and for removing and preventing Nuisances and Annoyances therein.

CAP.

## CAP. LXXVII.

An Act for paving and repairing the Streets, Lanes, and other public Paſſages and Places, within ſuch Part of the Liberty of *Norton Falgate*, in the County of *Middleſex*, as is extra-parochial; and certain Parts of *Magpie-alley* and *Bleſſom-ſtreet*, in the Pariſh of *Saint Leonard Shoreditch*, in the ſaid County; and for removing Obſtructions and Annoyances therein.

## CAP. LXXVIII.

An Act for applying the Sum of nine thouſand Pounds, to ariſe out of the Surpluſſes of a certain Fund, commonly called *The Orphans Fund*, for the Purpoſe of making a Paſſage for Carriages from *Spital-fields* to *Biſhopſgate-ſtreet*, in the County of *Middleſex*.

## CAP. LXXIX.

An Act for paving, cleanſing, lighting, and watching, the Town of *Northampton*; and for removing and preventing Incroachments, Obſtructions, and Annoyances therein.

## CAP. LXXX.

An Act for widening and improving a certain Avenue called *Dirty-lane*, and Part of *Brick-lane*, leading from *Whitechapel* to *Spital-fields*, in the County of *Middleſex*; and for paving *Dirty-lane*, and alſo the Eaſt Side of *Petticoat-lane*, from *Whitechapel High-ſtreet* to *Wentworth-ſtreet*; the ſaid Avenue called *Wentworth-ſtreet*; from thence in one continued Line through *Old Montague-ſtreet*, *Chapel-ſtreet*, and *Princes-row*, to *Baker's-row* incluſive, and the ſeveral Streets and Paſſages leading into the ſame; and for removing all Obſtructions and Incroachments therefrom, and preventing the like for the future.

THE

# STATUTES at Large, &c.

## Anno Regni GEORGII III. Decimo Nono.

'AT the Parliament begun and holden at *Weſtminſter*, the twenty-ninth Day of *November*, *Anno Domini* one thouſand ſeven hundred and ſeventy-four, in the fifteenth Year of the Reign of our Sovereign Lord *GEORGE* the Third, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, *&c.*

'And from thence continued, by ſeveral Prorogations, to the twenty-ſixth Day of *November*, one thouſand ſeven hundred and ſeventy-eight; being the fifth Seſſion of the fourteenth Parliament of *Great Britain*.'

### CAP. I.

An Act for further continuing an Act, made in the ſeventeenth Year of the Reign of his preſent Majeſty, intituled, *An Act to impower his Majeſty to ſecure and detain Perſons charged with, or ſuſpected of, the Crime of High Treaſon, committed in any of his Majeſty's Colonies or Plantations in* America, *or on the High Seas, or the Crime of Piracy.* [*Further continued till* Jan. 1. 1780.]

### CAP. II.

An Act for granting an Aid to his Majeſty by a Land Tax, to be raiſed in *Great Britain*, for the Service of the Year one thouſand ſeven hundred and ſeventy-nine. 4 *s.*

### CAP. III.

An Act for continuing and granting to his Majeſty certain Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year one thouſand ſeven hundred and ſeventy-nine.

### CAP. IV.

An Act for granting further Time for allowing the Drawback upon the Exportation of certain Muſlins, Callicoes, and Coffee.

Preamble.

'WHEREAS there are great Quantities of Muſlins and white Callicoes ſtill remaining in the Kingdom, which were imported by the United Company of Merchants of *England* trading to the *Eaſt Indies*, which, by Reaſon of the Interruption given to Trade by the Rebellion and Diſturbances ſubſiſting in ſeveral of the Britiſh Colonies in *North America*, the Proprietors of ſuch Goods have not been, and may not be, able to export within the Term of three Years from the Importation thereof, being the Time limited by Law to intitle them to receive the Drawback of the Duties thereon; and it is reaſonable and neceſſary that ſome further Time ſhould be granted for the Exportation of ſuch Goods;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That, for all Muſlins and white Callicoes which were imported by the ſaid United Company into this Kingdom, in the Years one thouſand ſeven hundred and ſeventy-three, one thouſand ſeven hundred and ſeventy-four, and one thouſand ſeven hundred and ſeventy-five, and which ſhall be exported from hence before the thirtieth Day of *December* one thouſand ſeven hundred and eighty; and for all Muſlins and white Callicoes imported into this Kingdom by the ſaid United Company, in the Years one thouſand ſeven hundred and ſeventy-ſix, and one thouſand ſeven hundred and ſeventy-ſeven, and which ſhall be exported from hence before the thirtieth Day of *December*, one thouſand ſeven hundred and eighty-one; and for all Muſlins and white Callicoes which have been exported from this Kingdom, and which were returned here for want of a Market abroad, on or before the thirtieth Day of *December*, one thouſand ſeven hundred and ſeventy-five, and which ſhall be re-exported again from hence before the thirtieth Day of *December*, one thouſand ſeven

The Term limited by Law for paying the Drawback on the Exportation of Muſlins and white Callicoes, extended.

hundred and eighty, whether such Muslins or Callicoes shall have been printed, painted, stained, or dyed, in this Kingdom, or not, the Exporter or Exporters of such Goods shall be allowed and paid the same Drawbacks, under the like Rules, Regulations, Securities, Penalties, and Forfeitures, as such Exporter or Exporters would be intitled and liable to, in case such Goods had been exported within the Term of three Years from the Importation or Return thereof; any Law, Custom, or Usage, to the contrary notwithstanding.

16th Geo III. Cap. 51, recited.

'II. And whereas by an Act, made in the sixteenth Year of the Reign of his present Majesty, (intituled, '*An Act for granting further Time for allowing the Drawback upon the Exportation of Muslins and Callicoes* '*imported by the* East India *Company in the Years one thousand seven hundred and seventy-three, and one thousand* '*seven hundred and seventy-four; for allowing further Time to the said Company to expose to Sale such Bohea and* '*Single Teas and Coffee as remained unsold on the fifth Day of* April, *one thousand seven hundred and seventy-*'*six; and also such Bohea Teas as shall be imported on or before a certain Time; and for allowing the Draw-*'*backs on the Exportation of such Teas and Coffee; and for granting further Time for allowing the Drawback* '*on the Exportation of Coffee imported in the Ship* Shrewsbury, *in the Year one thousand seven hundred and* '*seventy-three*), it was, amongst other Things, enacted, That, for and during the Term of five Years, to 'be computed from the Time of Importation, there should be drawn back and allowed, for all Coffee 'which should be exported from this Kingdom as Merchandise to *Ireland*, or any of the *British* Colo-'nies or Plantations in *America*, to the Exporter or Exporters thereof, such and the same Drawbacks or 'Allowances, and under such Rules, Regulations, Securities, Penalties, and Forfeitures, as such Ex-'porter or Exporters would have been intitled to in case such Coffee had been exported within the 'Term of three Years from the Times of the Importation thereof: And whereas very small Quantities 'of Coffee are exported from this Kingdom to *Ireland* or the Plantations, the principal and chief of such 'Exportations being to *Germany*, and other Parts of *Europe*; and it is expedient that the said in Part re-'cited Act should extend to other foreign Parts;' be it therefore enacted by the Authority aforesaid,

Part of the said Act, relating to the Drawback on the Exportation of Coffee to Ireland or America, extended to other foreign Parts.

That the said in part recited Act shall extend, and be construed to extend, to allow the like Drawback for any Coffee which hath been exported from this Kingdom to any foreign Parts, since the fifth Day of *April*, one thousand seven hundred and seventy-six, and which then remained in the said Company's Warehouses unsold, or which shall be hereafter so exported to any foreign Parts within the Term of five Years from the Importation thereof, under the same Rules and Regulations, Securities, Penalties, and Forfeitures, as the former Drawback was allowed; any Thing in the said recited Act, or any other Act, to the contrary notwithstanding.

## CAP. V.

### An Act for granting Relief to the Captors of Prizes, with respect to bringing and landing certain *French* Prizes in this Kingdom.

Preamble; reciting his Majesty's Order in Council of July 29, 1778.

'WHEREAS his Majesty, by Order in Council, dated the twenty-ninth Day of *July*, one thou-'sand seven hundred and seventy-eight, was pleased to order that General Reprisals be granted 'against the Ships, Goods, and Subjects, of the *French* King, and that as well all his Majesty's Fleets and 'Ships, as also all other Ships and Vessels that shall be commissioned, by Letters of Marque or General 'Reprisals or otherwise, by the Commissioners for executing the Office of Lord High Admiral of *Great* '*Britain*, shall and may lawfully seize all Ships, Vessels, and Goods, belonging to the *French* King or his 'Subjects, or others inhabiting within any of the Territories of the *French* King, and bring the same to 'Judgment in any of his Majesty's Courts of Admiralty within his Majesty's Dominions: And whereas 'it is expedient that the several Provisions of an Act, made in the last Session of Parliament, (intituled, '*An Act for the Relief of the Captors of Prizes, with respect to the bringing and landing certain Prize Goods in* '*this Kingdom*), should be extended in like Manner to all Prize Goods which have been, or may be, taken 'from the *French*, in pursuance of his Majesty's said Order in Council;' may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Act, made in the last Session of Parliament, and all the Articles, Clauses, and Provisions therein, shall extend, and be construed to extend, to all Prize Goods which have been taken from the *French* since the twenty-ninth Day of *July*, one thousand seven hundred and seventy-eight, or which shall hereafter be taken, during the Continuance of the present Hostilities with *France*, by any of his Majesty's Ships or Vessels of War, or by any private or other Ship or Vessel having Commission or other Authority from the Lord High Admiral of *Great Britain*, or the Commissioners for executing the Office of Lord High Admiral of *Great Britain*, for the Time being, for that Purpose.

18 Geo. III. Cap. 15, extended to Prizes taken from the French since July 29, 1778, &c.

Such Prizes, after Condemnation, to be subject to the same Duties, &c. as other Prizes.

II. And be it further enacted by the Authority aforesaid, That all Ships or Vessels which shall have been, or which shall be so taken as aforesaid, shall, upon Condemnation as lawful Prize, be subject and liable to the same Duties, Customs, Restrictions, and Regulations, and shall be intitled to the same Privileges and Advantages, in all Respects, to which Ships and Vessels taken and condemned as Prize are subject and liable to, and intitled to, by any Law or Statute of this Realm.

Prize Goods brought into Ireland to be subject to the same Customs, &c. as if imported there as Merchandize.

III. Provided always, That nothing contained in this Act, or in any other Act or Acts of Parliament made in this Kingdom, shall extend, or be construed to extend, to exempt any Ships, Goods, Wares, or Merchandizes, which shall be taken as Prize and brought into the Kingdom of *Ireland*, from the Payment of any Customs or Duties, or from being subject to such Restrictions and Regulations to which the same now are or may be liable, by virtue of any Law or Statute made in that Kingdom, in case the same had been imported there as Merchandize in the ordinary Course of Trade, and not brought in as Prize.

IV. And

IV. And it is hereby further enacted by the Authority aforesaid, That if any Tea, or other *East India* Goods, which are or may be liable to any Duties *ad valorem*, which shall be taken and condemned as Prize, shall be exported from this Kingdom to *Ireland*, the Certificates, Cocquets, and other Documents, shall express the Price or Value at which such Goods were sold by the Captors or their Agents upon Condemnation; and such Cocquets and other Documents shall have the same Force and Effect, to all Intents and Purposes whatsoever, upon the Importation of such Goods into *Ireland*, as if the said Goods had been imported by, and sold at, the Sales of the United Company of Merchants of *England* trading to the *East Indies*.

Directions relating to East India Goods which shall be taken as Prize and exported to Ireland.

## CAP. VI.

An Act to authorize the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, for the Time being, to order any Court martial, which may be appointed on the Charge of Vice-Admiral Sir *Hugh Palliser* against the Honourable Admiral *Augustus Keppel*, to be holden on Shore.

'WHEREAS by the Laws now in being, Courts-martial for the Trial of Officers, Mariners, Soldiers, and other Persons in or belonging to his Majesty's Fleet, are to be holden on Ship-board, and no Member of such Courts-martial after the Trial is begun can go on Shore until Sentence be given, but is to remain on Board the Ship in which the said Court first assembles, except in Case of Sickness: And whereas the Commissioners for executing the Office of Lord High Admiral, have intimated an Intention to order a Court-martial, on a Charge exhibited by Vice-Admiral Sir *Hugh Palliser* against the Honourable *Augustus Keppel*, Admiral and Commander in Chief of a Fleet of his Majesty's Ships of War, for the Trial of the said Admiral on that Charge: And whereas, by Reason of his infirm State of Health, the necessary Attendance of the said Admiral on such Court-martial may greatly endanger his Life;' may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral of *Great Britain*, for the Time being, to order that, after such Court-martial shall have been duly assembled and constituted, and the Members thereof, and the Judge Advocate, duly sworn, according to the Laws now in being, the said Court shall be adjourned to, and holden in, such convenient Place on Shore, as to the said Lord High Admiral, or the said Commissioners for executing the Office of Lord High Admiral, shall seem necessary or expedient; and such Court-martial is and shall hereby be authorized and required to adjourn to such Place accordingly, any Law, Statute, or Usage, to the contrary notwithstanding.

Preamble.

After the Court-martial for the Trial of Admiral Keppel shall have been constituted and sworn, it shall adjourn to such convenient Place on Shore as shall be appointed by the Commissioners of the Admiralty.

II. Provided always, and be it further enacted, That, after such Adjournment shall have taken place, no Member of such Court-martial shall separate and depart from the House in which such Court-martial shall be directed to be held until the Trial is ended, except in case of Sickness, to be judged of by the said Court, upon Pain of being cashiered from his Majesty's Service; and that the said Court-martial shall be holden and proceed in all other Respects in the same Manner and Form as if the same should continue on board the Ship in which it is originally to be assembled.

No Member of the Court-martial to depart from the House in which it shall be held during the Trial, except in case of Sickness.

## CAP. VII.

An Act for making the Church or Chapel erected by *Charles Roe* Esquire, in the Town of *Macclesfield*, in the County Palatine of *Chester*, a perpetual Cure and Benefice, and for endowing the same, and vesting the Right of Nomination or Presentation thereof in the said *Charles Roe*, his Heirs and Assigns, and for other Purposes.

'WHEREAS *Charles Roe*, of *Macclesfield*, in the Parish of *Prestbury* and County Palatine of *Chester*, Esquire, hath, at his own Expence, erected a Church or Chapel in the said Town of *Macclesfield*, and fitted up the same, in a proper, decent, and commodious Manner, for the Performance of Divine Service, according to the Rites and Ceremonies of the Church of *England*; and hath also allotted, set out, and inclosed, a Piece of Ground (which hath been already consecrated) as and for a Cemetery or Burying-ground belonging to the said Church or Chapel, containing Eighty Yards in Length, and Seventy Yards in Breadth, Part of a certain Field commonly called *The Marley Bank*, the Property of the said *Charles Roe*: And whereas the said *Charles Roe* is willing and desirous to endow the said Church or Chapel with the Sum of one hundred Pounds *per Annum*, to the Minister, and proper Salaries to the Clerk, Organist, Sexton, and other proper Officers and Assistants, to be paid out of the Rents arising, or to arise, from the Seats, Pews, or Sitting-places, in the said Church or Chapel; and also to advance and pay the Sum of two hundred Pounds for the Purpose of augmenting the Maintenance of the Ministers of *Rainow* and *Saltersford* Chapels, within the said Parish of *Prestbury*, or of augmenting the Maintenance of the Minister of either of the said Chapels singly, or of any other Chapel or Chapels within the said Parish, according to the Discretion of the Vicar of *Prestbury* for the Time being, in the Manner directed by, or in pursuance of, an Act of Parliament made in the second and third Years of the Reign of her late Majesty Queen *Anne*, *for the Augmentation of the Maintenance of the poor Clergy*: And whereas *Charles Legh*, of *Adlington*, in the said Parish of *Prestbury*, Esquire, the Patron, and *Peter Meyer* Clerk, the Vicar of the Parish Church of *Prestbury* aforesaid, by and with the

Preamble; recting that Charles Roe Esquire hath built a Church in Macclesfield, and inclosed a Burying-ground for the same, &c.

'Conſent of *Beilby* Lord Biſhop of *Cheſter*, the proper Ordinary of the ſame, have, in Conſideration of 'the Premiſes aforeſaid, conſented and agreed that the ſaid *Charles Roe*, his Heirs and Aſſigns, ſhall, from 'and after the Conſecration of the ſaid new Church or Chapel, have the ſole Right of nominating or pre- 'ſenting a proper Perſon, to be from Time to Time licenſed by the ſaid Lord Biſhop of *Cheſter*, and his 'Succeſſors, to perform Divine Service therein, according to the Rites and Ceremonies of the Church 'of *England*; and alſo of appointing Church or Chapel Wardens, Clerks, Organiſts, Sextons, and 'other proper Officers and Aſſiſtants, for the Service of the ſaid Church or Chapel: And whereas the en- 'dowing the ſaid Church or Chapel, according to the pious and charitable Intention of the ſaid *Charles* 'Roe, will be of great Utility to the Inhabitants of the ſaid Town of *Macclesfield*, and tend to promote 'the Worſhip of Almighty God; and it is juſt and reaſonable, that the Right of Nomination or Preſenta- 'tion of the Miniſter, and of appointing other Officers for officiating in the ſaid Church or Chapel, 'ſhould be veſted in the ſaid *Charles Roe*, his Heirs and Aſſigns, yet the ſame cannot be effectually done, 'and firmly eſtabliſhed, without the Aid and Authority of Parliament:' Therefore your Majeſty's moſt dutiful and loyal ſubject, the ſaid *Charles Roe*, doth moſt humbly beſeech your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Church or Chapel ſhall be ſet apart, conſecrated, and dedicated, to and for the Service of Almighty God, as and for a Place of Divine Worſhip according to the Uſage of the Church of *England*, for ever; and ſhall, when and as ſoon as the ſame ſhall be ſo conſecrated and dedicated, be, and is hereby declared to be, from thenceforth, a perpetual Cure and Benefice, and ſhall be called by the Name of *Chriſt Church or Chapel, in the Town of Macclesfield*.

Church or Chapel to be conſecrated, &c. and made a perpetual Cure.

Right of Preſentation veſted in Mr. Roe, &c.

II. And be it further enacted by the Authority aforeſaid, That the perpetual Right of Nomination or Preſentation of, in, and to the ſaid Church or Chapel ſhall, immediately after the Conſecration thereof, be veſted in, and ſettled upon, the ſaid *Charles Roe*, his Heirs and Aſſigns, for ever; and it ſhall and may be lawful for the ſaid *Charles Roe*, his Heirs or Aſſigns, immediately after the ſaid Church or Chapel ſhall be conſecrated, to nominate and appoint a Miniſter, duly qualified according to Law, to officiate and perform Divine Service therein; and that ſuch Miniſter ſhall, after ſuch Nomination and Appointment (and a Licence obtained from the Lord Biſhop of *Cheſter* for the Time being, for performing Divine Service in the ſaid Church or Chapel), be deemed and taken, by virtue of this Act, to be incorporated and made one Body Politic and Corporate, by the Name of *The Miniſter or Curate of Chriſt Church or Chapel, in the Town of Macclesfield, in the County Palatine of Cheſter*, and by that Name ſhall have perpetual Succeſſion, and be enabled to ſue and be ſued in all Courts of this Realm; and the ſaid Church or Chapel ſhall be veſted in the ſaid Miniſter or Curate ſo to be firſt nominated and appointed, and licenſed, and his Succeſſors Miniſters or Curates of the ſaid Church or Chapel, for ever, in the ſame Manner as the Freehold and Inheritance of a Pariſh Church is by the Laws of this Realm veſted in the Incumbent thereof; and the ſaid Church or Chapel, and the Miniſter or Curate thereof for the Time being, and alſo the Church or Chapel Wardens thereof for the Time being, to be reſpectively appointed in Manner herein-after directed, ſhall be under and ſubject to the ordinary Juriſdiction of the Biſhop of *Cheſter*, and his Succeſſors, and ſhall be viſited in ſuch Manner as other Churches and Chapels in the Dioceſe of *Cheſter* are viſited.

Miniſter incorporated, and the Church or Chapel veſted in him.

Church or Chapel to be ſubject to the Juriſdiction of the Biſhop of Cheſter.

III. Provided always, and be it further enacted, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to make any new Pariſh, or to affect or alter any Payments or Aſſeſſments, either parliamentary or parochial.

Not to be deemed a new Pariſh, nor to affect any Aſſeſſments.

IV. And be it further enacted, That the Miniſter or Curate of the ſaid Church or Chapel for the Time being ſhall himſelf, every *Sunday* Morning and Evening, read in the ſaid Church or Chapel the Prayers preſcribed in the Book of Common Prayer or Public Liturgy of the Church of *England*; and ſhall on every Day in *Paſſion Week*, and on every *Tueſday* and *Thurſday* weekly during the whole Year, and on every other Day which is ſet apart for Public Worſhip by the Church of *England*, in like Manner read, in the ſaid Church or Chapel, the Morning Prayers preſcribed in the ſaid Book of Common Prayer for ſuch Days reſpectively; and ſhall on every *Sunday* throughout the Year, as well in the Morning as in the Evening (except in the Mornings of ſuch *Sundays* on which the Sacrament ſhall be adminiſtered in the ſaid Church or Chapel), and on every *Chriſtmas-day*, *Good-friday*, and *Aſcenſion-day*, in the Morning, after Divine Service performed, preach a Sermon in the ſaid Church or Chapel; and alſo on every *Eaſter-ſunday*, *Whitſunday*, and *Chriſtmas-day*, and alſo upon the laſt *Sunday* in every Month (except in the Month of *December*, and in the Months in which *Eaſter-day* and *Whitſunday* ſhall happen), adminiſter the Holy Sacrament in the ſaid Church or Chapel; and if the ſaid Miniſter or Curate ſhall be prevented or hindered by Sickneſs, or any other reaſonable Cauſe, from performing the Duties above reſpectively required and enjoined, or any of them, then and in any ſuch Caſe he ſhall find and procure ſome other able Miniſter or Curate to do and perform the ſame reſpectively.

Duty of the Miniſter or Curate.

V. And be it further enacted, That in caſe the Miniſter or Curate for the Time being ſhall, at any Time after being appointed thereto, withdraw or abſent himſelf, or ſhall not reſide within the Town of *Macclesfield* aforeſaid, and do the Duty himſelf of the ſaid Church or Chapel, either by Means of having any other Preferment in the Church, or on any other Account or Pretence whatſoever, for more than the Space of ſix Weeks at a Time, or more than the Space of Three Calendar Months in any one Year, (Sickneſs or other unavoidable Cauſe of Abſence excepted), or if, during ſuch his Abſence or Sickneſs, the ſaid Church or Chapel ſhall not be duly ſerved and ſupplied, by the ſaid Miniſter or Curate's neglecting to procure ſome other fit and proper Miniſter or Miniſters to ſupply his Place, or do Duty therein; and if ſuch wilful Non-reſidence, beyond the Time allowed, or ſuch Neglect as aforeſaid, be proved by ſufficient Evidence, to the Satisfaction of the Lord Biſhop of *Cheſter* for the Time being, then, and from thenceforth, his Cure ſhall become and be deemed vacant and void, and the ſaid *Charles Roe*, his Heirs or Aſſigns, ſhall nominate or preſent ſome other fit and proper Perſon (to be licenſed in Manner aforeſaid)

Miniſter abſenting, or neglecting his Duty, Cure to be deemed vacant, and be filled up by Mr. Roe, &c.

in the Room or Place of the Perſon ſo abſenting himſelf, or being guilty of ſuch Neglect as aforeſaid; and ſuch Perſon ſo to be nominated or preſented, and licenſed, ſhall be ſubject and liable to the like Diſability for Non-reſidence, or being guilty of ſuch Neglect as aforeſaid, as the Perſon or Perſons, he or they, ſhall from Time to Time ſucceed, was or were ſubject and liable to, any Licence or Diſpenſation to the contrary notwithſtanding.

If Vacancy not filled up in a certain Time by Mr. Roe, &c. the Right of Nomination to lapſe in the uſual Order.

VI. And be it further enacted, That in caſe the ſaid Church or Chapel ſhall be ſuffered to remain void for the Space of ſix Calendar Months without any Nomination or Preſentation thereunto by virtue of this Act as aforeſaid, then, and in ſuch Caſe, the Nomination or Preſentation to the ſaid Church or Chapel ſhall lapſe to the Ordinary, and from him to the Metropolitan, and from him to the Crown, according to the Courſe of Law in Preſentative Livings or Benefices; and the Right of Nomination or Preſentation to the ſaid Church or Chapel ſhall and may be recovered, and the Incumbency thereof may and ſhall ceaſe and be determined, in like Manner as the Preſentation to, or Incumbency in, any Vicarage Preſentative may now be recovered or determined.

No Marriages or Burying-places in the new Church.

VII. And be it further enacted, That no Marriages ſhall be had or ſolemnized, nor ſhall any Graves or Burying-places be made or allowed, within the ſaid new Church or Chapel (except for the Interment of the Family of the ſaid *Charles Roe*, his Heirs and Aſſigns).

Chriſtenings and Burials to be regiſtered in the old Chapel.

VIII. And be it further enacted, That all Chriſtenings in the ſaid new Church or Chapel, and all Burials in the Church or Chapel Yard, Cemetery, or Burying-ground belonging thereto, ſhall be regiſtered as uſual in the Regiſter of the old Chapel, in the ſaid Town of *Macclesfield*.

Double Fees for Churchings and Burials;

'IX. And, in order that the ſaid new Church or Chapel may not prejudice the old Chapel in the ſaid 'Town of *Macclesfield*, nor leſſen the Revenues thereof;' be it further enacted, That if any Woman or Women ſhall chuſe to be churched in the ſaid new Church or Chapel, or if the Repreſentative or Repreſentatives of any deceaſed Perſon or Perſons ſhall be deſirous of having the Corpſe of ſuch deceaſed Perſon or Perſons buried in the ſaid new Church or Chapel Yard, Cemetery, or Burying-ground, by the Miniſter or Curate thereof, ſuch Perſon or Perſons ſhall pay to the Miniſter or Curate of the ſaid new Church or Chapel double the Fees which are uſually and of Right ought to be paid for every ſuch Churching or Burial at the ſaid old Chapel; and the ſaid Miniſter or Curate, and his Succeſſors, ſhall, from Time to Time, collect and receive ſuch double Fees, and account for and pay one Moiety or Half Part thereof to the Miniſter, Clerk, and Sexton, of the old Chapel in the ſaid Town of *Macclesfield* for the Time being, to be divided among them in ſuch Shares and Proportions as the Fees payable at the ſaid old Chapel are divided; and the remaining Moiety ſhall be divided between the Miniſter or Curate, Clerk, and Sexton, of the ſaid new Church or Chapel, in ſuch Shares and Proportions as Fees of the like Nature, and for the like Services, are uſually or of Right ought to be divided among the Miniſter, Clerk, and Sexton, of the ſaid old Chapel: And in caſe of any Refuſal or Neglect of the Miniſter or Curate of the ſaid new Church or Chapel, to pay the ſaid ſeveral Fees weekly, as he ſhall receive the ſame, to the ſaid Miniſter, Clerk, and Sexton, of the ſaid old Chapel, upon Demand, the ſame ſhall and may be recovered by the ſaid Miniſter, Clerk, and Sexton reſpectively, of the ſaid old Chapel for the Time being, in ſuch Manner as any Surplice-fees demanded and taken at the ſaid old Chapel may be recovered, or by Action of Debt in any of his Majeſty's Courts of Record at *Weſtminſter*, or within the County Palatine of *Cheſter*, wherein no Eſſoign, Protection, or Wager of Law, or more than one Imparlance, ſhall be allowed.

One-half of which to be accounted for to the Miniſter, &c. of the old Chapel.

How to be recovered.

Rates for Burial in the new Burying-ground.

X. And be it further enacted, That in caſe any Ground ſhall be broken up or opened within any Part of the ſaid Church or Chapel Yard, Cemetery, or Burying-ground (excepting in that Part which has been, and now is, ſet apart and appropriated for the burying of the Poor, being one-fourth Part of the Whole of the ſaid Church or Chapel Yard), there ſhall be paid to the ſaid *Charles Roe*, his Heirs or Aſſigns, the Sum of two Pounds two Shillings for every Piece of ſuch Ground containing Eight Feet in Length, and five Feet in Breadth.

Church or Chapel Wardens to be appointed by Mr. Roe, his Heirs, &c.

XI. And be it further enacted, That it ſhall and may be lawful to and for the ſaid *Charles Roe*, his Heirs and Aſſigns, and they are hereby authoriſed and impowered, upon, or immediately after the Conſecration of the ſaid Church or Chapel, to nominate and appoint two ſuch Perſons as he or they ſhall think fit, to be and act as Church or Chapel Wardens thereof, until *Eaſter* Week next after ſuch Appointment, and from thenceforth, upon every *Eaſter Monday* yearly for ever, in like Manner to nominate and appoint two ſuch other Perſons as aforeſaid, to be and act as Church or Chapel Wardens for the Time being, of the ſaid Church or Chapel; and the reſpective Perſons to be nominated and appointed in Manner above mentioned, being duly ſworn according to Law, ſhall be and act as Church or Chapel Wardens of the ſaid Church or Chapel, and ſhall continue in the ſaid Office for one whole Year after ſuch reſpective Appointments, and until others ſhall be appointed and ſworn in their Room or Stead.

Clerk, Organiſt, &c. to be appointed by Mr. Roe, &c.

XII And be it further enacted, That it ſhall and may be lawful to and for the ſaid *Charles Roe*, his Heirs and Aſſigns, to nominate and appoint ſuch Perſons as he or they ſhall think fit, to officiate as Clerk, Organiſt, and Sexton, in the ſaid Church or Chapel, and ſuch other Aſſiſtants or Perſons as he or they ſhall think neceſſary for the Service of the ſaid Church or Chapel, with ſuch Salaries or Stipends as the ſaid *Charles Roe*, his Heirs or Aſſigns, ſhall think proper, and alſo, from Time to Time, to remove ſuch Clerk, Organiſt, Sexton, or other Perſons reſpectively, upon juſt and reaſonable Cauſe; and the Salaries or Stipends of ſuch Clerk, Organiſt, Sexton, or other Perſons ſo to be appointed, ſhall be paid by the Church or Chapel Wardens to be appointed as aforeſaid, out of the Money ariſing by the Rents of Pews or Seats in the ſaid Church or Chapel, in Manner herein-after mentioned.

Rents of Seats to the Amount of 180 l. per Ann. veſted in the Church or Chapel Wardens; the reſt may be let or ſold by Mr. Roe, &c.

XIII. And be it further enacted, That ſo many of the Pews or Seats in the ſaid Church or Chapel ſhall be, and are hereby declared to be, veſted in the ſaid Church or Chapel Wardens, as being let, the Rents ariſing therefrom ſhall be ſufficient to produce the Sum of one hundred and eighty Pounds *per Annum*, in Truſt, for paying the Salaries or Stipends to the ſaid Miniſter or Curate, Clerk, Organiſt, Sexton, and other Perſons to be appointed as aforeſaid, and other the Purpoſes in this Act mentioned; and the reſt of the

the Pews or Seats in the ſaid Church or Chapel ſhall and may be let or ſold to ſuch Perſons as the ſaid *Charles Roe*, his Heirs or Aſſigns, ſhall from Time to Time think proper.

Seats for the Rector and Wardens to be reſerved.

XIV. Provided nevertheleſs, That the Pew or Seat in the Body of the ſaid Church or Chapel, marked or numbered with the Figures 61, ſhall belong to, and be the Property of, the Miniſter or Curate of the ſaid Church or Chapel for the Time being; and the Pew or Seat in the Body of the ſaid Church or Chapel, marked or numbered with the Figures 74, ſhall belong to, and be the Property of, the Church or Chapel Wardens of the ſaid Church or Chapel for the Time being.

Rents of Pews to be entered in a Book.

XV. Provided always, that the ſeveral Rents to be fixed and aſcertained for and upon every ſuch Pew or Seat to be let as aforeſaid, ſhall be entered in a Book to be kept for that Purpoſe, and ſubſcribed by the ſaid Church or Chapel Wardens for the Time being.

Rents of Seats to be paid half-yearly:

On Failure thereof, how to be recovered.

XVI. And be it further enacted, That the Rents to be reſerved and made payable to the ſaid Church or Chapel Wardens, and the ſaid *Charles Roe*, his Heirs and Aſſigns, reſpectively, for the Pews or Seats in the ſaid Church or Chapel, ſhall be paid by two equal half-yearly Payments; that is to ſay, at *Chriſtmas*, and *Midſummer*; and in caſe the Rent of any ſuch Pew or Seat ſhall happen to be behind and unpaid by the Space of thirty Days next after the ſame ſhall become due, then the Church or Chapel Wardens for the Time being, and the ſaid *Charles Roe*, his Heirs or Aſſigns, reſpectively, ſhall and may either enter upon ſuch Pew or Seat, Pews or Seats, and let and diſpoſe of the ſame to any other Perſon or Perſons, or elſe may ſue for and recover the Rent ſo in Arrear by Action of Debt, or by Action upon the Caſe, for the Uſe and Occupation of ſuch Pew or Seat, in any of His Majeſty's Courts of Record at *Weſtminſter*, or within the ſaid County Palatine of *Cheſter*.

Wardens to pay Salaries to Miniſter, &c. to provide Books, Bread and Wine, &c. for the Sacrament, and to repair the Church.

XVII. And be it further enacted, That for the Maintenance of the Miniſter or Curate, for the Time being, of the ſaid Church or Chapel, the Perſon or Perſons, who ſhall be reſpectively appointed to act as Church or Chapel Wardens thereof, for the Time being, in purſuance of this Act, and their Succeſſors, ſhall, by and out of the Rents of the Pews or Seats ſo veſted in them as aforeſaid, yearly and every Year well and truly pay, or cauſe to be paid, to ſuch Miniſter or Curate, and his Succeſſors, for the Time being, the Sum of one hundred Pounds of lawful Money of *Great Britain*, without any Deduction or Abatement whatſoever, for Taxes or otherwiſe, by even and equal Portions, at the Feaſts of the Nativity of our Saviour *Chriſt*, and *Saint John the Baptiſt*, the firſt Payment thereof to be made at and upon the Feaſt Day of the Nativity of our Saviour *Chriſt*, which ſhall happen next after the Conſecration of the ſaid Church or Chapel; and the ſaid Church or Chapel Wardens ſhall alſo pay to the Clerk, Organiſt, Sexton, and other neceſſary Officers and Attendants of the ſaid Church or Chapel, for the Time being, their reſpective Salaries or Stipends, and likewiſe furniſh Books and Surplices, provide Bread and Wine for the Holy Euchariſt, with other Things proper and neceſſary, and ſupport and keep in Repair the ſaid Church or Chapel, and the Yard thereof, with the Walls, Gates, and other Appurtenances thereto, and alſo the Organ, Clock, Bells, and other Things, to the ſaid Church or Chapel appertaining, or to appertain, and to do and perform all other Matters whatſoever which may be neceſſary or expedient for and concerning the Management, Support, and good Order, of the ſaid Church or Chapel.

If Salaries are not paid within 30 Days after due, how they may be recovered.

XVIII. And be it further enacted, That if any Default ſhall be made in the Payment of the ſaid yearly Sum of one hundred Pounds, or any Part thereof, to the ſaid Miniſter or Curate for the Time being, as aforeſaid, or of the Salaries or Stipends to the ſaid Clerk, Organiſt, Sexton, or other neceſſary Officers or Attendants of the ſaid Church or Chapel, for the Time being, by the Space of thirty Days next after any of the Days of Payment whereon the ſame ought to be paid, then it ſhall and may be lawful to and for the ſaid Miniſter or Curate, Clerk, Organiſt, Sexton, or other Perſon or Perſons as aforeſaid, their Executors and Adminiſtrators reſpectively, to ſue for and recover the ſame, with full Coſts of Suit againſt ſuch Church or Chapel Warden or Wardens for the Time being, and his and their Succeſſors, by Action of Debt, or upon the Caſe, in any of his Majeſty's Courts of Record at *Weſtminſter*, or within the ſaid County Palatine of *Cheſter*, wherein no Eſſoin, Protection, Privilege, or Wager of Law, or more than one Imparlance, ſhall be allowed.

Not more than Half a Year's Arrears to be recovered from ſucceeding Wardens.

XIX. Provided always, That no Arrears of the ſaid yearly Sum of one hundred Pounds, or of any of the Salaries or Stipends as aforeſaid, to be had and recovered againſt any ſucceeding Church or Chapel Warden or Wardens, which ſhall have accrued in the Time of his or their Predeceſſors, ſhall exceed in the Whole one half-yearly Payment of the ſaid yearly Sum of one hundred Pounds, or of the ſaid yearly Salaries or Stipends reſpectively; and that every Action for the Recovery thereof be commenced againſt ſuch ſucceeding Church or Chapel Warden or Wardens, within the Space of Six Calendar Months next after his or their firſt entering upon, and being ſworn into, the ſaid Office of Church or Chapel Warden or Wardens.

Wardens to keep an Account of Receipts and Diſburſements;

and to account and pay the Surplus Money to Mr. Roe, &c.

XX. And be it further enacted, That ſuch Perſon and Perſons ſo to be reſpectively nominated and appointed to act as Church or Chapel Wardens as aforeſaid, for the Time being, ſhall, and he and they is and are hereby reſpectively required and enjoined to keep true and perfect Entries, in a proper Book or Books to be provided for that Purpoſe, of all and every Sum and Sums of Money by him or them received on Account of the Rents of the ſaid Pews or Seats ſo veſted in them as aforeſaid, or otherwiſe, and of all and every Sum and Sums of Money by them iſſued and paid, and of all Debts and Credits due or owing to them, in purſuance of this Act, which Books and Accounts ſhall and may be inſpected at all convenient Times by the ſaid *Charles Roe*, his Heirs and Aſſigns; and the ſaid Church or Chapel Wardens, or the Survivor of them, or the Heirs, Executors, or Adminiſtrators of ſuch Survivor, ſhall, at the Expiration of the Time for which they ſhall be appointed Church or Chapel Wardens as aforeſaid, or within twenty Days after, account to and with the ſaid *Charles Roe*, his Heirs and Aſſigns; and in caſe any Surplus Money, ariſing by or from the Rents of the ſaid Pews or Seats, ſhall remain in the Hands of the ſaid Church or Chapel Wardens, after Payment and Diſburſement of the ſeveral Salaries or Sums herein-before directed to be iſſued and paid thereout, unto and for the Miniſter or Curate, Clerk, Organiſt, Sexton,

Sexton, and other Officers and Attendants as aforeſaid, and for the Repairs of the ſaid Church or Chapel, and Church or Chapel Yard, with the Walls, Gates, Organ, Bells, Clock, and other Things to the ſame reſpectively belonging or appertaining, and for other the Purpoſes of this Act, the ſame ſhall be paid by the ſaid Church or Chapel Wardens or Warden, or his Executors or Adminiſtrators, to the ſaid *Charles Roe*, his Heirs or Aſſigns.

Mr. Roe to pay 2001. for the Augmentation of the Chapels of Rainow and Saltersford;

XXI. And be it further enacted, That the ſaid *Charles Roe*, his Heirs, Executors, and Adminiſtrators, ſhall, and he and they are hereby required, on or before the twenty-ninth Day of *September*, one thouſand ſeven hundred and ſeventy-nine, to pay, or cauſe to be paid, into the Hands of the Vicar of *Preſtbury* for the Time being, the Sum of two hundred Pounds, to be applied for the Purpoſe of augmenting the Maintenance of the Miniſters of the Chapels of *Rainow* and *Saltersford*, within the ſaid Pariſh of *Preſtbury*, or of augmenting the Maintenance of the Miniſter of either of the ſaid Chapels ſingly, or of any other Chapel or Chapels within the ſaid Pariſh, at the Diſcretion of the Vicar of *Preſtbury* for the Time being, in the Manner directed by and in purſuance of an Act, made in the ſecond and third Years of the Reign of her late Majeſty Queen *Anne*, intituled, *An Act for the making more effectual her Majeſty's gracious Intentions for the Augmentation of the Maintenance of the Poor Clergy, by enabling her Majeſty to grant, in Perpetuity, the Revenues of the Firſt Fruits and Tenths, and alſo for enabling any other Perſons to make Grants for the ſame Purpoſe.*

On Failure thereof, this Act to be void.

XXII. Provided always, That if the ſaid *Charles Roe*, his Heirs or Aſſigns, ſhall neglect or refuſe to pay the ſaid Sum of two hundred Pounds for the Purpoſe aforeſaid, in Manner and within the Time herein-before directed, this Act ſhall be, and is hereby declared to be, null and void.

Rights of the Vicarage of Prestbury not to be prejudiced.

XXIII. And it is hereby further enacted and declared, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to prejudice, impeach, or defeat, any Right, Title, Intereſt, Claim, or Demand, of the Vicar of the ſaid Pariſh of *Preſtbury*, or his Succeſſors, of or to any Tythes, Offerings, Surplice-fees, Oblations, Obventions, or other Eccleſiaſtical Rights, Dues, Fees, Duties, Benefits, or Advantages, ariſing within the ſaid Pariſh of *Preſtbury*, and belonging to the ſaid Vicar or his Succeſſors (ſave the Right of Nomination to the ſaid Church or Chapel), but the ſaid Tythes, Offerings, Surplice-fees, Oblations, Obventions, and other Eccleſiaſtical Rights, Dues, Fees, Duties, Benefits, and Advantages, ſhall be paid and payable in the ſame Manner as they were reſpectively before the paſſing of this Act, or would or ought to have been, in caſe the ſame had not been made, any Thing in this Act contained to the contrary notwithſtanding.

General Saving of Rights.

XXIV. Saving always, to the King's moſt Excellent Majeſty, his Heirs and Succeſſors, and to all and every other Perſon and Perſons, Bodies Politic and Corporate, his, her, and their reſpective Heirs, Succeſſors, Executors, and Adminiſtrators (other than the ſaid *Charles Roe*, his Heirs and Aſſigns), all ſuch Eſtate, Right, Title, and Intereſt, as they, every or any of them, might have or claim, in as full and ample Manner and Form as if this Act had not been made.

Public Act.

XXV. And be it further enacted, That this Act ſhall be deemed and taken to be a public Act; and all Judges, Juſtices, and other Perſons whomſoever, are hereby required to take Notice thereof as ſuch, without ſpecially pleading the ſame.

## CAP. VIII.

An Act for the Regulation of his Majeſty's Marine Forces while on Shore.

## CAP. IX.

An Act for allowing the Importation of fine organized *Italian* Thrown Silk in any Ships or Veſſels, for a limited Time.

Preamble.

'WHEREAS by an Act, made in the Second Year of the Reign of their late Majeſties King *William* and Queen *Mary* (intituled, *An Act for the diſcouraging the Importation of Thrown Silk*), amongſt other Things in the ſaid Act contained, the bringing in of Thrown Silk of the Growth or Production of *Italy* is prohibited, unleſs imported in ſuch Ships or Veſſels, and navigated in ſuch Manner, as in and by an Act, made in the Twelfth Year of the Reign of King *Charles* the Second, intituled, *An Act for the encouraging and increaſing of Shipping and Navigation*), is directed and allowed, and brought from ſome of the Ports of thoſe Countries or Places whereof the ſame is the Growth or Production, and which ſhall come directly by Sea, and not otherwiſe: And whereas there is at preſent very great and immediate Want of organized Thrown Silk from *Italy*, for the Uſe and Purpoſe of Warp in the Silk Manufacture, without which the Manufacture cannot be carried on, and many Thouſands of Manufacturers muſt be unemployed;' be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That it ſhall and may be lawful to and for any Perſon or Perſons to import or bring into this Kingdom from any Port or Place, or in any Ship or Veſſel whatſoever, until the Expiration of Twenty Days after the Commencement of the next Seſſion of Parliament, organized Thrown Silk of the Growth or Production of *Italy*, any Thing contained in the ſaid recited Acts, or any other Act, to the contrary thereof notwithſtanding.

Italian organized Thrown Silk may be imported in any Veſſel, and from any Place, for a limited Time.

Certain Kinds of Thrown Silk to which the Liberty of Importation hereby given, ſhall not extend.

II. Provided always, That this Act, nor any Thing herein contained, ſhall extend to give Liberty to import any *Italian* Thrown Silk that ſhall be coarſer than a Sort thereof known and diſtinguiſhed by the Name of *Third Bolonia*, nor any Sorts of Silks commonly called *Tram*, of the Growth of *Italy*, nor any other Thrown Silk of the Growth or Production of *Turkey*, *Perſia*, *Eaſt India*, or *China*, under the Penalty of forfeiting all ſuch Thrown Silks as ſhall be brought over and imported contrary to the Purport, true Intent, and Meaning of this Act; One Moiety whereof to the Uſe of his Majeſty, his Heirs and Succeſſors, and

and the other Moiety to such Person or Persons who shall seize, inform, or sue for the same; to be recovered by Bill, Plaint, or Information, in any of his Majesty's Courts of Record at *Westminster*, wherein no Essoin, Protection, or Wager of Law, shall be allowed.

All organized Thrown Silk imported by virtue of this Act to be brought to the Custom-house at London.

'III. And, for the better and more effectual Execution of this Act, and to prevent the Importation 'of any Sort of Thrown Silk not organized,' be it further enacted and declared, That all such organized Thrown Silk as is allowed to be imported by this Act, wheresoever landed, shall be brought to his Majesty's Custom-house at *London*, to the Intent that no other Sort of Thrown Silk may be imported than that allowed by this Act, under the Penalty of forfeiting all such Thrown Silk as shall be imported contrary to the Purport, true Intent, and Meaning of this Act; One Moiety whereof shall be to the Use of his Majesty, his Heirs and Successors, and the other Moiety to such Person or Persons who shall seize, inform, or sue for the same; to be recovered by Bill, Plaint, or Information, in any of his Majesty's Courts of Record, wherein no Essoin, Protection, or Wager of Law, shall be allowed; any Thing to the contrary hereof in any-wise notwithstanding.

## CAP. X.

An Act for repealing an Act, made in the last Session of Parliament, intituled, *An Act for the more easy and better recruiting of his Majesty's Land Forces and Marines*; and for substituting other and more effectual Provisions in the Place thereof.

Preamble.

'WHEREAS, for recruiting his Majesty's Land Forces and Marines, it is necessary that a new 'Supply of Men be forthwith raised, in the most speedy and effectual Manner, within the King-'dom of *Great Britain*, by common Consent and Grant in Parliament: And whereas it is highly expe-'dient that further and other Provisions be made for that Purpose than those contained in an Act made in 'the last Session of Parliament (intituled, *An Act for the more easy and better recruiting of his Majesty's 'Land Forces and Marines*);' be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, from and after the passing of this Act, the said recited Act shall be, and the same is hereby repealed; and that within and throughout the several and respective Counties, Shires, Stewartries, Ridings, Cities, Boroughs, Cinque-ports, Parishes, Towns, and Places, of *Great Britain*, a speedy and effectual Levy of able-bodied Men to serve his Majesty as Soldiers, shall be forthwith had, made, practised and put in Execution, according to the Rules and Directions of this present Act.

18 Geo. III. Cap. 53, recited, and repealed.

A levy of able-bodied Men to be made throughout Great Britain.

Justices of the Peace, Commissioners of the Land Tax, and Magistrates of Corporations, and Burghs, to put this Act in Execution;

II. And it is hereby further enacted, That the Justices of the Peace of every County, Shire, Stewartry, Riding, Liberty, or Place, within the Kingdom of *Great Britain*, as aforesaid; and all and every the Persons who were named or otherwise appointed to be Commissioners for putting in Execution an Act of Parliament, made and passed at *Westminster*, in the Fifteenth Year of the Reign of his present Majesty (intituled, *An Act for granting an Aid to his Majesty by a Land Tax, to be raised in* Great Britain, *for the Service of the Year one thousand seven hundred and seventy-five*), or any subsequent Act or Acts of Parliament for that Purpose, within the several and respective Counties, Shires, Stewartries, Ridings, Cities, Boroughs, Cinque-ports, Towns, and Places, therein particularly expressed, who are still living, and have duly qualified themselves according to the said Acts, or shall qualify themselves according to this present Act in that Behalf, shall be Commissioners for putting in Execution this present Act, and the Powers therein contained, within and for the same Counties, Shires, Stewartries, Ridings, Cities, Boroughs, Cinque-ports, Towns, and Places, of *Great Britain*, for which they were so named and appointed respectively, and that all and every the acting Justices of the Peace and Magistrates of Corporations and Burghs in any Part of *Great Britain*, who are or shall be acting in any of his Majesty's Commissions of the Peace, or in the Magistracy of such Corporation or Burgh, at any Time during the Execution of this Act, although not specially named or appointed Commissioners by the said Act or Acts, shall be likewise Commissioners for putting in Execution this present Act, and all the Powers therein contained, within the Limits of their Commissions and Jurisdiction respectively: All which Commissioners, by this Act intrusted with the Execution of the same, are hereby strictly enjoined and required to use their utmost Care and Diligence that his Majesty's Service in making such Levies as aforesaid be not disappointed or neglected.

and to take Care that his Majesty's Service be not neglected.

High Sheriffs, &c. upon Notice from the Secretary at War, to issue Precepts for summoning the Commissioners to meet, and qualify themselves.

Notice of the Day of Meeting to be sent to the War-office, &c.

Commissioners to appoint the Times and Places of their succeeding Meetings, and issue

III. And be it further enacted by the Authority aforesaid, That the Sheriff of every County, or his Deputy, immediately upon receiving Notice for that Purpose from the Secretary at War, shall send Precepts to the respective Bailiffs, or others who are usually employed to summon Juries, although in Liberties out of the ordinary Jurisdiction of the said Sheriff, directing them to summon the several Justices of the Peace, and Commissioners of the Land Tax, in their respective Divisions and Liberties, to attend at the usual Place of Meeting in every Division, upon a certain Day in the said Precepts named (such Day not to be named within Six Days after the Date of the said Precepts), within the Time limited by the Secretary at War (Notice of which Day shall be sent to the War-office and Admiralty upon the issuing of the Precepts by the Sheriff), to qualify themselves for the Execution of this Act; and the said Commissioners shall then and there appoint the several Times and Places for the succeeding Meetings, in each of their respective Subdivisions, during the Continuance of this Act, and shall have Power to adjourn, from Time to Time, as they shall find convenient; and the said Justices of the Peace, and Commissioners of the Land Tax, at such their First Meeting, or at some other Meeting to be held as soon as it can be conveniently, shall issue their Precepts to the High Constables, Headboroughs, or other proper Officers, for the respective Hundreds, Lathes, Rapes, Wapentakes, or other Subdivisions, within the said Counties, Shires, Stewartries, Ridings, or Divisions, as aforesaid; which Precepts shall contain an Account of the Times and Places appointed for the succeeding Meetings, and shall be returnable on a Day therein to be named;

named; and such High Constables, Headboroughs, or other proper Officers, are hereby required forthwith to signify the Times and Places so appointed for such Meetings to the several Commissioners residing within their respective Districts; and the said Commissioners assembled at such first Meeting shall also give Notice of the Time and Place of all and every succeeding Meeting, to be appointed as aforesaid, to the Secretary at War, or to the Military Officer or Officers whom they shall have learned, by Notice from the Secretary at War, or Secretary to the Admiralty, to be directed to attend this Service.

Precepts for that Purpose to the High Constables, &c.

and to give Notice thereof to such Military Officers as shall attend this Service.

IV. Provided always, and it is hereby enacted, That all reasonable Charges or Expences incurred by any Sheriff, or Deputy Sheriff, in the Execution of this Act, shall be allowed in the Accounts of such Sheriff at the Receipt of his Majesty's Exchequer, or repaid by the Lord High Treasurer or the Commissioners of the Treasury for the Time being.

Sheriffs to be allowed the Expences incurred in the Execution of this Act.

V. Provided always, and be it further enacted, That in case the second Meeting, appointed to be held in any Subdivision, shall be at so great a Distance of Time as to render it inconvenient to issue Warrants for bringing Persons before such Commissioners at the second Meeting, then the Commissioners of such Subdivision respectively may adjourn themselves to some convenient Day previous to such second Meeting, in order to issue their Warrants as aforesaid.

Proviso relating to Second Subdivision Meetings.

VI. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners, at their First General Meeting assembled, to appoint a Clerk to attend them then, and at each of their subsequent Meetings, and for the Commissioners of the several Subdivisions to appoint a Clerk to attend them at their respective Meetings in each Subdivision wherein Soldiers are to be inlisted, as herein after mentioned; and such respective Clerks, as a Reward for their Labour and Pains in the Execution of this Act, shall be intitled to, and shall receive, for every Man who shall be listed in pursuance of this Act, at the Meetings whereon they shall respectively attend, the Sum of two Shillings of lawful Money of *Great Britain*, to be paid by the respective Officers who shall receive such new raised Men respectively.

Commissioners, at their First Meeting, may appoint a Clerk;

who shall receive 2 s. for every Man listed at their respective Meetings.

VII Provided always, and be it enacted, That no Person or Persons, hereby appointed to be a Commissioner or Commissioners for any County, Riding, City, Borough, Cinque-port, or Place, of *England*, *Wales*, or *Berwick upon Tweed* (except such as duly qualified themselves to be Justices of the Peace, or Commissioners for executing the said Act for the Land Tax made and passed in the fifteenth Year of his present Majesty's Reign, or any subsequent Act or Acts of Parliament for that Purpose), shall be capable, in *England*, *Wales*, or *Berwick upon Tweed*, of acting as a Commissioner or Commissioners in the Execution of this Act, or executing any of the Powers of the Commissioners herein-mentioned, unless it be the Power hereby given of administering Oaths, until such Time as he or they shall have taken the Oaths appointed by two Acts of Parliament, one made in the first Year of the Reign of his late Majesty King *George* the First, (intituled, *An Act for the further Security of his Majesty's Person and Government, and the Succession of the Crown in the Heirs of the late Princess* Sophia, *being Protestants; and for extinguishing the Hopes of the pretended Prince of* Wales, *and his open and secret Abettors*); and the other made in the sixth Year of the Reign of his present Majesty, (intituled, *An Act for altering the Oath of Abjuration and Assurance; and for amending so much of an Act of the seventh Year of her late Majesty Queen* Anne, *intituled*, "An Act for the "Improvement of the Union of the two Kingdoms," *as, after the Time therein limited, requires the Delivery of certain Lists and Copies therein mentioned, to Persons indicted of High Treason or Misprision of Treason*; which Oaths it shall and may be lawful to and for any two or more of the said Commissioners to administer, and they are hereby required to administer the same to any other of the said Commissioners: And that no Person or Persons hereby appointed to be a Commissioner or Commissioners for any Part of *Scotland* (except such as duly qualified themselves, according to Law, to be Justices of the Peace or Commissioners there for executing the said Act for the Land Tax made and passed in the fifteenth Year of his Majesty's Reign, or any subsequent Act or Acts of Parliament for that Purpose), shall be capable of acting as a Commissioner or Commissioners in the Execution of this present Act, in any Part of *Scotland*, until such Time as he or they respectively shall have taken and subscribed the Oaths of Allegiance and Abjuration, and have subscribed the Assurance appointed by Law to be taken and subscribed by Persons in Offices of Public Trust in *Scotland*.

Commissioners in England not to act till they have taken the Oaths appointed by Acts

1 Geo. I.

and 6 Geo. III.

Nor Commissioners in Scotland, till they have qualified themselves as the Laws there direct.

VIII. Provided always, and be it enacted, That if any Person hereby appointed a Commissioner for any County, City, Riding, Town or Place, in *England*, *Wales*, or *Berwick upon Tweed* (except as before excepted), shall presume to act as a Commissioner in the Execution of this Act before he shall have taken the said Oaths which by this Act he is required to take, and in the Manner hereby prescribed, he shall forfeit to his Majesty the Sum of two hundred Pounds, to be recovered by Action of Debt, or on the Case, Bill, Suit, or Information, in any of his Majesty's Courts of Record at *Westminster*, wherein no Essoin, Protection, Wager of Law, or more than one Imparlance, shall be allowed; and that if any Person hereby appointed a Commissioner for any Shire, Stewartry, Burgh, or Place, in *Scotland* (except as before excepted), shall presume to act as a Commissioner in the Execution of this Act before that he shall have qualified himself according to the Laws in *Scotland*, he shall forfeit to his Majesty the Sum of fifty Pounds to be recovered in the Court of Exchequer in *Scotland*, in the same Manner as any other Penalties are there recoverable.

Commissioners in England acting before they have taken the Oaths, forfeit 200 l.

and Commissioners in Scotland, 50 l.

IX. Provided always, and be it enacted by the Authority aforesaid, That no Commissioner of the Land Tax, not being a Justice of the Peace, or a Magistrate of a Corporation or a Borough, shall be capable of acting as a Commissioner in the Execution of this Act, or of any of the Powers therein contained, in or for any County at large within *England*, or in or for any of the Ridings in the County of *York*, unless such Person, by himself, or his Tenants or Trustees, was taxed or did pay, in the same County or Riding, for the Value of one hundred Pounds *per Annum*, or more, of his own Estate, by virtue of the said Act for

Qualification of Commissioners for Counties at large within England;

the Land Tax made and paſſed in *England* in the fifteenth Year of his Majeſty's Reign, or any ſubſequent Act or Acts of Parliament for that Purpoſe; or unleſs ſuch Perſon ſo appointed to be a Commiſſioner ſhall, at the Time of the Execution of this Act, by himſelf, his Tenants or Truſtees, enjoy an Eſtate of Lands, Tenements, or Hereditaments, of the ſaid yearly Value of one hundred Pounds, or more, within the ſaid County or Riding reſpectively; any Thing herein contained to the contrary notwithſtanding.

and in Wales.

X. Provided always, and be it enacted, That no Commiſſioner of the Land Tax, not being a Juſtice of the Peace, or a Magiſtrate of a Corporation or a Borough, ſhall be capable of acting as a Commiſſioner in the Execution of this Act, or any of the Powers therein contained, in or for any County within the Dominion of *Wales*, unleſs ſuch Perſon by himſelf, or his Tenants or Truſtees, was taxed or did pay, in the ſame County, for the Value of ſixty Pounds *per Annum*, or more, of his own Eſtate, by virtue of the ſaid Act for the Land Tax made and paſſed in *England* in the fifteenth Year of his Majeſty's Reign, or any ſubſequent Act, or Acts of Parliament for that Purpoſe, or unleſs ſuch Perſon ſo appointed to be a Commiſſioner ſhall, at the Time of the Execution of this Act, by himſelf, his Tenants or Truſtees, enjoy an Eſtate of Lands, Tenements, or Hereditaments, of the ſaid yearly Value of Sixty Pounds, or more, within the ſaid County, any Thing herein contained to the contrary notwithſtanding.

Perſons diſabled preſuming to act forfeit 50 l.

XI. And it is hereby further enacted, That if any Perſon intended by this Act to be diſabled for the Cauſe laſt-mentioned, ſhall nevertheleſs preſume to act as a Commiſſioner in the Execution of this Act, or any of the Powers therein contained, every ſuch Perſon, for ſuch Offence, ſhall forfeit the Sum of Fifty Pounds to any Perſon or Perſons who ſhall inform or ſue for the ſame, to be recovered in any of his Majeſty's Courts of Record at *Weſtminſter*, or in the Exchequer of *Scotland*, as aforeſaid.

Commiſſioners may act for any City, &c. whereof they are inhabitants, or for Inns of Court.

XII. Provided nevertheleſs, and it is hereby enacted, That no Perſon who is appointed to be a Commiſſioner for executing this Act in any Part of *Great Britain*, ſhall be diſabled, for the Cauſe laſt-mentioned, from acting as a Commiſſioner within and for any City, Borough, Cinque-port, or Corporate Town only, whereof he ſhall be an Inhabitant at the Time of the Execution of this Act, or from acting as a Commiſſioner within any of the Inns of Court, or Inns of Chancery.

In caſe of Inſufficiency of Commiſſioners for any City, &c. thoſe for the County at large may act for the ſame.

XIII. And be it further enacted, That in caſe there ſhall not be a ſufficient Number of Commiſſioners for any City, Borough, Town, Port, or Place of *Great Britain* (for which by this Act Commiſſioners are ſpecially appointed), capable of acting according to the reſpective Qualifications required by this Act; then, and in every ſuch Caſe, any of the Commiſſioners appointed for the County or Shire, or Stewartry at large, within which ſuch City, Borough, Town, or Place, doth ſtand, or which is next adjoining thereto, may act as Commiſſioners in the Execution of this Act, within ſuch City, Borough, Town, Port, or Place, any Thing herein contained to the contrary notwithſtanding.

Mayors, Bailiffs, &c. may act as Commiſſioners ſpecially appointed.

'XIV. And whereas Doubts may ariſe whether Mayors, Bailiffs, and other Chief Magiſtrates, of Cities, 'Boroughs, Towns Corporate, and Cinque-ports, for which Commiſſioners are ſpecially appointed by vir-'tue of the ſaid Act for the Land Tax made in the fifteenth Year of his Majeſty's Reign, or any ſubſequent 'Act or Acts of Parliament for that Purpoſe, can act as Commiſſioners for executing this Act, in the ſaid 'Cities, Boroughs, Towns Corporate, and Cinque Ports;' be it further enacted by the Authority aforeſaid, That all Mayors, Bailiffs, and other Chief Magiſtrates, who are appointed Commiſſioners for executing this Act, ſhall be and have Power to act as Commiſſioners for executing this Act within and for any City, Borough, Town Corporate, or Cinque-port, wherein they inhabit at the Time of executing this Act, as well where Commiſſioners are ſpecially appointed by this Act, as where they are not.

No Military Officer may be a Commiſſioner.

XV. Provided always, and it is hereby enacted, That no Perſon who, at the Time of the Execution of this Act, ſhall have any Military Office or Employment in *Great Britain* (other than in the Militia, or any Regiment of Fencible Men), ſhall execute any Power or Authority by this Act given to the Commiſſioners as aforeſaid.

Commiſſioners impowered to levy ſuch Men as are herein deſcribed;

and to call in the Aſſiſtance of Pariſh and Town Officers;

and to meet in their Subdiviſions,

and iſſue general Search Warrants for bringing before them, at their ſecond Subdiviſion Meeting, all Perſons within the Deſcription of this Act.

Subſequent Meetings to be at ſuch Times

XVI. And it is hereby further enacted by the Authority aforeſaid, That the ſaid Commiſſioners, or any Three or more of them, in their reſpective Places or Stations, ſhall be, and are hereby authoriſed and impowered to raiſe and levy, and to cauſe to be raiſed and levied, at any Time or Times during the Continuance of this Act, within their ſeveral Limits and Juriſdictions, all able-bodied, idle, and diſorderly Perſons, who cannot, upon Examination, prove themſelves to exerciſe and induſtriouſly follow ſome lawful Trade or Employment, or to have ſome Subſtance ſufficient for their Support and Maintenance, to ſerve his Majeſty as Soldiers; and to require and command all and every the High Conſtables, Churchwardens, Overſeers of the Poor, Petty Conſtables, Headboroughs, and Tythingmen, and other Pariſh and Town Officers, or any of them, within their reſpective Limits and Juriſdictions, to be aiding and aſſiſting to them the ſaid Commiſſioners, or any Three or more of them, in the Performance of this His Majeſty's Service; and for that Purpoſe the ſaid Commiſſioners, or any three or more of them, are to meet in their reſpective Subdiviſions, according to the Appointment of the Juſtices and Commiſſioners as aforeſaid, and to iſſue out their Warrants under their Hands and Seals, thereby requiring and commanding ſuch Churchwardens, Overſeers of the Poor, Petty Conſtables, Headboroughs, Tithingmen, or other Pariſh or Town Officers, or elſe requiring and commanding the ſaid High Conſtables to iſſue their Precepts to ſuch Churchwardens, Overſeers, Petty Conſtables, Headboroughs, Tithingmen, and other Pariſh and Town Officers as aforeſaid, every or any of them, to make, or cauſe to be made, a general Search within their reſpective Pariſhes, Townſhips, Conſtablewicks, or other Places, for all ſuch Perſons as they can find who are or ſhall appear to them to be within the Deſcription of this Act, and to bring all ſuch Perſons before the Commiſſioners who have Power to execute this Act in and for ſuch County, Shire, Stewartry, Riding, Diviſion, or Place, at ſuch Time and Place as ſhall have been appointed, by the Juſtices and Commiſſioners as aforeſaid, for the ſecond Meeting of the ſaid Commiſſioners in their reſpective Subdiviſions (which Time and Place ſhall be prefixed in the ſaid Warrants and Precepts reſpectively); and afterwards the ſaid Commiſſioners, within their reſpective Limits and Diviſions, ſhall meet at ſuch convenient Time or Times as they ſhall think fit, in order to iſſue their like Warrants or Precepts for making general Searches for Perſons

ſons within the ſaid Deſcription, and for bringing them before the Commiſſioners at any future Times and Places appointed by the Juſtices and Commiſſioners as aforeſaid, during the Continuance of this Act. and Places as ſhall be thought fit.

XVII. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners, or any three or more of them, in their reſpective Places and Stations, ſhall be, and are hereby authoriſed and impowered to raiſe and levy, or cauſe to be raiſed and levied, to ſerve his Majeſty as a Soldier (at any Time or Times during the Continuance of this Act, within their reſpective Limits and Juriſdictions, and ſubject to the ſeveral Rules and Regulations herein ſpecified for the raiſing and levying Perſons who have no lawful Trade or Employment), all able-bodied Perſons who ſhall be guilty of illegal landing, running, unſhipping, concealing, receiving, or carrying, prohibited Goods, Wares, or Merchandiſes, or any foreign Goods liable to the Payment of the Duties of Cuſtoms or Excile, the ſame Duties not having been paid or ſecured, or of aiding or aſſiſting therein, and ſhall be thereof convicted, before one or more of his Majeſty's Juſtices of the Peace for the County or Place where the Offence was committed, in any Penalty not exceeding Forty Pounds, in lieu of ſuch Penalty, or any Puniſhment to which ſuch Perſon may be liable by any Law now in Force. Perſons guilty of running Goods, and convicted in a Penalty not exceeding 40 l. may be levied as Soldier, in lieu of all legal Penalties.

XVIII. And be it further enacted, That no Bailiff's Follower or Aſſiſtant, employed or belonging to any Sheriff, Bailiff of Liberties, *Marſhalſea* Court, or any other Perſon or Perſons that ſhall be ſo employed by any one that ſhall have the Power of executing any Warrant or Proceſs whatſoever, ſhall be deemed thereby to follow or exerciſe any Calling or Employment, or to have a ſufficient Support and Maintenance, within the Intent and Meaning of this Act. Bailiffs Followers, &c. not deemed to exerciſe any Employment.

'XIX. And whereas by an Act of the ſeventeenth Year of King *George* the Second (intituled, *An Act 'to amend and make more effectual the Laws relating to Rogues, Vagabonds, and other idle and diſorderly Perſons, 'and to Houſes of Correction*), the Juſtices in Seſſions are required to adjudge all Perſons, convicted of running away from and leaving their Families chargeable upon the Pariſh, incorrigible Rogues, and to adjudge them to ſuffer the Puniſhments allotted under the ſaid Act to incorrigible Rogues;' be it hereby enacted, That the ſaid Juſtices in Seſſion ſhall be impowered, inſtead of the ſaid Puniſhments allotted to ſuch Perſons convicted of running away from and leaving their Families chargeable upon the Pariſh as aforeſaid, to enliſt the ſaid Perſons, and to deliver them to ſome Officer impowered to receive Recruits under this Act; and ſuch Perſons ſhall have the Articles of War read to them, and ſhall be deemed enliſted to all Intents and Purpoſes whatſoever: Provided always, That ſuch Perſons do not lie under any Diſqualification of Sickneſs or Inability recited in this Act; and the ſaid Officer ſhall, upon the Receipt of every ſuch Perſon ſo convicted, pay to the ſaid Juſtices, for the Uſe of the Overſeers of the Poor of the Pariſh upon which the ſaid Perſon ſhall have left his Family chargeable, the Sum of Forty Shillings. Perſons convicted of leaving their Families chargeable on the Pariſh, may be enliſted by the Juſtices, &c. Officers receiving any ſuch Perſon to pay 40 s. for the Uſe of the Overſeers.

XX. And be it further enacted, That any Juſtice or Juſtices of the Peace may, upon his or their own Knowledge, or Information upon Oath, where any able-bodied Man or Men, within the Deſcription of this Act, is or are to be found, iſſue a Warrant to the Conſtable or other Pariſh or Town Officer, or to any other Perſon or Perſons, for apprehending ſuch Man or Men; and the Conſtable, or other Pariſh or Town Officer, or other Perſon or Perſons, upon the Receipt of ſuch Warrant, is and are hereby required to apprehend ſuch Man or Men, and ſuch Man or Men ſhall be ſecured and inliſted in the Manner herein directed in relation to other Perſons apprehended in purſuance of this Act: And where any Man ſhall be apprehended and inliſted in Conſequence of ſuch Information as aforeſaid, the Whole of the twenty Shillings, by this Act directed to be paid by the Officer to whom ſuch Man ſhall be delivered in purſuance of this Act, ſhall be paid to the Informer or Informers. Juſtices, on Information, &c. where any able-bodied Men are to be found, may iſſue a Warrant for apprehending them.

XXI. Provided always, and be it further enacted, That no Perſon ſhall be inliſted by the ſaid Commiſſioners, by virtue of this Act, who is not ſuch an able-bodied Man as is fit to ſerve his Majeſty, and is free from Ruptures, and every other Diſtemper, or bodily Weakneſs or Infirmity, which may render him unfit to perform the Duty of a Soldier; and that no Man be inliſted for his Majeſty's Service by virtue of this Act, who ſhall appear, in the Opinion of the Commiſſioners, or Officer or Officers appointed to receive ſuch Men, to be under the Age of ſixteen Years, or above the Age of fifty, or who, being under the Age of Eighteen Years, ſhall be under the Size of five Feet three Inches, without Shoes, or being above the Age of eighteen, ſhall be under the Size of five Feet four Inches, without Shoes. Able-bodied Men only to be inliſted; and none under 16, nor above 50 Years of Age, &c.

XXII. Provided always, and it is hereby declared, That this Act ſhall not extend to the impreſſing any Perſon to ſerve as a Soldier or as a Seaman, who ſhall make it appear, to the Satisfaction of the Commiſſioners then preſent, that he hath any Vote in the Election of any Member or Members to ſerve in Parliament, for any County, City, Borough, Town, Port, or Place, within the Kingdom of *Great Britain*. No Perſon to be impreſſed who hath a Vote for Member of Parliament.

XXIII. And be it further enacted, That it ſhall and may be lawful to and for the Churchwardens and Overſeers of the Poor, Conſtables, Headboroughs, Tythingmen, and other Officers, of any Pariſh or Townſhip, or any of them, at any Time after the ſaid ſecond Meeting of the ſaid Commiſſioners, having a proper Warrant or Precept as aforeſaid, to ſearch for and apprehend all or any ſuch Perſon or Perſons as they, or any of them, ſhall find, or ſhall appear to them to be within the Deſcription of this Act, and to ſecure ſuch Perſons (in caſe they ſhall think it neceſſary) in the Gaol or Houſe of Correction, or other proper Place of Security, of the County, Town, or Place, where ſuch Perſons ſhall be apprehended, and with all convenient Speed to bring ſuch Perſon or Perſons before one or more of the Juſtices of the Peace of the County, Shire, Stewartry, City, Riding, Liberty, or Place, within which he or they ſhall have been ſo apprehended, to be examined; and if the ſaid Juſtice or Juſtices ſhall judge the Perſon or Perſons, ſo brought before him or them, to be within the Deſcription of this Act, it ſhall in that Caſe be lawful for the ſaid Juſtice or Juſtices to commit ſuch Perſon or Perſons as aforeſaid (in caſe they ſhall think it neceſſary); and the Keeper of ſuch Gaol or Houſe of Correction, or other proper Place of Security, as aforeſaid, ſhall receive ſuch Perſon or Perſons without Fee or Reward, and the Pariſh Officers ſhall allow ſuch After the ſecond Meeting of the Commiſſioners, Pariſh officers may ſearch for and ſecure ſuch Perſons as come within the Deſcription of this Act, and convey them before a Juſtice; who may commit them till the next Meeting of the Commiſſioners, &c.

Keeper, out of the Poor's Rate of the Parish or Place where such Person or Persons shall be apprehended, Six-pence by the Day for each Person during the Time that they shall remain there, or shall convey them before the Commissioners, at their next Meeting for listing of Soldiers, to be examined, and (if adjudged by the Commissioners to be within the Description of this Act) to be listed and delivered into his Majesty's Service, according to the true Intent and Meaning of this Act.

Inhabitants required to be assisting herein.

XXIV. And it is hereby further enacted and strictly enjoined by the Authority aforesaid, That the Inhabitants of every Parish and Township, where any Persons described as aforesaid do abide or are to be found (at the Instance of any one or more of the Commissioners appointed for the Execution of this Act, or of any Churchwarden, Overseer of the Poor, or Constable, of the same Parish or Township), shall (not having a lawful or reasonable Cause to the contrary) be aiding and assisting in the Furtherance of his Majesty's Service by this Act described.

10 s. Premium to such as shall discover any proper Person, so as he be inlisted.

'XXV. And, to encourage such Inhabitants and others to assist in discovering and apprehending such 'Persons described as aforesaid,' it is hereby further enacted by the Authority aforesaid, That if any Person shall discover and give Information of any able-bodied Man, fit to serve his Majesty within the Description of this Act, so that he shall be apprehended and inlisted before the Commissioners as aforesaid, such Person, for every Man so discovered and inlisted, shall receive, from the Officer to whom such Man shall be delivered, the Sum of ten Shillings, out of the twenty Shillings which he is elsewhere directed to pay to the Officers of the Parish or Town, for every Man impressed by virtue of this Act, and the Remainder only of such twenty Shillings shall, in that Case, be paid to such Officers.

Persons obstructing the Execution of this Act to forfeit 10 l.;

XXVI. And be it further enacted by the Authority aforesaid, That if any Person or Persons whatsoever shall wilfully do any Act or Thing whereby the Execution of this Act, in the searching for, taking, and securing, such able-bodied Men as aforesaid, shall be hindered or frustrated, every such Person shall, for every such Offence, forfeit and pay any Sum not exceeding ten Pounds, to the Use of the Informer or Informers; and all and every such Offences may be enquired of, heard, and finally determined, by any two or more of his Majesty's Justices of the Peace, dwelling in or near the Place where such Offence shall be committed; who have hereby Power to cause the said Penalty to be levied by Distress and Sale of the Offender's Goods and Chattels, rendering the Overplus (if any be) to the Owners; and if the Offender has no Goods and Chattels sufficient to answer the said Penalty, then to commit him or her to the County Gaol or House of Correction, there to remain for the Space of three Calendar Months without Bail or Mainprize.

which may be levied by Distress.

Commissioners to examine the Persons brought before them, &c.

XXVII. And be it further enacted by the Authority aforesaid, That the Commissioners for executing this Act, who shall attend this Service at the Place or Places for listing Soldiers in pursuance of this Act, shall strictly examine the Persons who shall be brought before them by the said Churchwardens, Overseers, Constables, Headboroughs, Tithingmen, or other Parish or Town Officers, as aforesaid; and it shall and may be lawful to and for the said Commissioners, and they are hereby authorised to administer an Oath to each and every Person who shall appear and give Evidence touching any Person so brought before them in pursuance of this Act: And in case the said Commissioners, or the major Part of them then present, upon Examination of the Persons so brought before them, shall find that such Persons shall come within the Descriptions herein mentioned; and the said Commissioners, and the Officer or Officers who shall be appointed to receive the impressed Men, shall judge them to be such as are hereby intended to be entertained as Soldiers in his Majesty's Service; then, and in such Case, the said Commissioners shall cause such Persons to be delivered over, by the said Churchwardens, Overseers, Constables, Headboroughs, Tithingmen, or other Parish or Town Officers, to such Officers or Persons as shall be appointed to receive such Recruits as aforesaid: And if it shall at any Time appear to the Officer, under whose Command such impressed Men shall be, that any such Men are more proper for his Majesty's Service by Sea than by Land, then it shall and may be lawful for such Officer to carry such Men before any three of the Commissioners authorised to put this Act in Execution; and if such Commissioners shall judge such Persons to be more proper for his Majesty's Service by Sea than by Land, then it shall be lawful for such Officer to cause such Men to be delivered over to any Commission Officer of his Majesty's Fleet to be appointed for entering such Persons to serve as common Sailors in the said Fleet, such Officer giving a Receipt under his Hand, acknowledging what Men are so delivered to him (which Receipt he is hereby required to give), and also repaying to the Land Officer the Expences incurred by him on account of the said impressed Men.

and, if found proper for the Service, to deliver them to the Military Officers.

How Officer to proceed when impressed Men shall be found more proper for the Sea Service than the Land.

Commissioners present at the delivering over any Recruit, may upon Demand made in his Behalf, appoint a further Meeting; and finding him not to be within the Description of this Act, are to certify the same to the Secretary at War, who shall cause the Man to be discharged.

Officer to pay him 1 s. for each Day he shall

XXVIII. Provided always, and be it further enacted by the Authority aforesaid, That it shall be lawful for the Commissioners who shall have been present at any such Meeting where any Man shall have been delivered over as aforesaid, or for the major Part of them, upon the Demand of such Man, or of any other Person on his Behalf, signified to their Clerk within Four Days after such Meeting, and by him notified to each of the said Commissioners, to appoint a further Meeting of the same Commissioners, at which any other Commissioners may also attend, to be holden within six Days after the making of such Demand, unless the Party appealing shall require a further reasonable Time; and if, upon further and more certain Information, the said Commissioners, or the major Part of them, at such further Meeting, shall find that such Man was not, at the Time of his being delivered over as aforesaid, within the Description of this Act, they are hereby required to certify the same, under their Hands and Seals, to his Majesty's Secretary at War, or Secretary to the Admiralty, or to the general Officer whom they shall have learned, by Notice from the Secretary at War, to have been appointed to command his Majesty's Forces in the District where such Commissioners act, who, on the Receipt of such Certificate, shall cause the Man to be forthwith discharged; and the recruiting Officer shall, on such Person's receiving his Discharge as aforesaid, cause to be paid to such Man the Sum of one Shilling for each Day he shall have been so detained in the Service as aforesaid, to be allowed to such Officer out of the recruiting Fund, over and above such Subsistence as he may have received; and the Clerk appointed by the Commissioners shall repay to such Officer (without Fee or other Deduction) the several Sums before paid to him by the said Officer, and

shall give back the Receipts taken as above directed in Exchange for a Copy of the said Man's Discharge; and in Case no such Discharge shall have been obtained as aforesaid, then the said Clerk shall, after the Expiration of fourteen Days from the Time that such Man was delivered over as aforesaid, pay over, without Fee or Deduction, to the Persons respectively intitled thereto under the Directions of this Act, the several Sums deposited in his Hands for that Purpose.

have been detained. Clerk to repay to the Officer the Sums received of him, proper Persons.

&c. If no Discharge be obtained, Clerk to pay over the Sums deposited to the

XXIX. Provided always, That nothing in this Act contained shall be construed to extend to impower the said Commissioners to inlist any Person as a Soldier, until the several Sums, herein directed to be paid, by the respective Officers appointed to receive such new-raised Men, shall be first paid to the Person or Persons respectively authorised to receive the same.

None to be inlisted till the Sums payable by the Officers are first paid.

XXX. And be it further enacted by the Authority aforesaid, That the Officer or Officers, and other Person or Persons appointed to attend the said Commissioners, and to receive such impressed Men, shall, in case he or they shall find it necessary, detain such impressed Men in some secure House or Place, to be provided by the Justices of the Peace, in their Petty or Special Sessions, for that Purpose; but in case no such House or Place shall be provided, then in the Gaol of the County, Town, or Place, where such Men shall be received into his Majesty's Service, or in the House of Correction, or other public Prison, of such County, Town, or Place; and the Keeper of such Gaol, House of Correction, or Prison, shall receive such impressed Men until they can be removed, without Fee or Reward; and such Keeper shall be allowed the usual Subsistence for such Men, during the Time they remain there, from the Officer by whom they shall be delivered as aforesaid; and the Constables, Headboroughs, and other Civil Officers, shall, if required, be assisting to such Officer in conveying such Man or Men to such Gaol, Place, or House of Correction, and shall be allowed such reasonable Sum or Sums as the major Part of the Commissioners then present shall appoint, to be paid by the Officer or Officers who shall require such Assistance.

Officers may secure impressed Men.

Keeper to be allowed their Subsistence Money.

Civil Officers to be aiding in securing them, and to be allowed for their Trouble.

XXXI. And be it further enacted by the Authority aforesaid, That if, at any of the Meetings of the Commissioners by this Act appointed, in any of their Subdivisions, they shall not be attended by some proper Officer appointed for the receiving of Recruits, either through Negligence or any unavoidable Accident; then, and in that Case, it shall and may be lawful to and for the said Commissioners to adjourn themselves to some other convenient Day, and they are hereby authorised to give Directions for detaining in Custody all such Persons as shall have been then brought before them by the Parish Officers to be inlisted, or such of them as they shall think duly qualified for his Majesty's Service; and the said Commissioners shall give Notice to any of the Officers attending on this Service, in the County or Place where such Subdivisions shall be, of the Day of such Adjournment; and the said Officer is hereby required, either to attend himself, or appoint some other Person to attend such Commissioners, and to receive such Persons as the said Commissioners shall inlist into his Majesty's Service; and the Officers for receiving the said Recruits shall pay, to such Person as the said Commissioners shall appoint, Six-pence *per Diem* for the Subsistence of every Recruit then inlisted, from the Day of the last Meeting of the Commissioners to the said Day of Adjournment, the same to be charged to the Account of the several Regiments or Companies into which the said Recruits shall be inlisted, together with such Charges and Expences as shall appear to the said Commissioners to have been incurred, on account of the detaining the said Persons, from the Day of the former Meeting of the said Commissioners to the Day of such Second Meeting, not exceeding three Pounds.

Officer not attending to receive Recruits, Commissioners may adjourn, and order the Detention of the impressed Men.

Notice of Adjournment to be given to Officers attending this Service, &c.

Officer to pay Subsistence Money for every Recruit, and incidental Charges.

'XXXII. And for the better preventing any Disputes which may arise about paying for the Subsistence 'of those Persons who, having been apprehended and detained by virtue of this Act, may afterwards be dis-'charged upon Examination before the Commissioners and Military Officers,' be it further enacted by the Authority aforesaid, That if any Person, being judged by the Commissioners not to be within the Description of this Act, shall be by them discharged, the Officers of the Parish or Town shall be intitled to no Consideration for their Expences in keeping such Person; and if any Person being judged by the Commissioners to be within the Description of this Act, shall be rejected by the Military Officer, such Officer shall pay to the Officers of the Parish or Town Six-pence *per Diem* for the whole Time that they shall have kept such Person, to be charged to the Account of his respective Regiment or Company; and every Officer who shall object to any Person delivered to him by the Commissioners, shall specify his Objection to such Person, whether it be to his Age or Size, or bodily Disability, and the Grounds of such Objection shall be forthwith, as far as may be, inquired into by the said Commissioners, and they shall proceed accordingly; and every Officer who shall refuse or discharge any Person delivered to him by the Commissioners, as fit to serve his Majesty within the Description of this Act, shall, without Delay, if a Land Officer, transmit to his Majesty's Secretary at War, or, if a Marine Officer, to the Secretary of the Admiralty, his Reasons for such Refusal or Discharge, in Writing, signed by himself.

Persons discharged as not within the Description of this Act, Parish not to be allowed their Expences: If within the Description, and rejected by Officer, he shall pay the Expences of keeping them.

Objections to be specified, and inquired into by Commissioners.

Reasons of Discharge to be transmitted to the Secretary at War, &c.

XXXIII. And be it further enacted, That the Pay of every such new-raised Man, so delivered to the Officers or Persons appointed to receive them as aforesaid, shall commence from the Time of his being taken and secured as aforesaid; and no Person, so inlisted or entered in pursuance of this Act, shall be liable to be taken out of his Majesty's Service by any Process, other than for some criminal Matter.

New-raised Men to receive Pay from the Time of their being secured; and not liable to Arrests for Debt.

XXXIV. And it is hereby further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners, or any three or more of them, to impose upon any Gaoler, or Keeper of a House of Correction or Prison, who shall suffer any Person, committed to his Custody in pursuance of this Act, to escape; or upon any High Constable, Churchwarden, Overseer, Petty Constable, Headborough, Tithingman, or other Parish or Town Officer, for every wilful Neglect or Default in the Execution of any Warrant, Order, or Precept, to them or any of them directed in pursuance of this Act, a

Commissioners may levy a Fine, not exceeding 10 l. on Gaoler for Escape of Men,

Fine

and on Parish Officers for Neglect of Duty.

Fine not exceeding ten Pounds; and to cause every such Fine to be levied by Distress and Sale of the Offender's Goods, rendering the Overplus (if any be) to the Owners, and to pay the said Fine to the Informer or Informers.

The second and sixth Sections of the Articles of War to be read to new-raised Men, &c.

XXXV. And be it further enacted by the Authority aforesaid, That the said Commissioners, or such of them as shall be present at such Meeting for listing of Soldiers as aforesaid, shall cause the second and sixth Sections of the Articles of War, against Mutiny and Desertion, to be read to every Man raised by virtue of this Act, in the Presence of the said Commissioners; and the said Commissioners shall tender to every such Man the Oath directed by the third Section of the Articles of War to be taken by such Persons as voluntarily enter into his Majesty's Service (which Oath the said Commissioners are hereby authorised to administer); and the said Commissioners, or any three of them present, shall, and they are hereby required forthwith to certify, under their Hands, that such Person or Persons is or are duly inlisted; setting forth the Name and Parish, or last Place of Abode, of him or them respectively, if known, and that the second and sixth Sections of the Articles of War, against Mutiny and Desertion, were read to him or them, and that he or they had taken the Oath mentioned in the said Articles of War, or had refused to take the said Oath, and shall deliver such Certificate, together with such Men, to the said Officers or Persons appointed to receive them; and that it shall and may be lawful for such Officer or Officers to confine such Person or Persons until he or they shall take the said Oath; and such Person or Persons shall be deemed and taken to be inlisted to all Intents and Purposes whatsoever, and shall and may be proceeded against as if he or they had taken the said Oath according to the said Articles of War; and the said Commissioners shall also forthwith cause an Entry or Memorial to be made, in a Book or Books to be kept by them or their Clerks for that Purpose, of the Names of such new-raised Men, of the Parishes or Places of their last Abode (if they can be known), and of the Time and Place when and where such Men were delivered to the said Officers or Persons appointed to receive them, and the Names of the Officers or Persons who received them, and for what Regiment or Company they were so received, and the Sums paid; and shall cause true Copies or Duplicates of such Entries, attested by the said Commissioners, or any three or more of them then present, within forty Days after the delivering such Men as aforesaid, to be transmitted into the Office of the Admiralty, or of his Majesty's Secretary at War for the Time being; and every Clerk, for every Neglect or Default in not transmitting the said Copies or Duplicates of such Entries into the Office of the Admiralty, or of the Secretary at War, as aforesaid, shall forfeit the Sum of ten Pounds; one Moiety thereof to the Use of his Majesty, his Heirs and Successors, and the other Moiety to such Person or Persons who shall inform or sue for the same in some of the Courts of Record at *Westminster*, or the Court of Sessions in *Scotland*.

Commissioners to certify that they are inlisted, and that the 2d and 6th Sections of the Articles of War were read to them, &c.

Names of the Men, Parish, &c. to be entered in a Book.

Attested Copy thereof to be transmitted, within 40 Days, to the Admiralty, &c. on Penalty of 10 l.

Application of the Penalty.

Rewards for Commissioners Clerks.

XXXVI. And be it further enacted, That the said several Clerks to the said Commissioners, provided the said Copies or Duplicates be truly transmitted into the Office of the Admiralty or Secretary at War, as aforesaid, shall have and receive, by the Hands of the Paymaster of his Majesty's Land Forces and Marines, or one of them, such Rewards as the Lord High Treasurer or Commissioners of the Treasury for the Time being, upon Consideration of the Numbers of Men listed in the several Counties, Cities, Boroughs, or other Places, and the Pains and Charges of the several Clerks in this Service, shall judge the said Clerks severally and respectively to deserve.

Officers to pay to the Parish Officers, for their Trouble, 20 s. for every such Man; and to the Churchwardens, &c. from 10 s. to 40 s. if such Man have a Wife or Family; as shall be settled by the Commissioners; and 6 d. per Diem to the Parish Officers for the Time they shall have kept him.

XXXVII. And be it further enacted, That the several Officers who shall receive impressed Men raised in the Manner herein-before mentioned, shall pay to the Clerk appointed by the Commissioners, for the Use of the Officers of the Parish or Town so employed in the raising such Men, for their Pains and Services therein, twenty Shillings of lawful Money of *Great Britain* for every Man so impressed; and shall also pay, for every such Man who shall have a Wife or Family, any Sum not exceeding forty Shillings, nor less than ten Shillings, of lawful Money of *Great Britain*, to the said Clerk, to be by him paid over, as is herein-after directed, into the Hands of the Churchwardens or Overseers of the Poor, for the Benefit of such Parish or Township in which such Man shall have gained a Settlement, and whose Wife or Family may become chargeable to such Parish or Township respectively; which Sum shall be settled by the Commissioners present at the Meeting when such Person shall be inlisted or entered, or any three or more of them, Regard being had to the Number of Children, or other particular Circumstances of such Person so inlisted; for both which Payments the Clerk shall give a Receipt; and the Sum of Six-pence *per Diem* for keeping every such Man who shall be so delivered as aforesaid, according to the Number of Days that the Officers of the said Parish or Town shall have kept him in Custody, pursuant to the Powers granted by this Act, until such Delivery; the said Allowances of twenty Shillings, and of Six-pence *per Diem*, in case of Dispute, to be ascertained and distributed to and among the said Churchwardens, Overseers, Constables, Headboroughs, Tithingmen, and such other Parish and Town Officers, or any of them, according to the Judgment and Discretion of the said Commissioners, or the major Part of them then present.

Disputes relating thereto to be settled by the Commissioners.

Commissioners may allot, out of the Money allowed to Parish Officers, 2 s. to the High Constables.

XXXVIII. Provided always, and be it further enacted by the Authority aforesaid, That the said Commissioners, or any three or more of them, in their respective Divisions, are hereby authorised and impowered, by and out of the said Sum of twenty Shillings, herein-before directed to be paid for the Use of the Officers of the Parish or Town so employed in the raising of such Men, to allot and order such Sum as they shall think fit to the respective High Constables, within their respective Limits and Jurisdictions, for their Pains and Service in the Execution of this Act, not exceeding the Sum of two Shillings.

Every Person voluntarily inlisting himself intitled to 3 l. 3 s. Bounty-Money.

'XXXIX. And, for the Encouragement of fit and able Persons voluntarily to enter into his Majesty's 'Service,' be it enacted, That every such Person who shall, on or before the first Day of *May*, one thousand seven hundred and eighty, voluntarily enter into his Majesty's Service, before the said Commissioners, at their first or any subsequent Meeting, upon being duly attested, shall receive the Sum of three Guineas from

from the Officers appointed to receive them, and ſhall forthwith be delivered to the ſaid Officers; and the ſaid Commiſſioners ſhall cauſe an Entry to be made in ſome Book to be kept by them, or ſuch Clerk as they ſhall appoint, of the Names of ſuch Volunteers, and of the Pariſhes or Places of their laſt Abode (if they can be known), and of the Time and Place when and where they did ſo enter themſelves, and of the Sums paid to them, and by whom ſuch Payments were made, and of the Names of the Officers or Perſons who received ſuch Volunteers, and for what Regiment or Company they were received; and ſhall cauſe true Copies or Duplicates of ſuch Entries, atteſted by three or more of the ſaid Commiſſioners then preſent, within forty Days after the Delivery of ſuch Volunteers, to be tranſmitted into the Office of his Majeſty's Secretary at War for the Time being, or into the Office of the Admiralty if the Volunteers be delivered for the Marines.

Volunteers to be delivered over to the Military Officers; and an Entry to be made of their Names, Places of Abode, &c.

Duplicates of Entries to be tranſmitted to the War-office, &c.

XL. 'And, for the greater Encouragement of all Perſons who ſhall be fit and willing to ſerve his Ma-'jeſty as Volunteers,' be it further enacted by the Authority aforeſaid, That the Pay of every ſuch Perſon who ſhall enter into the Service of his Majeſty as a Volunteer, in purſuance of this Act, or with any recruiting Officer or Serjeant, during the Continuance of this Act, ſhall commence from the Time that he ſhall ſo enter himſelf into his Majeſty's Service; and that every ſuch Volunteer, after he ſhall have continued in the Military Service of his Majeſty, his Heirs and Succeſſors, during the Space of three Years, ſhall be at Liberty, if he ſhall think fit, to demand his Diſcharge from the Colonel or Commanding Officer of the Regiment or Company to which he ſhall belong, unleſs the Nation ſhall be then engaged in a War, and in that Caſe ſuch Perſon ſhall remain in Service, during the Continuance of War; and ſuch Diſcharge ſhall be granted to him *gratis*, in Writing, under the Hand of ſuch Colonel or Commanding Officer, who is hereby required and impowered to give the ſame accordingly, on Pain of being caſhiered.

Volunteers to receive Pay from the Time of their entering; and to be diſcharged at the End of three Years, or of the War, if they demand it.

XLI. And it is hereby further enacted, That no Perſon who ſhall enter into the Service of his Majeſty as a Volunteer in purſuance of this Act, or with any recruiting Officer or Party during the Continuance of this Act, and ſhall not deſert the ſame, ſhall, at any Time after the Expiration of ſuch Military Service, be liable in his Perſon to do any Highway Duty, commonly called *Statute-duty*, or be appointed to ſerve as a Peace Officer, or Pariſh Officer, or be liable to ſerve in the Militia, or in any of his Majeſty's Land or Sea Forces, unleſs he ſhall conſent thereto; and that every ſuch Volunteer, after ſuch Military Service as aforeſaid, ſhall have the like Privilege in reſpect of ſetting up and exerciſing any Trade, and of not being removeable, unleſs he ſhall become actually chargeable, as by the Statute made in the third Year of the Reign of his preſent Majeſty, intituled, *An Act to enable ſuch Officers, Mariners, and Soldiers, as have been in the Sea or Land Service, or in the Marines, ſince the twenty-ſecond Year of his late Majeſty King* George *the Second, to exerciſe Trades*, is given to thoſe who have ſerved according to the ſaid recited Act; and all other the Benefits and Advantages therein expreſſed ſhall extend, and be conſtrued to extend, to all ſuch Volunteers, and alſo the Wives and Children of ſuch Volunteers as aforeſaid, to all Intents and Purpoſes, as if the ſaid Act, and every Clauſe thereof, were here again particularly repeated and re-enacted.

Volunteers, after Expiration of their Service, not liable to Statute-duty, or to ſerve Pariſh Offices, or in the Militia; but may ſet up and exerciſe any Trade, as eaſe to Act 3 Geo. III.

XLII. And be it further enacted, That if any Volunteer ſhall be wounded or maimed in actual Service, ſo as to become unfit for military Duty, and ſhall be diſcharged on that Account at any Time before the Expiration of the Term for which he was engaged to ſerve, the ſame ſhall be expreſſed in the Diſcharge given him, under the Hand and Seal of his Commanding Officer; and every Perſon ſo diſcharged ſhall be intitled to the ſame Privileges, Benefits, and Advantages, of every Kind whatſoever, as if he had continued for the full Term of his Engagement in the Service of his Majeſty, his Heirs and Succeſſors; any Thing contained in this or any other Act to the contrary notwithſtanding.

Volunteers diſcharged before the Expiration of their Term of Service, on account of Wounds received in actual Service, to be intitled to the ſame Privileges as if they had ſerved their full Term.

XLIII. And be it further enacted, That every Perſon who ſhall be impreſſed in purſuance of this Act, after he ſhall have continued in the Military Service of his Majeſty, his Heirs and Succeſſors, during the Space of Five Years, ſhall be at Liberty, if he ſhall think fit, to demand his Diſcharge from the Colonel, or, in his Abſence, the Officer commanding the Regiment or Company to which he ſhall belong, unleſs the Nation ſhall be then engaged in a War, and in that Caſe ſuch Perſon ſhall remain in Service during the Continuance of War; and ſuch Diſcharge ſhall be granted to him *gratis*, in Writing under the Hand of ſuch Colonel or Officer, who is duly impowered and required to give the ſame accordingly; any Thing herein contained to the contrary notwithſtanding.

Impreſſed Men, after 5 Years Service, to be diſcharged, if they demand it.

'XLIV. And, for the better obviating ſuch Frauds and Abuſes as may be practiſed in diſcharging of 'Soldiers,' it is hereby enacted by the Authority aforeſaid, That no private Soldier, who ſhall be duly inliſted or impreſſed into his Majeſty's Service by virtue of this Act, ſhall, during the Time ſuch Soldier continues in *Great Britain*, be diſcharged from his Majeſty's Service without the Conſent of the Colonel, or, in his Abſence, the Officer commanding the Regiment, firſt had and obtained in Writing; and any Officer of his Majeſty's Land Forces, Marines, or Sea Service, who ſhall preſume to diſcharge any Perſon, inliſted or impreſſed purſuant to this Act, in any other Manner contrary to this Act, or ſhall by falſe Muſter or Certificate, or in Conſideration of a Gratuity of any Kind, or by any other colluſive or evaſive Ways or Means whatſoever, ſuffer or permit any Perſon who ſhall voluntarily inliſt, or be impreſſed into his Majeſty's Service by virtue of this Act, to avoid the actual Service hereby intended, ſuch Perſon or Perſons ſhall not only loſe the Benefit of this Act, but every ſuch Officer ſhall, for ſuch Offence, be caſhiered.

No Soldier or Marine to be diſcharged without a Certificate from his Colonel, &c.

Officers diſcharging new-raiſed Men contrary to this Act, or permitting them to avoid actual Service, ſhall be caſhiered.

'XLV. And, for the better preventing ſuch Frauds and Abuſes as may be practiſed by any pretended 'Ignorance of the Terms under which any Non-commiſſion Officer or Soldier may have entered into the 'Service,' be it enacted by the Authority aforeſaid, That whenever any Perſon, who ſhall be duly inliſted or impreſſed into his Majeſty's Service during the Continuance of this Act, ſhall join the Regiment or Company in which he is to ſerve, his Name, Deſcription, and Terms of Service, ſhall be entered in the Public Book of ſuch Regiment or Company; and a Copy of ſuch Entry ſhall be delivered, as a Certificate for every ſuch Perſon, ſigned by the commanding Officer of ſuch Regiment or Company.

When any new-raiſed Man ſhall join his Regiment, his Name, Deſcription, &c. ſhall be entered in the Public Book thereof;

XLVI.

and when draughted into any other Regiment or Company, to be entered accordingly.

XLVI. And be it further enacted by the Authority aforesaid, That whenever and as often as such Person shall, by the Necessity of the Service, be draughted into any other Regiment or Company, the Entry shall be made in the same Manner in the Public Book of such Regiment or Company; and the Commanding Officer thereof is hereby directed to add to the Certificate the Circumstance of such Person being draughted, and at what Time, and to sign his Name and Rank thereto.

Persons employed in the Execution of this Act, exempted from the Penalties of Acts 25 Car. II. 1 Gul. & Mar. and 13 & 14 Gul. III.

XLVII. And be it further enacted by the Authority aforesaid, That no Commissioner, Churchwarden, Overseer, Constable, Headborough, Tithingman, or other Parish or Town Officer, who shall be employed in the Execution of this Act, shall be liable, for or by reason of such Execution, to any of the Penalties mentioned in an Act, made in the Twenty-fifth Year of the Reign of King *Charles* the Second, *for preventing Dangers which may happen from Popish Recusants*; or in one other Act, made in the first Year of the Reign of King *William* and Queen *Mary*, intituled, *An Act for abrogating the Oaths of Allegiance and Supremacy, and appointing other Oaths*; or in one other Act, made in the Parliament holden, in the thirteenth and fourteenth Years of the Reign of the late King *William* the Third, intituled, *An Act for the further Security of his Majesty's Person, and the Succession of the Crown in the Protestant Line; and for the extinguishing the Hopes of the pretended Prince of* Wales, *and all other Pretenders, and their open and secret Abettors*.

Limitation of Actions.

XLVIII. And be it further enacted by the Authority aforesaid, That if any Action, Plaint, Suit, or Information, shall be commenced or prosecuted against any Person or Persons for what he or they shall do in Pursuance or Execution of this Act, the same shall be commenced within six Months after the Offence committed, and shall be laid or brought in the County or Place where the Fact was committed, and not afterwards or elsewhere; and such Person or Persons sued, in any Court whatsoever, shall and may plead the General Issue Not Guilty, and upon any Issue joined may give this Act and the Special Matter in Evidence; and if the Plaintiff or Prosecutor shall become nonsuit, or forbear further Prosecution, or suffer a Discontinuance, or if a Verdict or Judgment upon Demurrer pass against him, the Defendant shall recover Treble Costs, for which he shall have the like Remedy as in any Case where Costs by the Law are given to Defendants.

General Issue.

Treble Costs.

Act 24 Geo. II. so far as it relates to Justices, extended to Justices and Commissioners acting under Authority of this Act.

No Action to be commenced, &c. for any Thing done in Execution of this Act, till Notice in Writing shall be given to the Party.

Defendant may tender Amends for Injury complained of, and plead the same in Bar, &c.

XLIX. And be it further enacted by the Authority aforesaid, That the Statute made in the twenty-fourth Year of the Reign of his late Majesty King *George* the Second, intituled, *An Act for the rendering the Justices of the Peace more safe in the Execution of their Office, and for indemnifying Constables and others acting in Obedience to their Warrants*, so far as the said Act relates to the rendering the Justices more safe in the Execution of their Office, shall extend, and be construed to extend, to the Justice or Justices of the Peace, and the Commissioner or Commissioners acting under the Authority, or in Execution of this Act; and no Action or Suit shall be had or commenced, or Writ issued out, or Copy of Writs served upon any Peace Officer or Officers, or any other Person or Persons, for any Thing done in the Execution of this Act, until Notice in Writing shall have been given to him or them, or left at his or their usual Place of Abode, by the Attorney for the Party commencing such Action, or suing out or serving the Copy of the said Writ; which said Notice in Writing shall contain the Name and Place of Abode of the Person who is to bring such Action, together with the Cause of Action or Complaint, and the Name and Place of Abode of the said Attorney shall be underwritten or indorsed thereon; and such Defendant or Defendants shall be at Liberty, and may by virtue of this Act, at any Time within fourteen Days after such Notice, tender, or cause to be tendered, any Sum or Sums of Money, as Amends for the Injury complained of, to the Party complaining, or to the said Attorney; and if the same is not accepted of, such Defendant or Defendants may plead such Tender in bar of such Action or Actions, together with the General Issue, or any other Plea, with Leave of the Court; and if, upon Issue joined upon such Tender, the Jury shall find the Amends tendered to have been sufficient, the said Jury shall find a Verdict for the Defendant or Defendants, who shall in such Case be intitled to his and their Treble Costs.

No Action to be brought in Scotland on Account of executing this Act, till Notice has been given to the Party offending, who may tender Amends, &c.

L. And be it further enacted by the Authority aforesaid, That if any Action shall be brought against any Justice of the Peace, Commissioner, or other Officer, employed in the Execution of this Act, in that Part of *Great Britain* called *Scotland*, the Person instituting such Action shall, previous to the Commencement thereof, intimate by himself, or his Agent or Attorney, his said Intention, and Grounds of Complaint, so as that the Justice, Commissioner, or other Officer, may have Opportunity of making due Amends for the Injury intended to be prosecuted; and if the said Justice, Commissioner, or other Officer, shall make it appear, to the Satisfaction of the Judge before whom the Action is brought, that such due Amends was tendered and refused previous to the Commencement of the Action, the said Judge shall give Decree for the Defender, who shall, in such Case, be intitled to Treble Costs of Suit.

Where the Defendant had probable Cause for doing the Action complained of, the Plaintiff not intitled to Damages nor Costs:

LI. Provided always, and be it further enacted by the Authority aforesaid, That where a Verdict shall be given for the Plaintiff, in any Action to be brought against any Justice of the Peace or Commissioner, or any Peace Officer or other Person, for seizing, taking, imprisoning, or detaining, such Plaintiff in Execution of this Act, under Colour of any Authority or Authorities hereby given, and it shall appear to the Judge or Court, before whom the same shall be tried, that there was a probable Cause for doing the the Act complained of in such Action, and the said Judge or Court shall certify on the Record that there was probable Cause, as aforesaid; then, and in such Case, the Plaintiff shall not be intitled to above Two-pence Damages, nor to any Costs of Suit.

But if the Cause of Action was maliciously committed, he shall have Double Costs.

LII. Provided always, That where a Verdict shall be given for the Plaintiff in any such Action as aforesaid, and the Judge or Court, before whom the Cause shall be tried, shall certify on the Record, that the Injury for which such Action was brought was wilfully and maliciously committed, the Plaintiff shall be intitled to Double Costs of Suit.

His Majesty, when a sufficient

LIII. And be it further enacted, That when his Majesty shall be satisfied, by the said Returns of the Commissioners or otherwise, that a sufficient Number of Recruits in the whole shall be raised for his present

preſent Service, or for other ſufficient Reaſons, it ſhall be lawful for his Majeſty to ſuſpend or revive the Execution of this Act, with reſpect to the whole of *Great Britain*, or any Part thereof, by Proclamation or Order in Council, or other public Notice in the *London Gazette*, or by Notice from his Majeſty's Secretary at War; any Thing herein contained to the contrary notwithſtanding.

Number of Men ſhall be raiſed, may, by Proclamation, &c. ſuſpend the Execution of this Act; or may ſuſpend or enforce it in any County or Place.

LIV. Provided alſo, That his Majeſty, when he ſhall judge it expedient for his Service, may at any Time ſuſpend the Execution of this Act, in any County or Place of *Great Britain*, by Notice from his Majeſty's Secretary at War; any Thing herein contained to the contrary notwithſtanding.

Volunteers to enjoy all their Privileges, &c. notwithſtanding ſuch Suſpenſion.

LV. Provided always, and be it further enacted, That all Perſons who ſhall enter as Volunteers during the Continuance of this Act, ſhall be intitled to the ſame Bounties, Privileges, Immunities, and Advantages, as are herein granted to ſuch Volunteers, notwithſtanding any ſuch Suſpenſion as aforeſaid.

Chief Magiſtrate of Cities, &c. upon Notice from the Secretary at War, to enforce this Act within their Juriſdictions.

'LVI. And whereas it may often be expedient for his Majeſty's Service, that the Commiſſioners hereby 'appointed ſhall execute this Act in Cities, Towns, or other Places, when it may not be convenient 'to enforce the Execution thereof through the County in which ſuch City, Town, or Place, ſhall be re-'ſpectively ſituate;' be it therefore enacted by the Authority aforeſaid, That the Mayor or other Chief Magiſtrate of any City, Town, or Place, ſhall, upon receiving Notice for that Purpoſe from the Secretary at War, immediately proceed to put this Act in Execution, within their reſpective Juriſdictions, in the ſame Manner, to all Intents and Purpoſes, as if ſuch Mayor or other Chief Magiſtrate had received ſuch Notice from the Sheriff of the County in which ſuch City, Town, or Place, ſhall be reſpectively ſituate; any Thing in this Act contained to the contrary notwithſtanding.

Labourers having proper Certificates, not liable to be impreſſed from May 25, to Oct. 25.

'LVII. And, foraſmuch as great Inconveniencies may happen by impreſſing Men during the Time of 'Harveſt,' be it therefore enacted by the Authority aforeſaid, That from and after the twenty-fifth Day of *May*, one thouſand ſeven hundred and ſeventy-nine, until the twenty-fifth Day of *October* following, no Harveſt Labourer, or Perſon working at Hay Harveſt or Corn Harveſt Work, within the Time aforeſaid, within the Kingdom of *Great Britain*, ſhall be impreſſed by virtue of this Act, but ſhall be free and exempted from the ſame, during the Time aforeſaid, provided they have a Certificate, under the Hands of the Miniſter, and of one Churchwarden or Overſeer of the Poor, or Elders, of the Pariſh or Place where they live, allowed under the Hand and Seal of one Juſtice of the Peace of the ſame County, Shire, Stewartry, Riding, City, or Place; which Certificate ſhall be given *gratis*.

Commiſſioners for executing this Act within the Caſtle of York.

'LVIII. And, for the more eaſy and better putting this Act into Execution,' be it enacted by the Authority aforeſaid, That any three or more Commiſſioners for putting this Act in Execution in the ſeveral Ridings of the County of *York* (being Juſtices of the Peace, though not all of the ſame Riding) may, within the Caſtle of *York*, or Limits thereof, execute the Powers of this Act.

Commiſſioners for executing this Act in Threapwood.

'LIX. And whereas divers Soldiers who have deſerted his Majeſty's Service, have been harboured in a 'certain Place called *Threapwood*, lying within or near the Counties of *Cheſter* and *Flint*, or one of them, 'and adjoining to the Town of *Cuddington*, in the ſaid County of *Cheſter*,' be it further enacted by the Authority aforeſaid, That the Commiſſioners hereby appointed for the County of *Cheſter*, and the Officers of the ſaid Town of *Cuddington*, ſhall execute this Act in the ſaid Place called *Threapwood*, according to the true Intent and Meaning thereof.

Continuance of this Act.

LX. And be it further enacted by the Authority aforeſaid, That this Act, and every Thing therein contained, ſhall be and continue in Force until the firſt Day of *May*, one thouſand ſeven hundred and eighty, and no longer.

Forms of Proceedings to be uſed as ſet forth in the Schedule.

LXI. And be it further enacted, That the Forms of Proceedings relative to the ſeveral Matters contained in this Act, which are ſet forth and expreſſed in the Schedule hereunto annexed, ſhall be uſed upon all Occaſions, with ſuch Additions and Variations only as may be neceſſary to adapt them to the particular Exigencies of the Caſe; and that no Objection ſhall be made or Advantage taken for want of Form in any ſuch Proceedings by any Perſon or Perſons whomſoever.

Form preſcribed for making Entries purſuant to this Act.

LXII. And be it further enacted by the Authority aforeſaid, That the ſeveral Entries, which the Commiſſioners for executing this Act are required to make, of the Names and Deſcriptions of all Volunteers, and alſo of all impreſſed Men, together with the other Particulars herein-before directed, ſhall be made according to the Form hereunto annexed.

| Recruit's Name. | Pariſh. | Height, Feet. | Height, Inches. | Age. | Deſcription of the Recruit. | For what Corps impreſſed. | For what Corps inliſted voluntarily. | Sum paid. | By whom paid. | Officer who received or refuſed the Recruit, and on what Day. | On what Grounds refuſed. |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | | | | |

## The SCHEDULE (ſtating the Forms) to which the Act refers.

### I. *Form of a Warrant to a High Conſtable.*

*To* *High Conſtable of*

*to wit.* ‘WE, whoſe Names and Seals are hereunto ſet, of the Commiſſioners appointed (among others) to put in Execution an Act of Parliament, paſſed in the nineteenth Year of the Reign of his preſent Majeſty King *George* the Third, intituled, [*inſert the Title of the Act*] do, by virtue and in purſuance of the ſaid Act, hereby ſtrictly enjoin and require you, upon Receipt hereof, to iſſue your Precept to the Churchwardens, Overſeers of the Poor, Petty Conſtables, Headboroughs, Tithingmen, and other Pariſh and Town Officers, within the ſeveral Pariſhes, Townſhips, Conſtablewicks, and other Places, within the Diſtrict or Diviſion of [ ] aforeſaid, and every of them, requiring them diligently to make or cauſe to be made a general Search within their reſpective Pariſhes, Townſhips, Conſtablewicks, or other Places, for all ſuch able-bodied idle and diſorderly Perſons, as do not exerciſe and induſtriouſly follow ſome lawful Trade or Employment, or have ſome Subſtance ſufficient for their Support and Maintenance, or who ſhall appear to them to be able-bodied idle and diſorderly, and not to exerciſe and induſtriouſly follow ſome lawful Trade or Employment, or have ſome Subſtance ſufficient for their Support and Maintenance; and all able-bodied Perſons who ſhall have been convicted, before any Juſtice or Juſtices of the Peace, of illegally landing, running, unſhipping, concealing, or carrying, prohibited Goods, Wares, or Merchandizes, or any foreign Goods liable to the Payment of the Duties of Cuſtoms or Exciſe, the ſame Duties not having been paid or ſecured, or of aiding or aſſiſting therein, in any Penalty not exceeding Forty Pounds; and to bring them before us, or ſuch other Commiſſioners for putting the ſaid Act in Execution as ſhall meet for that Purpoſe at in the Pariſh of within the ſaid Diſtrict or Diviſion, on the Day of at of the Clock in the every ſuch Perſon as they ſhall find, or who are or ſhall appear to them to be within the above Deſcription, to be then and there examined and diſpoſed of according to the ſaid Act of Parliament.

‘Given under our Hands and Seals, at aforeſaid, the Day of in the Year of the Reign of our Sovereign Lord *George* the Third, King of *Great Britain*, &c. and in the Year of our Lord

### II. *Form of Conviction of Offenders againſt this Act.*

*to wit.* ‘BE it remembered, That on this Day of in the Year of the Reign of his preſent Majeſty King *George* the Third, *A. B.* of is duly convicted before us, and other Commiſſioners for putting in Execution an Act of Parliament, made and paſſed in the nineteenth Year of the Reign of his preſent Majeſty King *George* the Third, intituled, [*inſert the Title of the Act*] for that he, the ſaid *A. B.* on the Day of laſt, did Wherefore we, the ſaid Commiſſioners, do adjudge, that he, the ſaid *A. B.* do pay the Sum of as a Fine for ſuch Offence, in purſuance of the Powers in us veſted by the ſaid Act of Parliament.

‘Given under our Hands and Seals, the Day and Year above written.’

### III. *Form of a Warrant of Diſtreſs.*

*To*

*to wit.* ‘FOraſmuch as *A. B.* late of was, on the Day of duly convicted before us, and other Commiſſioners for putting in Execution an Act of Parliament, made and paſſed in the nineteenth Year of the Reign of his preſent Majeſty King *George* the Third, intituled, [*inſert the Title of the Act*] by the Oath of *C. D.* a credible Witneſs, for that he the ſaid *A. B.* on the Day of laſt, did by reaſon whereof we did adjudge and have adjudged him to pay the Sum of as a Fine for ſuch Offence, in purſuance of the Powers in us veſted by the ſaid Act of Parliament: And whereas it appears to us, that the ſaid Sum of is not yet paid, we therefore authoriſe and require you forthwith to make Diſtreſs of the Goods of him the ſaid *A. B.* and if, within the Space of five Days next after ſuch Diſtreſs by you taken, the ſaid Sum of ſhall not be paid, that you do cauſe the ſaid Goods by you ſeized to be appraiſed and ſold, rendering the Overplus to him the ſaid *A. B* after deducting the ſaid Sum of and alſo the Coſts and Charges of ſuch Diſtreſs and Sale, and to pay the ſaid Fine to the Informer. Hereof fail not.

‘Given under our Hands and Seals, the Day of

### IV. *Form of Commitment by a Juſtice for Examination before the Commiſſioners.*

*To*

*to wit.* ‘RECEIVE into your Cuſtody the Body of *A. B.* herewith ſent you, having been impreſſed by *C. D.* by virtue of a Warrant to him directed by *E. F. G. H.* and *I. K.* three of the Commiſſioners for putting in Execution an Act of Parliament paſſed in the nineteenth Year of the Reign of his preſent Majeſty King *George* the Third, intituled, [*inſert the Title of the Act*] to ſerve his Majeſty as

'a Soldier or a Seaman, and brought before one of his Majesty's Justices of the Peace 'in and for the said County, by the said *C. D.* to be examined; and the said *A. B.* being adjudged by me 'to be within the Description of the said Act, him safely keep in your Custody till he shall be conveyed 'before the said Commissioners for executing the said Act, at their next Meeting, or until he shall be 'thence discharged by due Course of Law; and for so doing this shall be your sufficient Warrant.

'Given under my Hand and Seal, this Day of in the Year of our Lord

V. *Form of a Warrant to secure Men impressed.*

to wit. } *To the Keeper of the Gaol* (or *House of Correction*) *at* *in the said* } *County.*

'THESE are, in his Majesty's Name, to charge and command you to receive and safely keep in your 'Custody who has (*or* have) been raised and levied to serve his Majesty as a Soldier '(*or* Soldiers), pursuant to an Act of Parliament made in the nineteenth Year of the Reign of his present 'Majesty, intituled, [*here insert the Title*] until he (*or* they) shall be delivered from your Custody accord-'ing to the said Act of Parliament.

'Given under my Hand and Seal (*or* our Hands and Seals), the Day of in the 'Year of our Lord

## CAP. XI.

An Act for rendering more beneficial an Act, made in the thirty-first Year of the Reign of King *George* the Second, intituled, *An Act for establishing Agreements, made between* Charles Brandling, *Esquire, and other Persons, Proprietors of Lands, for laying down a Waggon Way, in order for the better supplying the Town and Neighbourhood of* Leeds, *in the County of* York, with Coals, by enabling the said *Charles Brandling* to supply, annually, a larger Quantity of Coals to and for the Use of the said Town and Neighbourhood; and for regulating the Prices of carrying Coals from the Repository at *Casson-close*.

## CAP. XII.

An Act for repairing the Highways and Bridges in the County of *Linlithgow* and *Bathgate*.

Preamble.

'WHEREAS the Laws now in being, for repairing the High Roads and Bridges in that Part of '*Great Britain* called *Scotland*, by Way of Statute-labour, are found insufficient in the County of '*Linlithgow* and *Bathgate*: Therefore, and for the better regulating the Repairs of the Roads and Bridges, 'and of the Statute-labour within the County aforesaid,' may it please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Heritors and Life-renters in the County of *Linlithgow* and *Bathgate*, who are at present, or at any Time hereafter shall be possessed as actual Proprietors of Lands therein of one hundred Pounds *Scots* Valuation in their own Right, or in Right of their Wives; and the eldest Sons of every Person possessed of two hundred Pounds *Scots* Valuation as above, being of lawful Age, and the Chief residing Magistrate of the Royal Borough of *Linlithgow*, and the Magistrates of the Royal Borough of *Queensferry*, and the Bailie of every Borough of Barony within the said County for the Time being, shall be, and they are hereby nominated and appointed Trustees and Commissioners for making, repairing, widening, and keeping in Repair, the Highways, Roads, and Bridges, in their respective Parishes within the said County, and for executing all other the Powers by this Act to them given and granted.

Commissioners.

II. Provided always, That if any Person not qualified in any particular Parish as aforesaid, shall presume to act as a Trustee, every such Person shall, for each Time he shall so act, forfeit the Sum of ten Pounds Sterling, besides the Expence of Prosecution, to be recovered by Complaint, in a summary Way, at the Suit of any Commissioner within the said County, before the Justices of the Peace at their Quarter Sessions, or before the Sheriff Depute of the said County, or his Substitute; which Penalty shall be paid to the Trustees in the respective Parishes, to be by them applied for repairing the said Roads: And in case any such Complaint shall be made, the Proof of Qualification shall lie upon the Defendant.

Penalty of acting if not qualified.

'III. And, for the more easy and effectual Execution of this Act, and of the Powers herein-after 'granted,' be it enacted by the Authority aforesaid, That the Commissioners qualified as aforesaid shall meet by themselves, or their Proxies appointed by a Writing under their Hands, at their respective Parish Churches, upon the first *Tuesday* of *April*, one thousand seven hundred and seventy-nine, with Power of Adjournment; and failing their Meeting on that Day, upon every succeeding *Tuesday* of that Month; and failing any such Meeting, upon any Day, previous Notice, by Order of any one Commissioner in the Parish, being made by the Reader from his Desk on a *Sunday*, at least ten Days before the Meeting, with Power of Adjournment: And the Commissioners of each Parish within the said County shall, at their first Meeting, or at any adjourned Meeting, and on or before the first *Tuesday* of *June*, one thousand seven hundred and seventy-nine, make up a List of the Plough-gates of Land, and Subdivisions thereof, and of the Possessors of the same, and of all other Persons, Horses, or Cattle, liable to Statute-work within the respective Parishes.

Commissioners shall meet in their respective Parish Churches;

and make up Lists.

IV. And be it further enacted by the Authority aforesaid, That a Plough-gate shall be deemed so much Land as may reasonably be laboured with four Horses, and two Servants, according to the Nature of the Soil, but not less than seventy Acres; for ascertaining which the Commissioners may take such Proof as they

What deemed a Plough-gate.

Lists to be transmitted to the Clerk of the Peace.

they shall think proper: And that Copies of these Lists shall be transmitted to the Clerk of the Peace, and entered in a Book to be kept by him for that Purpose; and likewise Copies of all subsequent Alterations the Commissioners may find it necessary to make upon them, which they are hereby empowered to do.

Commissioners neglecting, Justices may make up Lists, and examine and correct them.

V. And be it further enacted by the Authority aforesaid, That in case the Commissioners shall neglect to make up and transmit their Lists, as herein directed, on or before the first *Tuesday* of *June*, one thousand seven hundred and seventy-nine, the Justices of the Peace of the County, at their Quarter Sessions, or at any Adjournment thereof, shall have Power to make up the same, and to execute every other Part of this Act in the same Manner as the Commissioners are hereby directed to do; and the Justices, at their Quarter Sessions, shall have Power to examine into the Lists, and correct Errors therein; and that Persons thinking themselves aggrieved by any of the aforesaid Lists may appeal to the Quarter Sessions, or to any adjourned Meeting thereof.

Persons liable in Statute-work.

VI. And be it further enacted by the Authority aforesaid, That all Possessors of Lands shall furnish to the Highways, for six Days yearly, one Cart with two able Horses, and one able Servant, or two Carts, with one able Horse and one able Servant for each Cart, or Wains in Proportion, where the Custom is to work with Oxen; and that for each Plough-gate of Land they possess; and so in Proportion for Three-fourths, One-half, and One-quarter of a Plough-gate.

Power to convert the Statute-work.

VII. And be it further enacted by the Authority aforesaid, That the Commissioners in their respective Parishes shall have Power to demand a Conversion in Money for the Whole or any Part of the Statute-work, not exceeding the ordinary Rate of Labour in that Part of the County for Carts, Wains, Horses, and Oxen; and not exceeding Six-pence Sterling *per* Day for each Householder.

Grass Grounds.

VIII. And be it further enacted by the Authority aforesaid, That where the Tenant is debarred from the Liberty of Tillage, the Heritor, or Setter, shall be obliged to furnish the Statute-labour; or, at his Option, to pay the converted Value.

Work to be done by Persons who keep more Carts, Horses, &c. than used for Cultivation of their Lands; and by Cottagers, &c. Seed-time and Harvest exempted. Not more than three Miles distant. Commissioners may excuse indigent Persons.

IX. And be it further enacted by the Authority aforesaid, That Persons keeping more Carts and Horses, or Wains and Work-oxen, than are used for the Cultivation of the Land they possess, shall furnish yearly six Days Work of the Half of such additional Carts and Horses, or Wains and Work-oxen, or in their Option shall pay the converted Value; and that Persons keeping more Draught or Carriage Horses than necessary for their Ploughs and Carts, shall furnish yearly three Days Work with a double Cart, for each Pair of such additional Horses, or in their Option pay the converted Value; and that Householders or Cottagers, and all labouring Men (not being Servants hired by the Year or Half Year, nor liable to furnish Carts), shall work themselves upon the High Roads for three Days yearly, instead of the six Days now required by Law, or in their Option pay Six-pence Sterling for each Day's Work; and that the Statute-work shall be performed at any Time when required by the Overseers (except during Seed-time and Harvest), upon Notice being given in the respective Parish Churches, at least four Days before the Work is to be performed; and that no Persons shall be compelled to furnish or perform Statute-labour, at a greater Distance than three measured Miles from their Place of Residence; and that the Commissioners of the respective Parishes may, at their Discretion, exempt indigent Persons, either from working, or paying Conversion, especially such as have three or more Children under fourteen Years of Age.

Miners, Colliers, &c.

X. And be it further enacted by the Authority aforesaid, That all Miners, Colliers, Salters, and Workmen at Furnaces, of the Age of twenty Years, or upwards, shall perform three Days Work yearly upon the Highways, or in the Option of their Employers pay the converted Value.

Application of the Statute-work.

XI. And be it further enacted by the Authority aforesaid, That the Application of the Statute-work, and of the Money arising from the Conversions, and of all other Monies destined by this Act for repairing the High Roads and Bridges, shall be put under the sole Direction and Management of the Commissioners aforesaid of the Parish from which the same shall arise; to be applied for repairing and keeping in Repair the High Roads and Bridges within the respective Parishes, and to no other Purposes whatever.

The Statute-work of any Parish may be applied in repairing the Roads in the Parish adjoining; not exceeding three Miles distant.

XII. Provided always, That it shall be lawful to the Commissioners, at their stated or adjourned Meetings, to apply any Part of the Statute-work of their Parish, in repairing such Roads in any next adjoining Parish, as lead to or from their own Parish.

XIII. Provided nevertheless, That the Statute-labour so to be applied in such next adjoining Parish, shall not extend to a greater Distance than three measured Miles from the Parish where such Statute-labour is directed to be performed.

Commissioners to determine what Roads are to be repaired.

XIV. And be it further enacted by the Authority aforesaid, That the Commissioners of each Parish shall, at a Meeting to be held on the first *Tuesday* in *April* yearly, with Power of Adjournment, determine what Roads in the respective Parishes are to be repaired that Year; and make such Allocations of the Statute-work, and such Appropriation of the Conversion Monies, as to them shall seem proper for making the said Repairs: And failing their Meeting on the first *Tuesday* of *April*, they shall meet upon every successive *Tuesday* of that Month; and failing any such Meeting, upon any Day, previous Notice, by Order of any one Commissioner of the Parish, being made by the Reader from his Desk on a *Sunday*, at least ten Days before the Meeting, with Power of Adjournment.

Payment of Conversion Monies.

XV. And be it further enacted by the Authority aforesaid, That the whole of the Conversion Monies shall be paid to the Collector within ten Days after being demanded by Intimation from the Reader's Desk on a *Sunday*.

Persons not performing Statute-labour their Effects to be poinded.

XVI. And be it further enacted by the Authority aforesaid, That in case any Person, liable by this Act, shall refuse or delay to perform his or her Statute-labour when required by the Person appointed to oversee the Performance thereof, or to pay his or her Composition Money as aforesaid, it shall be lawful for any Commissioner in the Parish, where such Statute-labour is to be performed, or Composition paid in Lieu of the same, or any Part thereof, to issue a summary Warrant for poinding his or her Effects for the

Composition

Compoſition Money due; and if for Statute-labour, for double the Compoſition correſponding thereto, and for the Expence of the Poinding, not exceeding two Shillings and Six-pence Sterling, to be aſcertained in the Warrant of Poinding.

A Collector to be appointed in each Pariſh.

XVII. And be it further enacted by the Authority aforeſaid, That the Commiſſioners ſhall appoint a Collector in their reſpective Pariſhes for receiving the Monies ariſing from Converſions or otherwiſe, to whom they ſhall allow a reaſonable Salary.

Converſion in Money in Royal Boroughs to be levied by the Collector of the Land Tax, and paid to the Commiſſioners, after deducting 5 per Cent. Penalty.

XVIII. And be it further enacted by the Authority aforeſaid, That the Collector of the Land Tax, or Ceſs, of each Royal Borough, in the ſaid County, for the Time being, ſhall be annually bound to collect the Converſion Money of the Statute-work of the Inhabitants, and others, reſiding within ſuch Royal Boroughs, in caſe he ſhall be deſired or required ſo to do by the Commiſſioners of the Pariſh, at their firſt Annual or any After-meeting; and ſhall be bound to account for and pay to the ſaid Commiſſioners, or any Perſons empowered by them, the Monies he ſhall ſo collect and receive, after Deduction of five Pounds Sterling *per Centum* of the Sums ſo collected, to be allowed him for his Trouble; and that under the Penalty of five Pounds Sterling, to be paid by ſuch Collector to the Commiſſioners, for every ſuch Offence, in refuſing or neglecting ſo to do; which Penalty ſhall be levied and recovered in Manner hereinafter directed: And that the Commiſſioners ſhall have Power to appoint a Clerk in their reſpective Pariſhes, who ſhall enter all their Proceedings in a Book, to whom they may allow a reaſonable Salary.

Clerks to be appointed.

Commiſſioners may appoint Committees, and Overſeers.

XIX. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners may appoint Committees of their own Number, or others reſiding within the Pariſh, to direct the Application of the Work, and Money allowed for the particular Roads: And that the Commiſſioners or Committees may appoint Overſeers under them, with a ſuitable Gratification for their Trouble.

Accounts to be made up annually, and laid before the Quarter Seſſions.

XX. And be it further enacted by the Authority aforeſaid, That the Collector ſhall be obliged annually to make up an exact Account of the Money received by Converſions or otherways; and the Committees or Overſeers ſhall, in like Manner, make up an Account of the whole Money expended, and Statute-work performed, in their reſpective Pariſhes; which, with the Vouchers, ſhall be annually laid before the Juſtices, at their Quarter Seſſions, to be examined by them, or ſuch of their Number as they ſhall appoint: And that Abſtracts of theſe Accounts be recorded in the Books kept by the Clerk of the Peace, for which he ſhall be allowed a Gratification from each Pariſh, as the Juſtices ſhall determine, not exceeding five Shillings Sterling: And that Collectors and Committees, or Overſeers, neglecting to give in their Accounts, may be fined by the Juſtices, in a Sum not exceeding five Pounds Sterling; to be applied to the Reparation of any of the Roads within the County, at the Direction of the Juſtices.

Penalty.

Penalty on any Pariſh not making the Services effectual.

XXI. And be it further enacted by the Authority aforeſaid, That in caſe the Commiſſioners of any Pariſh ſhall neglect to execute the Powers committed to them by this Act, and ſhall not have applied at leaſt one Half of their Statute-work in Money or Labour, it ſhall be lawful for the Juſtices, at their Quarter Seſſions (on the Application of any one Heritor in the County), to apply the Statute-work of ſuch defaulting Pariſh to the Reparation of the Roads in that or any adjoining Pariſh; but that, where only Part of a Pariſh has been deficient, the Money levied from ſuch Deficients ſhall be applied in that Part of the Pariſh where the Commiſſioners have done their Duty, or where theſe Commiſſioners ſhall deſire.

Overſeers may take Materials.

XXII. And be it further enacted by the Authority aforeſaid, That it ſhall be lawful for the Overſeers, or any employed by them, to dig, gather, and take away, all Kind of Materials for repairing the Roads in or from any Common or Waſte Grounds, without making any Satisfaction; and from ſeveral Grounds, (not being a Garden, Orchard, Yard, planted Walk, or Avenue to a Houſe, or any Piece of incloſed Ground, planted, ſet apart, and uſed for a Plantation or Nurſery for Trees, or Pleaſure Ground) and to open convenient Acceſſes for carrying off the ſaid Materials, on making ſuch Satisfaction for the Damage done, as the Commiſſioners ſhall judge reaſonable: And that it ſhall be lawful to the Overſeers to make Cauſeways and Bridges on the Roads, and to make neceſſary Ditches or Drains through the adjacent Grounds.

Power to make Cauſeways, Bridges, &c.

Breadth of Roads.

XXIII. And be it further enacted by the Authority aforeſaid, That Roads commonly called King's Highways ſhall hereafter be thirty Feet wide, clear of Dike, Ditch, or Hedge, where not already incloſed, in Terms of the former Statutes; and that Church and Market Roads, and all other Roads, be at leaſt twenty-two Feet wide, clear of Dike, Ditch, or Hedge: And that it ſhall be lawful to the Commiſſioners in each Pariſh, to alter the Courſe of the ſaid Roads, on making ſuch previous Satisfaction to the Owners or Occupiers of the Ground, as any two or more Juſtices ſhall judge reaſonable: Provided, That in altering the ſaid Roads, no Damage ſhall be done to any Houſe or Building, the Side Walls of which are above ten Feet high, or to any Garden, Orchard, Yard, incloſed or planted Walk, or Avenue to any Houſe or incloſed Ground, ſet apart and uſed as a Plantation or Nurſery for Trees, or Pleaſure Ground, Park or Policy, or to any growing Timber that affords Shelter or Beauty to any of the Premiſes: And further, That no old Road ſhall in any caſe be ſtopped, till the new one is made ſufficient, and declared ſuch by a Quarter Seſſion, or a Committee to be appointed by them for that Purpoſe: And that, where Roads run through unincloſed Grounds, Head-ridges ſhall be made on each Side, at leaſt twenty Feet broad, under a Penalty not exceeding five Pounds, nor leſs than forty Shillings Sterling.

Power to alter Roads.

Head-ridges 20 Feet broad.

Ditches to be ſcoured, and Hedges pruned.

XXIV. And be it further enacted by the Authority aforeſaid, That where there are Ditches on the Sides of the Roads, the Occupier ſhall keep them ſcoured and clear; and where Branches of Trees or Hedges hang over the Road, ſo as to annoy or interrupt the free Paſſage of the ſame, the Owners ſhall cut or prune them; and on their failing to do ſo when required, any Two or more Juſtices may appoint Perſons to ſcour ſuch Ditches, and cut or prune ſuch Branches or Hedges, at the Owners Expence, to be levied as directed for levying the Converſions of the Statute-work, provided the ſame be done betwixt the firſt Day of *October* and the firſt Day of *February*.

XXV.

Method of Proceeding where one Side of a Road has been inclosed, &c.

XXV. And be it further enacted by the Authority aforesaid, That where one Side of a Road has been inclosed before passing this Act, no Inclosure shall be made on the other Side, without leaving the full Standard Breadth between the Fences: And where the old Inclosures have been made within less than the Half of the Standard Breadth of the Middle of the Road, and the Ground on the opposite Side belongs to a different Person, the Owner of the Side formerly inclosed shall have it in his Option either to remove his Inclosure, or, at the Sight of Two or more Justices, to pay to the Owner of the unincloſed Side, the Value of the Ground which the latter is obliged to leave out for the Road more than what otherways would have fallen upon him.

Penalty on laying Dung, &c. on the Side of the Roads, or dragging Timber thereon.

XXVI. And be it further enacted by the Authority aforesaid, That no Person shall lay down any Manure for Land, Stones, Timber, or any Nuisance or Hindrance, within Five Yards of the Side of the Roads, except within a sufficient Fence between it and the Road; or leave Carts or Carriages on such Road, or haul or draw any Tree or Piece of Timber, or other Material whatever, on the said Roads, otherways than upon a Wheel-carriage, Sledge, or Cart, or do any Thing whatever whereby the said Roads shall be unnecessarily spoiled or damaged, under the Penalty of Ten Shillings Sterling for each such Offence.

Commissioners may measure the Roads, and erect Mile-stones and Direction-posts.

XXVII. And be it further enacted by the Authority aforesaid, That it shall be lawful to the said Commissioners, at their General Annual Meetings in the respective Parishes, to cause any of the said Roads to be measured, and Stones or Posts to be erected on the Side thereof, denoting the Distance, at each Mile, or at such other Distances as they may judge convenient; also to order, or cause to be erected, Guide-posts, upon such Parts of the Roads where the same are crossed or joined by other Roads, as they shall judge proper; and where any Parts of the Roads are subject to deep or dangerous Floods, to erect graduated Posts at the Entrances, denoting the Depth of the Water at the deepest Parts: And if any Person or Persons shall break down, destroy, or deface, any such Mile-stones, Guide or Graduated Posts, set up by Order of the Commissioners, or shall break down the Cape-stones on the Ledges or Parapet Walls on the Sides of any of the Bridges on the Roads, or turn any Stream of Water upon any Part of the said Roads, unless a sufficient covered or arched Drain or Passage shall have been previously made as herein directed; or shall be aiding or assisting to any of these Offences, or rescue, or attempt to rescue, any Person apprehended for having been guilty of any of them; every Person so offending in any of the Premises, and being thereof lawfully convicted, by the Oath of one or more credible Witness or Witnesses, before the Sheriff Depute of the County, or before two or more Justices of the Peace for the County, shall not only be condemned to pay the Whole of the Damages and Expences sustained, but also a Penalty not exceeding Five Pounds, nor less than Twenty Shillings Sterling; and for a second Offence shall, besides paying the Damages and Expences, pay a Penalty not exceeding ten Pounds, nor less than two Pounds Sterling.

Penalty on destroying or defacing Mile-stones, &c. or breaking down the Parapet Walls of Bridges, &c.

Recovery of the Conversion Money.

XXVIII. And be it further enacted by the Authority aforesaid, That if any Person shall neglect or refuse to pay the aforesaid Conversions, or to work on the Highways when required, then it shall be lawful for any two or more Justices of the Peace, upon an Application signed by the Collector, to grant summary Warrant for distraining the Effects of the Defaulter for Payment of the converted Value before mentioned, and One-third Part more, besides the Expence of Execution; and that the Justices of the Peace aforesaid, or any two or more of them, shall award Damages to the triple Value, to be paid to the Person aggrieved by such Warrant or Warrants, if they shall find the same occasioned by a false and improper Accusation; and in case the Collector shall fail to exact the aforesaid Conversion, he shall be liable, by Sentence of one or more of the said Justices, to pay triple the Conversion Money so omitted to be exacted by him; and that no Person shall be prosecuted or punished, for any Offence against this Act, after the Lapse of six Months from the Offence.

Penalty on Collectors not exacting Conversion.

Not to prosecute after six Months.

Persons aggrieved may appeal to the next Quarter Sessions;

XXIX. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall consider him or themselves aggrieved by any Order, Procedure, Sentence or Judgment, with respect to any of the Matters or Things by this Act referred to the Determination of the said Commissioners, it shall and may be lawful to and for such Person or Persons to appeal or apply for Redress to the Justices of the Peace for the said County, in their then next Quarter Sessions (giving fourteen Days previous Notice to the Parties interested or complained of); but in case there shall not be fourteen Days till the next Quarter Sessions, then such Person or Persons shall be at Liberty to appeal to the Justices at their next subsequent Quarter Sessions, who are hereby authorised and impowered to hear and determine the Matters in Dispute, and whose Judgment therein shall be final and conclusive, and not subject to the further Review of any superior Court.

whose Judgment shall be final.

Expences of the Act to be levied by an Assessment on the Heritors.

XXX. And be it further enacted by the Authority aforesaid, That the Expence of passing this Act shall be settled and allowed by the Justices at their Quarter Sessions, and shall be defrayed and levied by a Tax upon the Heritors or Land-owners, within the said County of *Linlithgow*, according to the Valuation of their respective Lands, and shall be collected by the Collector of the Land Tax, or any other Person appointed by the said Justices; and it is especially provided and declared, That no Commissioner shall hold any Place of Profit under this Act.

Public Act.

XXXI. And be it further enacted by the Authority aforesaid, That this Act shall be deemed a Public Act; and all Judges and Justices, and others, are hereby required judicially to take Notice thereof as such, without the same being specially pleaded.

## CAP. XIII.

An Act for the better Relief and Employment of the Poor, within the several Hundreds of *Hartsmere*, *Hoxne*, and *Thredling*, in the County of *Suffolk*.

CAP.

## CAP. XIV.

An Act for the better Supply of Mariners and Seamen to ſerve in His Majeſty's Ships of War, and on Board Merchant Ships and other Trading Ships and Veſſels.

Preamble.

'FOR the better Supply of Mariners and Seamen to ſerve in his Majeſty's Ships of War, and on Board 'Merchant Ships, and other Trading Ships and Veſſels;' be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That, from and after the paſſing of this Act, until the Twenty-fifth Day of *March*, one thouſand ſeven hundred and eighty, and no longer (except in reſpect to ſuch Merchant Ships, and other Trading Ships or Veſſels, which ſhall be on their Voyage before the ſaid Twenty-fifth Day of *March*, one thouſand ſeven hundred and eighty, who ſhall be, and are hereby allowed the Liberty and Benefit of returning Home navigated in the Manner as hereinafter is provided), it ſhall and may be lawful for any Merchant Ship, or other Trading Ship or Veſſel, to be navigated by Foreign Seamen or Mariners, not being Natives of *Great Britain*, or of any of the Colonies or Plantations thereto belonging, or his Majeſty's natural or naturalized Subjects, ſo as the Number of ſuch Foreign Seamen or Mariners do not exceed Three-fourths of the Mariners at any one Time employed to navigate ſuch Merchant Ship, or other Trading Ship or Veſſel, and that One-fourth at leaſt of the Mariners or Seamen ſo employed, be at all Times Natives, or his Majeſty's naturalized Subjects of *Great Britain* (ſudden Death, and Hazard and Caſualties of War, and the Seas, ſaved and excepted), one Act of Parliament, made in the Twelfth Year of the Reign of his late Majeſty King *Charles* the Second (intituled, *An Act for the encouraging and encreaſing of Shipping and Navigation*), or any other Statute or Law, to the contrary notwithſtanding.

From the paſſing of this Act till March 25, 1780, Merchant Ships, &c. may be navigated by Three-fourths Foreign Seamen.

II Provided always, That nothing in this Act contained ſhall extend to take away or reſtrain the Effect of any ſuch Royal Proclamation, as his Majeſty, his Heirs and Succeſſors, are impowered to make by virtue of an Act, paſſed in the Thirteenth Year of his late Majeſty's Reign (intituled, *An Act for the better Supply of Mariners and Seamen, to ſerve in his Majeſty's Ships of War, and on Board Merchant Ships and other Trading Ships and Privateers*).

This Act not to reſtrain any Royal Proclamation to be made purſuant to an Act 13 Geo. II.

## CAP. XV.

An Act to continue an Act, made in the Fourteenth Year of the Reign of his preſent Majeſty (intituled, *An Act for regulating Madhouſes*), for a further Time therein limited. [*Further continued for Seven Years*]

## CAP. XVI.

An Act for puniſhing Mutiny and Deſertion; and for the better Payment of the Army and their Quarters.

## CAP. XVII.

An Act to explain and amend an Act, made in the Twenty-ſecond Year of the Reign of his late Majeſty King *George* the Second, intituled, *An Act for amending, explaining, and reducing into one Act of Parliament, the Laws relating to the Government of his Majeſty's Ships, Veſſels, and Forces by Sea.*

Preamble.

'WHEREAS by an Act, made in the Twenty-ſecond Year of the Reign of his late Majeſty King *George* the Second, intituled, *An Act for amending, explaining, and reducing into one Act of Parliament, the Laws relating to the Government of his Majeſty's Ships, Veſſels, and Forces by Sea*; it is, among other Things, enacted, That from and after the Twenty-fifth Day of *December*, one thouſand ſeven hundred and forty-nine, no Member of any Court-martial, after the Trial is begun, ſhall go on Shore till Sentence be given, but remain on Board the Ship in which the Court ſhall firſt aſſemble, except in Caſe of Sickneſs, to be judged of by the Court, upon pain of being caſhiered from his Majeſty's Service; nor ſhall the Proceedings of the ſaid Court be delayed by the Abſence of any of its Members, provided a ſufficient Number doth remain to compoſe the ſaid Court, which ſhall, and is thereby required to ſit from Day to Day (*Sunday* always excepted) until the Sentence be given: And whereas it hath been found by Experience, that the confining Members of Courts-martial to the Ship in which ſuch Courts-martial ſhall firſt aſſemble, until Sentence be given, hath been attended with great Inconveniencies and Prejudice to the Healths of Officers ſummoned to attend as Members of Courts-martial; and it is highly neceſſary and expedient that ſuch Inconveniencies ſhould be prevented in future;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That ſo much and ſuch Part of the ſaid recited Act as directs that no Member of any Court-martial, after the Trial is begun, ſhall go on Shore till Sentence be given, but remain on Board the Ship in which the Court ſhall firſt aſſemble, except in Caſe of Sickneſs, to be judged of by the Court, upon Pain of being caſhiered from his Majeſty's Service; and that the Proceedings of the ſaid Court ſhall not be delayed by the Abſence of any of its Members, provided a ſufficient Number doth remain to compoſe the ſaid Court, which is thereby required to ſit from Day to Day (*Sunday* always excepted) until the Sentence be given, ſhall be, and the ſame is hereby repealed and made void, to all Intents and Purpoſes whatſoever.

Act 22 Geo. II. recited.

Part of the ſaid Act repealed.

II. Provided

Proceedings of Courts-martial not to be delayed by the Absence of any Members, provided enow remain to make a Court.

II. Provided always, and be it enacted, That the Proceedings of any Court-martial shall not be delayed by the Absence of any of its Members, provided a sufficient Number doth remain to compose such Court, which shall, and is hereby required to sit from Day to Day (*Sunday* always excepted) until the Sentence be given; any Thing herein before contained to the contrary thereof in any wise notwithstanding: And no Member of the said Court-martial shall absent himself from the said Court during the whole Course of the Trial, upon Pain of being cashiered from his Majesty's Service, except in Case of Sickness, or other extraordinary and indispensable Occasion, to be judged of by the said Court.

No Member to be absent except on some extraordinary Occasion.

Two Clauses in the said Act 22 Geo. II. recited,

'III. And whereas by two Clauses in the said Act, passed in the twenty-second Year of the Reign of his late Majesty King *George* the Second, it is enacted and declared, That every Person in the Fleet, who through Cowardice, Negligence, or Disaffection, shall, in Time of Action, withdraw or keep back, or not come into the Fight or Engagement, or shall not do his utmost to take or destroy every Ship which it shall be his Duty to engage, and to assist and relieve all and every of his Majesty's Ships, or those of his Allies, which it shall be his Duty to assist and relieve, and being convicted thereof by the Sentence of a Court-martial, shall suffer Death; and also that every Person in the Fleet, who, through Cowardice, Negligence, or Disaffection, shall forbear to pursue the Chace of any Enemy, Pirate, or Rebel, beaten or flying, or shall not relieve or assist a known Friend in View, to the utmost of his Power, and being convicted of any such Offence by the Sentence of a Court-martial, shall suffer Death: And whereas the restraining of the Power of the Court-martial to the inflicting of the Punishment of Death, in the several Cases recited in the said Clauses, may be attended with great Hardship and Inconvenience;' be

and altered.

it enacted, That, from and after the passing of this Act, it shall and may be lawful, in the several Cases recited in the said Clauses, for the Court-martial to pronounce Sentence of Death, or to inflict such other Punishment as the Nature and Degree of the Offence shall be found to deserve.

## CAP. XVIII.

An Act for raising a certain Sum of Money by way of Annuities, and for establishing a Lottery.

" Preamble. 7,000,000 l. to be raised by Annuities, and 490,000 l. by a Lottery. Contributors to the " Sum of 7,000,000 l. to be intitled to certain Annuities; which shall be charged upon a Fund to be esta- " blished this Session, and collaterally upon the Sinking Fund. Contributors may have the Annuity of " 3 l. 15 s. *per Cent.* for Life, instead of for 29 Years, upon producing a proper Certificate to the Auditor " of the Exchequer before *December* 22, 1779. Every Contributor of 100 *l.* shall, upon Payment of 70 l. " more, be intitled to seven Lottery Tickets. Preamble: reciting that Books have been opened at the " Bank, and Deposits made, pursuant to a Resolution of the House of Commons. All Persons who have " made Deposits, pursuant to the aforesaid Resolution, are required to pay the Remainder of their Sub- " scriptions at certain Times specified. Subscribers to the Annuities to be allowed Interest for all Monies " paid in Advance. Subscribers to the Lottery, on paying in the Whole of their Subscriptions, shall re- " ceive Tickets to the Amount thereof. Subscribers to the 7,000,000 l. intitled to an Annuity of 3 l. " *per Cent*; and also to an Annuity of 3 l. 15 s. for 29 Years; both payable half-yearly. All Contribu- " tors who shall pay in the Whole of their Contribution-money before *June* 30, 1779, may receive the " Half Year's Annuity due *July* 5, 1779, on the Annuity of 3 l. 15 s. when they receive the Half Year's " Annuity due on the 3 *per Cent.*; otherwise they shall not receive the said Annuity until *January* 1780. " Annuities to be payable and transferrable at the Bank of *England*, &c. Cashier of the Bank to give " Receipts to Contributors for Money received; which shall be assignable, &c. Cashier to give Security, " to the good Liking of the Commissioners of the Treasury; and to pay all Monies received into the Ex- " chequer. Commissioners of the Treasury impowered to apply the Money paid in by the Cashier. A " Book to be provided in the Accountant-general's Office, in which Contributors Names shall be entered, " &c. After Contributors shall have paid their Subscriptions, they will be intitled to receive the Annui- " ties granted by this Act; which shall be Tax-free. Subscriptions paid in Part, and not completed, " shall be forfeited to the Public. As soon as Contributors have completed their Payments, the Sums " subscribed shall, in the Books of the Bank, be placed to their Credit. Accountant-general, on Payment " of 50 l. *per Cent.* of their Contributions before *June* 25, 1779, to give Credit to the Contributors for " the Annuity of 3 l. 15 s. which shall be transferrable. Certain Rates appropriated for Payment of the " Annuities granted by this Act. Governor, &c. of the Bank to appoint a Chief Cashier, and Account- " ant-general. Monies to be issued at the Exchequer to the Chief Cashier, for Payment of Annuities " created by this Act. Accountant-general to examine Receipts and Payments. Annuities to be deemed " personal Estate. Books to be kept by the Accountant-general, wherein shall be entered all Transfers " of Sums advanced on this Act. Method of transferring. The Annuities of 3 l. 15 s. *per Cent per Ann.* " shall be a separate Stock from the other Annuities. The Annuities of 3 l. 15 s. *per Cent.* to be made " a joint Stock with certain Annuities granted, for 30 Years, by the Lottery Act of last Session. Persons " possessed of Stock may devise the same by Will, &c. Commissioners of the Treasury to discharge all " incidental Charges attending the Execution of this Act. The 3 *per Cent.* Annuities granted by this " Act shall be added to the Joint Stock of 3 *per Cent.* transferrable at the Bank, &c. The Bank to con- " tinue a Company till Redemption of the Annuities. 490,000 l. to be raised by a Lottery; the Prizes " whereof to be paid out of any Supplies granted this Session. Guardians having the Disposal of Infants " Money, may contribute to the Loan, &c. Contributors for every 100 l. they shall advance, to be in- " titled to an Annuity of 3 l. 15 s. *per Annum* for 29 Years, or for Life. Life Annuities to be paid at the " Exchequer half-yearly. Cashiers of the Bank to give Certificates to Contributors who chuse Life An- " nuities; which may be assigned before *December* 21, 1779. Cashiers to transmit to the Auditor of the

" Exchequer a Book containing the Names of the Contributors, &c. Contributors ſhall deliver their " Certificates to the Auditor, before *December* 22, 1779, to be exchanged for Orders; and name their " Nominees. Auditor to cauſe Orders for Payment to be made out as ſoon as convenient, which ſhall be " ſigned by the Commiſſioners of the Treaſury. Books to be kept in the Offices of the Auditor and Clerk " of the Pells, containing the Names of the Contributors, &c. Part of the Money to ariſe from the new " Duties to be ſet apart for the Annuities on Lives. On Death of Nominees, Annuities to ceaſe. Life " Annuities may be transferred. Transfer to be entered at the Exchequer. When Contributors, &c. de- " mand Payment of their Annuities in the Abſence of their Nominees, they muſt produce Certificates of " their being alive on the Day when the reſpective half-yearly Payments become due. What Certificate " neceſſary when the Nominee reſides in *England* or *Wales*. Penalty on forging Certificates, &c. What " Certificate neceſſary when the Nominee reſides in *Scotland* or *Ireland*; or in Parts beyond the Seas. Pe- " nalty on Perſons receiving a half-yearly Payment for any Time after the Death of their Nominee. " Contributors, within a Month after Notice of the Death of their Nominee, to certify the ſame to the " Auditor of the Exchequer, &c. on Penalty of 10 l. Annuities to be Tax-free. Commiſſioners of the " Treaſury, on receiving a proper Certificate from the Chief Baron, &c. of the Exchequer, may cauſe " new Orders to be made in Lieu of ſuch as ſhall be loſt, burnt, &c. or defaced, or incumbered with " Aſſignments. Clauſe for preventing Frauds relating to Standing Orders, &c. Offenders to ſuffer Death " as Felons. No Fee to be taken for receiving or paying Contribution-Monies, or for any Transfer, &c. " Penalty on Officers of the Exchequer who ſhall demand any ſuch Fee, or miſapply the Monies, &c. " Officers, in certain Caſes, not to incur any Penalty for making wrong Payments. If the Fund to be eſta- " bliſhed for Payment of the Annuities ſhould prove inſufficient, the Deficiency to be ſupplied out of the " Sinking Fund; which Monies ſhall be replaced out of the next Supplies. If the Fund ſhall be more " than ſufficient to pay the Annuities, the Surplus to be reſerved for the Diſpoſition of Parliament. Ma- " nagers and Directors of the Lottery to be appointed by the Treaſury. Method of the Lottery Books. " Ticket. Managers to examine the Books with the Tickets, and deliver them to the Caſhiers of the " Bank, taking a Receipt for the ſame. Caſhiers to return the Books, with the undiſpoſed Tickets; with " an Account of the Monies paid in. Undiſpoſed Tickets to be delivered into the Exchequer. Tickets " of the middle Columns to be rolled up, and faſtened with Thread or Silk; and cut off indentwiſe into " a Box marked with the Letter (A). Box to be locked up, and ſealed. Books to be prepared with Two " Columns, on each of which 40,000 Tickets are to be printed. The Number and Value of the Fortunate " Tickets. 1000 l. to each Firſt-drawn Ticket of the firſt eight Days, and 1000 l. to the Laſt-drawn. " Tickets of the laſt-mentioned Books to be rolled up and tied. Public Notice to be given of putting the " Tickets into the Boxes. Lottery to begin drawing on *November* 15, 1779. Method to be obſerved in " Drawing, &c. Number of the Fortunate Tickets, and the Sums, to be printed. Diſputes to be ad- " juſted by the Managers. Penalty on forging Tickets, &c. Felony. Offenders (not in Priſon) diſco- " vering Perſons guilty, to receive a Pardon, and 50 l. Reward. Proviſo. Managers to be ſworn. The " Oath. Caſhier may receive the Sums ſubſcribed before receiving the Lottery Book; giving a Note " for the ſame; which ſhall entitle the Bearer to a Ticket for every 10 l. ſo paid. Contributors not " making good their Payments within the Times limited, forfeit their Depoſits with reſpect to the Lot- " tery; and the Tickets for ſuch Sums to be delivered into the Exchequer. Commiſſioners of the Trea- " ſury may reward the Managers, &c. as they ſhall think fit. Limitation of the Sale of Chances, &c. " Penalty. Office-keepers, &c. ſelling Shares in Tickets of which they are not poſſeſſed, forfeit 500 l. " and ſuffer three Months Impriſonment. No Perſon ſhall keep any Office for the Sale of Tickets, &c. " in *Oxford* or *Cambridge*, on Penalty of 20 l. Offenders may be proſecuted in the Vice-chancellor's " Court. Forfeitures may be levied by Diſtreſs, &c. Proceeding not to be removed by *Certiorari*, until " ſufficient Surety is given to proſecute the ſame with Effect, &c. This Act not to prejudice the Privi- " leges and Juriſdictions of the Mayor, &c. of *Oxford*. Offences committed in *Ireland* againſt *Britiſh* " Acts for preventing unlawful Lotteries, made puniſhable: Penalties may be ſued for in *Dublin*. The " 490,000 l. for the Payment of the Fortunate Tickets, to be charged on any Supplies granted this Seſ- " ſion; and ſhall be paid to the Proprietors, without any Deduction, on *March* 1, 1780, &c. Managers " to give Notice of the Times for exchanging Tickets for Certificates. Certificates to be numbered, &c. " and ſigned, &c. No Fee to be taken for receiving or paying Contribution-monies, or for any Receipts, " &c. on Penalty of 20 l. General Iſſue. Treble Coſts.

## CAP. XIX.

An Act for defraying the Charge of the Pay and Cloathing of the Militia in that Part of *Great Britain* called *England*, for one Year, beginning the twenty-fifth Day of *March*, one thouſand ſeven hundred and ſeventy-nine.

## CAP. XX.

An Act for the better raiſing and ſecuring a Fund for a Proviſion for the Widows and Children of the Miniſters of the Church of *Scotland*, and of the Heads, Principals, and Maſters, in the Univerſities of *Saint Andrews*, *Glaſgow*, *Edinburgh*, and *Aberdeen*; and for repealing two Acts made in the ſeventeenth and twenty-ſecond Years of the Reign of his late Majeſty King *George* the Second for thoſe Purpoſes.

Preamble.

' WHEREAS the Widows and Children of the Miniſters of the Church, and of the Heads, Principals, and Maſters, in the Univerſities of that Part of *Great Britain* called *Scotland*, had often ' been left in indigent Circumſtances, without any Proviſion for their Subſiſtence or Education: And

Act 17 Geo. II. recited.

'whereas all the charitable Deſigns that had been propoſed for the Relief of ſuch Widows and Orphans 'had proved ineffectual, an Act was made, in the ſeventeenth Year of the Reign of his late Majeſty King 'George the Second, intituled, *An Act for raiſing and eſtabliſhing a Fund for a Proviſion for the Widows and* 'Children of the Miniſters of the Church of Scotland, and of the Heads, Principals, and Maſters of the Uni- 'verſities of Saint Andrews, Glaſgow, and Edinburgh; whereby it was enacted, That the ſaid Miniſters, 'Heads, Principals, and Maſters, were to pay, out of their reſpective Stipends, or Salaries, at their Option, ſome one of the Annual Rates following: That is to ſay, Two Pounds twelve Shillings and Six- 'pence; three Pounds eighteen Shillings and Nine-pence; five Pounds and five Shillings; or Six Pounds 'eleven Shillings and Three-pence, of lawful Money of *Great Britain*; to be applied for Payment of Life- 'rent Annuities to the reſpective Widows of ſuch Miniſters of the ſaid Church, or Heads, Principals, or 'Maſters in the Univerſities aforeſaid, amounting to ten Pounds, fifteen Pounds, twenty Pounds, or 'twenty-five Pounds, of like Money, in Proportion to ſuch of the aforeſaid Annual Rates as they ſhall 'reſpectively have choſen: And alſo, to the making Proviſion reſpectively for the Children of the ſaid 'Miniſters, Heads, Principals, and Maſters, amounting to the Sum of one hundred Pounds, one hundred 'and fifty Pounds, two hundred Pounds, or two hundred and fifty Pounds, of like Money, and in the 'like Proportion: And it was further enacted, That the Surplus of the aforeſaid Annual Rates, and 'other Sums payable by virtue of the aforeſaid Act, were, after Payment of the annual Expence of Ma- 'nagement, and of the Annuities payable to Widows, and of the Proviſions payable to Children, to be 'lent out to the Miniſters of the Church of *Scotland*; and to the Heads, Principals, and Maſters, in the 'aforeſaid Univerſities, to the Amount of thirty Pounds of lawful Money to each of them; and that all 'future Surpluſſes were, from Time to Time, to be lent out upon proper Security, until the Capital 'therein mentioned ſhould be made up and completed: And whereas the aforeſaid Act was explained and 'amended, by another Act, made in the twenty-ſecond Year of his ſaid Majeſty's Reign, in which Act 'the Heads, Principals, and Maſters, in the Univerſity of *Aberdeen* were comprehended, upon their own 'Application and Petition; and Liberty granted for raiſing the Capital to fifty thouſand Pounds of lawful 'Money of *Great Britain*, over and above the Sums lent to Miniſters, Heads, Principals, and Maſters as 'aforeſaid; making together a Stock or Fund of eighty thouſand Pounds of like Money: And whereas it 'hath been found from Experience, that the granting a Loan of thirty Pounds to each of the aforeſaid 'Miniſters, Heads, Principals, and Maſters, has, in many Inſtances, proved hurtful to their Families, 'and to the Fund; and that the Intereſt of a larger Stock or Capital, over and above the aforeſaid Annual 'Rates, and other Sums payable for Support of the Fund, will be neceſſary for Payment of the annual 'Expence, when the Widows ſhall have arrived at their *Maximum*;' Therefore, and for removing ſeveral Inconveniencies and Difficulties which have ariſen in the Execution of the aforeſaid Acts, Your Majeſty's moſt dutiful and loyal Subjects, the Miniſters and Elders of the General Aſſembly of the Church of *Scotland*, holden in the Month of *May*, one thouſand ſeven hundred and ſeventy-eight, and the Truſtees in and by the aforeſaid Acts appointed for executing the ſame, after due Enquiry has been made into the Sentiments of the Miniſters of the ſaid Church, and of the Heads, Principals, and Maſters in the ſaid Univerſities, liable in Payment of one or other of the aforeſaid Annual Rates, do moſt humbly beſeech your Majeſty, that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That every Miniſter who was poſſeſſed of a Benefice in the Church of *Scotland*, and every Perſon who was poſſeſſed of the Office of Head, Principal, or Maſter, in any of the Univerſities of *Saint Andrews*, *Glaſgow*, *Edinburgh*, and *Aberdeen*, on or before the twenty-ninth Day of *September*, one thouſand ſeven hundred and ſeventy-eight, and who is now ſubject and liable to one of the Annual Rates following, *videlicet*, Two Pounds twelve Shillings and Six-pence, three Pounds eighteen Shillings and Nine-pence, five Pounds and five Shillings, or ſix Pounds eleven Shillings and Three-pence, of lawful Money of *Great Britain*, ſhall, in the Manner herein-after directed, continue to pay the ſame yearly at each Term of *Candlemas* during his Life, notwithſtanding he may have ceaſed, or ſhall hereafter ceaſe to be a Miniſter of the ſaid Church, or a Head, Principal, or Maſter in any of the Univerſities aforeſaid, by Reſignation, Deprivation, or any other Manner of Way.

The ſaid Act amended by Act 22 Geo. II.

Miniſters now in the Church, &c. to continue liable in Payment of their Rates.

Miniſters, &c. hereafter admitted to be ſubject to Rates.

II. And be it enacted by the Authority aforeſaid, That every Miniſter, Head, Principal, or Maſter, who has been ordained or admitted ſince the ſaid twenty-ninth Day of *September*, one thouſand ſeven hundred and ſeventy-eight, or who ſhall hereafter be ordained or admitted to a Benefice in the Church of *Scotland*, or to an Office in any of the Univerſities aforeſaid, ſhall be ſubject and liable to one or other of the aforeſaid Annual Rates, in the Option of the ſaid Miniſters, Heads, Principals, and other Maſters reſpectively, to be made within the Time and in the Manner herein-after directed.

Proviſo.

III. Provided always, That what is herein-above enacted, ſhall not comprehend any Perſon who ſhall hereafter be ordained or admitted to a Benefice in the ſaid Church of a temporary Nature, or to a precarious Office in any of the Univerſities aforeſaid, where there is no Security for the Continuance of ſuch Benefice or Office; and that it ſhall not be competent for any ſuch Perſon to claim the Benefit of this Fund; it being intended only for a Proviſion to the Widows and Children of the Miniſters, Heads, Principals, and Maſters, holding fixed Benefices in the ſaid Church, and permanent Offices in the Univerſities aforeſaid.

Rule for notifying the Option of Rates.

IV. And be it enacted by the Authority aforeſaid, That every Miniſter, Head, Principal, or Maſter, who has been admitted ſince the ſaid twenty-ninth Day of *September*, one thouſand ſeven hundred and ſeventy-eight, or who ſhall hereafter be admitted to a Benefice in the Church of *Scotland*, or to an Office in any of the Univerſities aforeſaid, and who was not before entitled to a Benefice in the ſaid Church, or to an Office in any of the Univerſities aforeſaid, ſhall make his Election of one or other of the four above-mentioned yearly Rates, to which he chuſes to be ſubject during his Life, by a Writing ſigned by him, addreſſed to the Truſtees herein-after appointed, and which he ſhall deliver, or cauſe to be delivered,

at the General Collector or Receiver's Office at *Edinburgh*, within the Time respectively after-mentioned; that is to say, Every Minister having a Benefice in the Western or Northern Isles of *Scotland*, on or before the twenty-sixth Day of *January* that shall first happen after such Minister shall have had Right to his Benefice for one whole Year; and every other Minister aforesaid, of the Church of *Scotland*, on or before the twenty-sixth Day of *January* that shall first happen after such Minister shall have had Right to his Benefice for one Half Year; and every Head, Principal, or Master, in any of the Universities aforesaid, on or before the twenty-sixth Day of *January* that shall first happen after he hath held his Office for four Calendar Months; and every respective Minister, Head, Principal, or other Master, neglecting to give Notice as aforesaid, shall be deemed and adjudged to have made his Election of the Annual Rate of three Pounds eighteen Shillings and Nine-pence, and shall be liable to the said Rate accordingly during his Life.

Rule for Ministers, &c. making their first Payment,

V. And be it enacted by the Authority aforesaid, That every such Minister, Head, Principal and Master, who has been admitted, since the said twenty-ninth Day of *September*, one thousand seven hundred and seventy-eight, or who shall hereafter be admitted to a Benefice in the said Church, or to an Office in any of the Universities aforesaid, shall, at the first Term of *Candlemas*, after he hath notified his Option as aforesaid, make Payment of the Rate or Rates to which he shall then be subjected in virtue of his said Option, or in Default of his making his Election; that is to say, If at the said Term of *Candlemas*, he shall have enjoyed, and had Right to his Benefice for one Half Year, he shall be liable to the Payment of one Half of his yearly Rate; if he was entitled to his Benefice for one whole Year, he shall be liable to the Payment of one Year's Rate; and if he was entitled to his Benefice for one Year and an Half, he shall be liable to the Payment of one Year and an Half of his Rate: And lastly, if his Salary is of such a Nature as to be payable only *de die in diem*, he shall make Payment of such Proportion of his Annual Rate as corresponds to the Number of Days from the Date of his Admission to the twenty-second Day of *November*, immediately preceding the Time limited for making his Election as aforesaid: And every such Minister, Head, Principal, or Master aforesaid, shall, after the aforesaid Term of *Candlemas*, when first liable in Payment of his Rate as before enacted, make Payment of a full Year's Rate, at each succeeding Term of *Candlemas*, during his Life, notwithstanding he shall cease to be a Minister of the said Church, or a Head, Principal, or Master, in any of the Universities aforesaid, by Resignation, Deprivation, or any other Manner of Way; all which Rates shall be paid in the Manner herein-after directed.

and future Payments.

Rate to be paid on the Death of a Minister, &c.

VI. And be it further enacted by the Authority aforesaid, That if the said Ministers of the Church of *Scotland*, or the Heads, Principals, or other Masters, in any of the Universities aforesaid, shall, at their respective Deaths, have Right to only one Half of the Benefice or Salary of that Year in which they shall happen to die; that one Half of the said yearly Rate shall be payable for that Year out of their Benefice or Salary, at the first Term of *Candlemas*, after the Death of the said Ministers, Heads, Principals, or Masters respectively, in the Manner herein-after directed.

Ministers, subject to a Tax on account of their Marriage.

VII. And be it enacted by the Authority aforesaid, That every Minister, Head, Principal, and Master, who is now possessed of a Benefice in the Church of *Scotland*, or of an Office in any of the Universities aforesaid, and every other Person who is subject and liable in Payment of one or other of the aforesaid Annual Rates, who shall hereafter marry; and every Minister, Head, Principal, or Master, who shall hereafter be admitted to a Benefice in the said Church, or to an Office in any of the Universities aforesaid, and who is or shall be married, shall, in respect of his Marriage, be subject and liable to a Sum equal to his Annual Rate, and to the like Sum for each succeeding Marriage: which Sum in respect of the Marriage of a Minister of the said Church, Head, Principal, or Master, in any of the Universities aforesaid, shall be paid, over and above his Annual Rate, at the First Term of *Candlemas*, which shall be one full Year after such Marriage, and his Admission into the said Benefice and Office respectively, in the Manner herein-after directed.

Proviso in favour of those who marry Annuitants.

VIII. Provided always, That if any Minister of the said Church, Head, Principal, or Master in the Universities aforesaid, or any other Person, liable in Payment of one or other of the aforesaid Annual Rates, shall happen to marry a Widow entitled to an Annuity in pursuance of this Act, such Minister, Head, Principal, Master, or other Person, shall not be subject to the Payment of any Sum in respect of such Marriage.

Time when ordained Assistants are subjected to Rates;

IX. And be it enacted by the Authority aforesaid, That such Ministers of the Church of *Scotland*, or such Heads, Principals, or Masters in any of the Universities aforesaid, who have been ordained, or admitted Assistants and Successors to the Ministers, Heads, Principals, or Masters, having Right to a Benefice or Salary respectively, and who are not already subjected to one or other of the aforesaid Annual Rates, or who shall hereafter be ordained or admitted Assistants or Successors to Ministers, or to Heads, Principals, or other Masters, having Right to the Benefice or Salary as aforesaid, where there is no real Vacancy of such Benefice or Office, shall (as to all the Purposes of this Act) be held as admitted to a Benefice in the said Church, or to an Office in any of the Universities aforesaid, only from the Time that such Assistant shall come to have Right to the full Benefice or Salary respectively.

and when they shall make their Election of Rates.

X. And be it enacted by the Authority aforesaid, That so soon as such Assistants shall come to have Right to their full Benefice or Salary as aforesaid, they shall be obliged to make their Election of one or other of the aforesaid Annual Rates, and shall be liable in Payment thereof, in the same Manner, and within the Time herein-before enacted, with respect to other Ministers of the said Church, and Heads, Principals, and other Masters in the Universities aforesaid, when first admitted to a Benefice or Office respectively.

Ministers, &c. of 40 Years of Age at Admission, and having Children subject to additional Rates.

XI. And be it further enacted by the Authority aforesaid, That every Minister, Head, Principal, or Master, who shall hereafter be ordained or admitted for the first Time to a Benefice in the Church of *Scotland*, or to an Office in any of the Universities aforesaid, and who, at the Time of his Ordination or Admission, shall be forty Years of Age, or upwards; and every Assistant to a Minister, Head, Principal, or Master, who, upon coming to the Enjoyment of his full Benefice or Salary as aforesaid, shall be forty

Years of Age, or upwards, ſhall, if married, or a Widower, having a Child or Children, be liable in Payment of a Sum equal to two Years and an Half of the Annual Rates to which he is ſubjected in virtue of his Option, or in Default of making his Election as aforeſaid, over and above the Annual and other Rates herein-before enacted, to be paid by the other Miniſters of the ſaid Church, or Heads, Principals, and Maſters in the Univerſities aforeſaid; which Payment ſhall be made at the Term of *Candlemas* that ſhall firſt happen after he has, or ought to have, made his Election of one or other of the aforeſaid Annual Rates in the Manner herein-before directed.

Proviſo in caſe they are then unmarried.

XII. Provided always, That if ſuch Miniſters, Heads, Principals, or Maſters, or ordained Aſſiſtants, ſhall, at the Time of their Ordination or Admiſſion, or coming to the Enjoyment of their full Benefice or Salary as aforeſaid, be Batchelors, or Widowers having no Children, they ſhall not be liable to the aforeſaid additional Tax while they remain unmarried; but in caſe of their marrying afterwards, they ſhall be obliged to pay the ſaid additional Tax at the Term of *Candlemas* that ſhall firſt happen twelve Calendar Months thereafter.

Perſons holding two Offices not ſubject to an additional Rate.

XIII. And be it enacted by the Authority aforeſaid, That when any Miniſter of the Church of *Scotland*, entitled to a Benefice, is alſo a Head, Principal, or Maſter, in any of the Univerſities aforeſaid, and thereby intitled to a Salary, ſuch Miniſter ſhall not be liable to double Rates, but ſhall only be liable to one Rate in reſpect of both Offices.

Rate payable out of the Ann:

XIV. And be it further enacted by the Authority aforeſaid, That upon the Death of every Miniſter of the Church of *Scotland*, and of every Head, Principal, or Maſter in any of the Univerſities aforeſaid, or of any Perſon who once enjoyed a Benefice in the ſaid Church, or an Office in any of the aforeſaid Univerſities, and who was ſubject to one or other of the yearly Rates before-mentioned, a Sum equal to one Half of his yearly Rate ſhall be due and payable for the Half Year immediately after his Death, by thoſe who have a Right to the Ann, where the Ann is by Law competent; and where no Ann is competent, the ſame ſhall be paid by his Heirs and Executors; which Half Year's Rate ſhall be paid in the Manner herein-after directed at the firſt Term of *Candlemas* which ſhall happen a full Year after the Ann ſhall be due and payable, where the Ann is competent; and where no Ann is competent, at the firſt Term of *Candlemas* which ſhall happen one full Year after the Death of ſuch Miniſter, Head, Principal, or Maſter.

And where no Ann is competent, by the Heirs, &c.

Rates payable out of Vacancies.

XV. And be it enacted by the Authority aforeſaid, That every Benefice of the Church of *Scotland*, and every Office of Head, Principal, or Maſter in any of the Univerſities aforeſaid, that are now vacant, or that hereafter ſhall become vacant, ſhall be ſubject and liable to the Sum of three Pounds and two Shillings of lawful Money of *Great Britain*, for every Half Year during ſuch Vacancy, payable in the Manner herein-after directed at the Term of *Candlemas* happening twelve Calendar Months after the vacant Stipends and Salaries reſpectively ſhall become due and payable.

Intimation to be made to the Patrons of the reſpective Pariſhes when theſe Rates become due.

XVI. And be it enacted by the Authority aforeſaid, That all the Perſons concerned in Payment of the vacant Stipends and Salaries reſpectively may be duly appriſed of the aforeſaid Tax, the Moderators of Preſbyteries, and the Principals of Univerſities, or their reſpective Clerks, are hereby required, within three Calendar Months after theſe Rates ſhall, from Time to Time, fall due, to intimate the ſame to the proper Officers of the Crown where his Majeſty is Patron, and to other Patrons or their Doers, or to the Heritors and the Perſons themſelves, who are liable in Payment of the vacant Benefices or Salaries; which Intimation ſhall be made by a Writing or Letter delivered to them perſonally, or left at their Dwelling-houſes in the Preſence of two Witneſſes; and the ſaid Moderators and Principals, or their reſpective Clerks, are hereby further required to acquaint the General Collector or Receiver herein-after named, of their having made ſuch Intimation by a Letter bearing the Time thereof; and if they ſhall neglect ſo to do, they ſhall be liable for the full Expences and Damages which the Fund may ſuſtain through ſuch Default.

Time when theſe Rates bear Intereſt.

XVII. And be it enacted by the Authority aforeſaid, That the annual and other Rates payable by the Miniſters of the Church of *Scotland*, by the Heads, Principals, or Maſters, in the Univerſities aforeſaid, or by thoſe who have ceaſed, or ſhall ceaſe to be Miniſters, Heads, Principals, or Maſters, and alſo the Rates payable out of, or in reſpect of the Ann, and the Rates payable out of the vacant Stipends or Salaries reſpectively as before enacted, ſhall be paid to the General Collector or Receiver herein-after named, at his Office in *Edinburgh*, within eleven Days after the reſpective Terms of *Candlemas* herein-before appointed; and in Default of ſuch Payment being made within the ſaid Time, the ſaid Miniſters, Heads, Principals, Maſters, and other Perſons reſpectively liable in Payment of the ſame, ſhall thereafter be ſubject to the lawful Intereſt of ſuch Sums remaining unpaid.

Penalty on Preſbyteries, &c. neglecting to make Intimation.

XVIII. Provided always, That if Intimation ſhall not be made of the Sums payable out of the vacant Stipends or Salaries reſpectively, to the Patrons or other Perſons above mentioned, within the Time herein-before required and appointed, the Intereſt of ſuch Sums ſhall not be exigible from thoſe Patrons or Perſons, but ſhall be paid by the Moderators of Preſbyteries or Principals of Univerſities, or their Clerks reſpectively, in Default of their having neglected to make ſuch Intimation.

Rates, &c. privileged Debts.

XIX. And be it further enacted by the Authority aforeſaid, That the aforeſaid yearly Rates and other Sums, payable by the preſent and future Miniſters of the Church of *Scotland*, and by the preſent and future Heads, Principals, and Maſters, in the Univerſities aforeſaid; and the aforeſaid Sum of thirty Pounds, lent on Bond to Miniſters now in the Church, and to Heads, Principals, and Maſters, now in the Univerſities of *Scotland*, together with the Intereſt thereof, ſhall be privileged Debts, and preferable to all other Debts of the ſaid Miniſters, Heads, Principals, and Maſters, not only upon their Benefices and Salaries reſpectively, but alſo upon their whole other perſonal Eſtate; and that the aforeſaid Rates, payable out of the Ann, or in reſpect of the Ann, ſhall be privileged Debts, and preferable to all the other perſonal Debts of thoſe who have Right to the Ann, or to the perſonal Debts of the Heirs and Executors of the Miniſters, Heads, Principals, or Maſters, where no Ann is competent; and that the aforeſaid Rates, payable out of the vacant Stipends or Salaries reſpectively, ſhall be a preferable Burthen upon the vacant

Stipends

Stipends and Salaries to all other Debts and Burthens; any Law or Uſage to the contrary notwithſtanding.

Application of the Money;

XX. And be it enacted by the Authority aforeſaid, That the aforeſaid annual and other Sums, payable by the Miniſters of the Church of *Scotland*, and by the Heads, Principals, and Maſters, in the Univerſities aforeſaid, and other Perſons, and the Sums payable out of the Ann, or in reſpect of the Ann, and alſo the Sums payable out of the vacant Benefices or Salaries, in the Manner herein-before directed, ſhall be applied by Order and Direction of the Truſtees herein-after appointed, and their Succeſſors, to the Uſes and Purpoſes after mentioned; *videlicet*, In the firſt Place, there ſhall be paid a Sum, not exceeding two hundred and ten Pounds of lawful Money of *Great Britain*, yearly, for the Salaries of the General Collector or Receiver, and the Clerk herein-after named and appointed; and in the ſecond Place, two hundred Pounds of like Money ſhall be applied annually for raiſing the Capital herein-after mentioned, until the ſame is completed; and the Remainder of the ſaid ſeveral Sums, after diſcharging the Charges of Management herein-after mentioned, ſhall be applied for Payment of the Annuities to the Widows who are now upon the Fund to which they are reſpectively intitled; which Annuities ſhall continue payable to them on the twenty-ſixth Day of *May* yearly during their Life, and continuing unmarried; and alſo for the Payment of an Annuity to the Widow of every Miniſter of the Church of *Scotland*, and of every Head, Principal, and Maſter, in any of the Univerſities aforeſaid, who hath been ſubject to one or other of the annual Rates above mentioned, in Proportion to the Rate to which the deceaſed Huſband of the reſpective Widow was liable, in the Manner following; that is to ſay, If the Huſband was liable to the annual Rate of two Pounds twelve Shillings and Six-pence, his Widow ſhall be intitled to an Annuity of ten Pounds; if the Huſband was liable to the annual Rate of three Pounds eighteen Shillings and Nine-pence, his Widow ſhall be intitled to an Annuity of fifteen Pounds; if the Huſband was liable to the annual Rate of five Pounds and five Shillings, his Widow ſhall be intitled to an Annuity of twenty Pounds; and if the Huſband was liable to the annual Rate of ſix pounds eleven Shillings and Three-pence, his Widow ſhall be intitled to an Annuity of twenty-five Pounds of lawful Money of *Great Britain*: Which reſpective Annuities of thoſe Widows who ſhall hereafter come upon the Fund, ſhall be computed to run from the twenty-ſixth Day of *May*, or the twenty-ſecond Day of *November*, which ſhall be one full Half Year after the Huſband's Death, and ſhall be due on the twenty-ſixth Day of *May*, or the twenty-ſecond Day of *November* thereafter, by equal Portions, and the firſt Year's or Half Year's Annuity reſpectively ſhall be payable on the twenty-ſixth Day of *May*, which ſhall be a full Year, or a full Half Year, reſpectively, after the Time from which the Annuity ſhall be computed as aforeſaid; and the ſaid Annuity ſhall ſo continue payable on the ſaid twenty-ſixth Day of *May* yearly, during the Widow's Life, and her remaining unmarried; and upon the Death or Marriage of any Widow, who is now upon the Fund, or who ſhall hereafter come upon the Fund, her ſaid Annuity ſhall ceaſe and determine upon the twenty-ſixth Day of *May*, or the twenty-ſecond Day of *November*, immediately preceding her Death or Marriage: And if ſhe ſhall happen to die, or to marry before the Elapſe of ten Years, from the Commencement of her Annuity, and her former Huſband ſhall have left a Child or Children, who at the ſaid Widow's Death or Marriage ſhall be under the Age of ſixteen Years, ſuch Child or Children under the Age of ſixteen Years, ſhall be intitled to ſuch a Sum of Money as ſhall be equal to ten Years of the ſaid Widow's Annuity, deducting ſo much thereof as ſhall have been received by her; which Sum ſhall be equally divided among them, if there happen to be more than one Child.

viz. For Payment of Charges of Management; for raiſing the Capital; and for paying the Annuities to Widows.

Rule for computing Annuities.

Time when Annuities ſhall ceaſe or determine.

Children under Age intitled to Reverſion of Annuities.

XXI. Provided always, and be it enacted by the Authority aforeſaid, That if an Annuitant ſhall hereafter marry a Miniſter, Head, Principal, or Maſter, or any other Perſon liable in Payment of one or other of the aforeſaid annual Rates, ſhe ſhall be intitled, until the Capital herein-after mentioned is completed, to one Half of her Annuity; and ſhall, after the ſaid Capital is completed, be intitled to her full Annuity; which Half or full Annuity ſhall ceaſe and determine upon the twenty-ſixth Day of *May*, or the twenty-ſecond Day of *November*, immediately preceding the Diſſolution of the Marriage: And if ſuch Annuitant ſhall happen to be the Survivor, ſhe ſhall thereafter be intitled to an Annuity correſponding to her laſt Huſband's annual Rate; which new Annuity ſhall commence and determine in the ſame Manner as is herein-before enacted with reſpect to the Annuities of other Widows who ſhall hereafter come upon the Fund.

Widows marrying Miniſters, &c. to continue Annuitants.

XXII. Provided always, and be it enacted by the Authority aforeſaid, That if her former Huſband ſhall have left a Child or Children, who at the Time of her ſaid Marriage ſhall be under the Age of ſixteen Years, and ſhe ſhall not have drawn ten Years Annuity, in this Caſe her Annuity ſhall ceaſe and determine on the twenty-ſixth Day of *May*, or the twenty-ſecond Day of *November*, immediately preceding her Marriage; and ſuch Child or Children ſhall be intitled to the Reverſion of her ten Years Annuity, in the like Manner as is before enacted with reſpect to Children under ſixteen Years of Age, whoſe Father's Widow ſhall marry any Perſon not ſubject to one or other of the aforeſaid annual Rates.

Proviſo in favour of Children under Age.

XXIII. And be it enacted by the Authority aforeſaid, That every Miniſter of the Church of *Scotland*, and every Head, Principal, or Maſter, in any of the Univerſities aforeſaid, or any other Perſon who ſhall have been ſubject to one or other of the aforeſaid annual Rates, and who ſhall die, not leaving a Widow, but one or more Children, ſuch Child or Children ſhall be intitled to a Sum equal to ten Years of the Annuity that would have been payable to their Father's Widow; which Sum, in caſe there are more Children than one, ſhall be equally divided among them.

Sums to be paid to Children whoſe Fathers died Widowers.

XXIV. And be it enacted by the Authority aforeſaid, That the Proviſions to Children of the Miniſters of the Church of *Scotland*, or to the Children of the Heads, Principals, and Maſters, in the Univerſities aforeſaid, falling due in conſequence of the Death of their reſpective Fathers, or of the Death or Marriage of the Widows of their ſaid Fathers, in any one Year, computed from the twenty-ſecond Day of *November*, to the twenty-ſecond Day of *November*, in the Year following, ſhall be payable on the thirteenth Day of *Auguſt*, in the Manner herein-after mentioned.

When their Proviſions are payable.

XXV. And

Truſtees, in certain Caſes, to make Stoppages from the Widows Annuities.

XXV. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the Truſtees herein-after appointed, and they are hereby required to ſtop and deduct the one Half of every Annuity which ſhall hereafter become payable for the firſt Time to the Widow of every Miniſter of the Church of *Scotland*, and of every Head, Principal, or Maſter, in any of the Univerſities aforeſaid, and of every other Perſon ſubject and liable to one or other of the aforeſaid annual Rates, who ſhall not have paid, during the Time of, and by his being a Contributor to the ſaid Fund, a Sum equal to the Amount of three Years of the Annuity correſpondent to his annual Rate, and the like Sum annually, during the Life of ſuch Widow, until either ſhe ſhall pay into the Fund, or until ſuch Stoppages and Deductions ſhall amount to as much as, together with the Sums paid by her Huſband, without computing Intereſt thereon, ſhall make up or be equal to three Years of her Annuity; and it ſhall and may be lawful for the Truſtees aforeſaid, and they are hereby required to ſtop and detain, out of the Sum or Proviſion which ſhall become payable to the Child or Children of every Miniſter, Head, Principal, Maſter, or other Perſon, ſubject and liable to an annual Rate as aforeſaid, who ſhall not have paid a Sum equal to three Years Annuity correſponding to his annual Rate, ſo much as, together with the Sums paid by him, or that may have been deducted from his Widow, without computing Intereſt thereon, ſhall make up, or be equal to three Years of the ſaid correſponding Annuity; and the Widows and Children aforeſaid ſhall only be intitled, in the reſpective Caſes and Events aforeſaid, to the Remainder, after the ſaid Stoppages or Deductions from the Annuities or Sums provided to them in Manner aforeſaid.

alſo from the Children's Proviſions.

Loan of 30 l. to be diſcontinued.

XXVI. And be it enacted by the Authority aforeſaid, That to prevent in future the Inconveniencies which have ariſen from lending thirty Pounds to the Miniſters of the Church of *Scotland*, and to the Heads, Principals, and Maſters, in the Univerſities aforeſaid, it ſhall not hereafter be competent to any of the ſaid Miniſters, Heads, Principals, or Maſters, to demand, or for the Truſtees herein-after appointed to grant him ſuch a Loan.

Loans already granted to be repaid, with Intereſt.

XXVII. And be it enacted by the Authority aforeſaid, That every Miniſter of the Church of *Scotland*, and every Head, Principal, or Maſter, in any of the Univerſities aforeſaid, who has received ſuch Loan, ſhall continue to pay the Intereſt thereof, at the Rate of four Pounds *per Centum per Annum*, at the Term of *Candlemas*, yearly, along with his annual Rate; and ſhall be, and he is hereby required, to pay the principal Sum upon his ceaſing to be a Miniſter of the ſaid Church, or a Head, Principal, or Maſter, in any of the Univerſities aforeſaid; and in caſe of his Death, the ſame ſhall be repaid by his Heirs, Executors, and Succeſſors, and the ſaid Loans ſhall bear lawful Intereſt from the twenty-ſixth Day of *May*, or the twenty-ſecond Day of *November*, immediately preceding the reſpective Terms of Repayment as above mentioned.

Loans may be repaid upon giving Notice thereof.

XXVIII. And be it enacted by the Authority aforeſaid, That it ſhall be competent for every Miniſter of the Church of *Scotland*, and for every Head, Principal, or Maſter, in any of the Univerſities aforeſaid, who has received the aforeſaid Loan, to repay the ſame to the General Collector or Receiver herein-after mentioned, at the Term of *Candlemas* or *Whitſunday* in any one Year, notwithſtanding his continuing to be a Miniſter of the ſaid Church, or a Head, Principal, or Maſter, in any of the Univerſities aforeſaid, upon tranſmitting previous Notice of his Intention to the Clerk of the Truſtees herein-after mentioned, at leaſt three Calendar Months before the ſaid Term.

Capital to be raiſed to 100,000 l.

XXIX. And be it enacted by the Authority aforeſaid, That the Capital which is now limited to eighty thouſand Pounds, including the Loans granted to Miniſters, Heads, Principals, and Maſters, as aforeſaid, ſhall be raiſed to the Sum of one hundred thouſand Pounds of lawful Money of *Great Britain*, that the Fund hereby eſtabliſhed may be ſufficient for anſwering the ſeveral Purpoſes of this Act; and particularly for Payment of the Annuities that will fall due to Widows, when their Number ſhall have arrived at the *Maximum*.

Surpluſſes of the annual Produce above the annual Expence to be applied for raiſing the Capital;

XXX. And be it enacted by the Authority aforeſaid, That in order the more effectually to raiſe the ſaid Capital of one hundred thouſand Pounds, the Truſtees herein-after appointed ſhall order and direct, and take care that the Sum of two hundred Pounds of lawful Money of *Great Britain* ſhall, as before enacted, be applied annually for that Purpoſe, until the Capital is made up; and ſhall likewiſe order, that if in any one Year before the Capital is completed, the Intereſt thereof, ſo far as raiſed, and the Intereſt of the Sums lent to Miniſters, Heads, Principals, and Maſters, as aforeſaid, together with the annual and other Rates, and the Rates payable out of or in reſpect of the Ann, and alſo the Rates payable out of the vacant Stipends or Salaries reſpectively, ſhall exceed the Charges of Management, and the Sums hereby ordered to be applied for raiſing the Capital, and the Annuities due to Widows, and the Proviſions due to Children for that Year, ſuch Exceſs or Surplus ſhall be applied to the Purpoſe aforeſaid, of raiſing the Capital Stock or Fund, by lending out the ſame along with the Sums herein-before appointed to be lent out for ſuch reſpective Year; and the ſaid Truſtees ſhall further order, that when any of the Sums lent to Miniſters, Heads, Principals, or Maſters, aforeſaid, ſhall be repaid, ſuch Sums ſhall alſo be applied towards raiſing the aforeſaid Capital of one hundred thouſand Pounds, until the Whole of theſe Loans are thus transferred to the ſaid Capital: Which Capital being ſo made up, ſhall be no further increaſed.

and likewiſe ſuch 30 l. as ſhall be repaid.

No Encroachment to be made on the Capital, nor the raiſing thereof retarded.

XXXI. And be it enacted by the Authority aforeſaid, That although the annual Surplus aforeſaid, in any one Year after Payment of the Charges of Management, and of the Sum hereby appointed to be applied towards raiſing the Capital Stock or Fund for that Year, ſhall not be ſufficient to pay the whole Annuities to Widows, and the Proviſions payable to Children for that Year; yet no Encroachment ſhall on that Account be made on the Capital, ſo far as then raiſed; nor ſhall the further raiſing thereof be thereby ſtopped or retarded; but ſuch Deficiency or Short-coming ſhall firſt affect the Sums payable to ſuch Annuitants as have married any Perſon liable to one of the aforeſaid annual Rates; and then the Children's Proviſions proportionably; and laſtly, the Sums payable to ſuch Annuitants as have remained unmarried proportionably, without regard to the Order of Time in which theſe Annuities and Proviſions become due; and the ſame ſhall again be made good to them out of the Surplus of the Produce of the ſucceeding

ceeding Year or Years, in this Order; *videlicet*, After Deduction of the Expence of Management, and of the Sum to be applied for raiſing the Capital as aforeſaid, the Sums due to Annuitants (who have remained unmarried) unpaid in the preceding Year, ſhall be paid and made good in the firſt Place, and then their Annuities of the current Year; and after the ſaid Annuities, the Children's Proviſions of the former Year, and then their Proviſions for the current Year; and laſtly, the Sums due to ſuch Annuitants as have married any Perſon liable to one of the aforeſaid annual Rates for the former Year or Years; and then their Annuities for the current Year.

If the Capital be diminiſhed how to be made up.

XXXII. And be it enacted by the Authority aforeſaid, That if the aforeſaid Capital ſhall hereafter be diminiſhed, either by the Inſolvency of Debtors, or by any other Accident whatever, ſuch Diminution ſhall from Time to Time be made up by After-Surpluſſes, in the ſame Manner as the Capital was originally raiſed.

Plan to be formed for diſpoſing of the Surplus of the Fund, after the Capital is raiſed.

XXXIII. And be it enacted by the Authority aforeſaid, That ſo ſoon as the Capital ſhall amount to ninety-ſeven thouſand Pounds, the Truſtees herein-after appointed ſhall intimate the ſame to the ſeveral Preſbyteries and Univerſities aforeſaid, deſiring their reſpective Members ſubject and liable to one of the aforeſaid annual Rates, to ſignify their Opinion, in caſe, in any one Year after the Capital is raiſed to one hundred thouſand Pounds, the annual Produce ſhall exceed the annual Expence, in what Manner the Surplus ſhall be diſpoſed of; that the Truſtees, after collecting their Sentiments, ſhall form a Plan for the Application of ſuch Surplus to ſuch Purpoſes as ſhall appear moſt agreeable to the Contributors, and moſt for the Benefit of all concerned; that a Plan being ſo formed, ſhall be tranſmitted for the Conſideration of the aforeſaid Members of the Preſbyteries and Univerſities, and thereafter carried into Execution, if it ſhall obtain the Sanction of Two-thirds of their Number.

In what Caſe the ſaid Plan may be ſet aſide.

XXXIV. Provided always, That if at any Time thereafter the ſaid Plan ſhall be diſapproved of by Two-thirds of the ſaid Miniſters, Heads, Principals, and Maſters, liable in Payment of an annual Rate as aforeſaid, it ſhall be ſet aſide, and a new Plan adopted, agreeable to their Sentiments.

Truſtees appointed.

XXXV. And be it further enacted by the Authority aforeſaid, That every Miniſter who is now, or ſhall hereafter be poſſeſſed of a Benefice within the Bounds of the Preſbytery of *Edinburgh*, and every Perſon who is now, or ſhall hereafter be poſſeſſed of the Office of Head, Principal, or Maſter, in the Univerſity of *Edinburgh*, ſhall be, and they are hereby nominated and appointed the ordinary and ſtated Truſtees, for putting into Execution all the Powers in and by this Act given, during their continuing poſſeſſed of a Benefice or Office reſpectively in the Preſbytery or Univerſity aforeſaid.

Miniſters in the Univerſities and Preſbyteries formerly Truſtees continued, unleſs they decline the Office.

XXXVI. And be it enacted by the Authority aforeſaid, That every Miniſter having an Office in any of the ſaid Univerſities of *Saint Andrews*, *Glaſgow*, and *Aberdeen*; and every Miniſter having a Benefice in any of the Preſbytery Seats in *Scotland* (*Edinburgh* excepted), and who in virtue of the aforeſaid in Part recited Acts did become a Truſtee, ſhall continue to exerciſe that Office, unleſs he ſhall within twelve Calendar Months after the Time of paſſing this preſent Act, by a Writing under his Hand, ſignify to the Truſtees aforeſaid, that he declines continuing in the ſaid Office.

Miniſters admitted to any Office in the Univerſities of St. Andrews, Glaſgow, and Aberdeen, &c. to be Truſtees.

XXXVII. And be it alſo enacted by the Authority aforeſaid, That it ſhall be competent for every Miniſter who ſhall be hereafter admitted to any Office in the ſaid Univerſities of *Saint Andrews*, *Glaſgow*, and *Aberdeen*, or to a Benefice in any of the ſaid Preſbytery Seats (*Edinburgh* excepted), to become a Truſtee, upon his ſignifying by a Writing under his Hand, to be delivered to the Clerk of the Truſtees herein-after named, within twelve Calendar Months after his Admiſſion, that he chuſes to accept of the ſaid Truſt; and in Default of his making ſuch Intimation, he is hereby excluded from becoming a Truſtee at any Time thereafter, during his continuing in Poſſeſſion of ſuch Office or Benefice reſpectively.

Such Truſtees only to continue during their being in theſe Offices.

XXXVIII. And be it enacted by the Authority aforeſaid, That Miniſters who now are, or ſhall hereafter become Truſtees, in conſequence of their having an Office in any of the aforeſaid Univerſities of *Saint Andrews*, *Glaſgow*, or *Aberdeen*, or a Benefice in any of the aforeſaid Preſbytery Seats, ſhall only continue Truſtees during their remaining in Poſſeſſion of ſuch Office or Benefice reſpectively.

Each Preſbytery to elect one Truſtee.

XXXIX. And be it enacted by the Authority aforeſaid, That it ſhall and may be lawful for every Preſbytery in *Scotland* (*Edinburgh* excepted), hereafter annually to elect one of their Number to be a Truſtee for one Year, commencing from the firſt Day of *May* yearly; and that it ſhall and may be lawful for each of the ſaid Univerſities of *Saint Andrews*, *Glaſgow*, and *Aberdeen*, annually, to elect two of their Number, not being Miniſters, to be Truſtees for one Year, commencing from the ſaid firſt Day of *May* yearly.

Truſtees ſo elected may refuſe to act.

XL. Provided always, That it ſhall be in the Power of the ſaid annual Truſtees, elected by the ſaid Preſbyteries and Univerſities, reſpectively to refuſe to accept, or to act in the ſaid Office, ſo as ſuch Refuſal be notified to the reſpective Preſbyteries or Univerſities at the Time of Election, if the Truſtees elect be preſent, or elſe at the next Meeting of the Preſbytery or Univerſity reſpectively, after the Election ſhall come to his or their Knowledge.

Truſtees authoriſed to levy the Rates, &c.

XLI. And be it enacted by the Authority aforeſaid, That the ordinary and ſtated Truſtees, and the other Truſtees before nominated and appointed, are hereby authoriſed to levy the reſpective annual Rates, and other Sums payable by virtue of this Act, and to iſſue the ſame for the Purpoſes herein-before expreſſed, and for raiſing the aforeſaid Capital to one hundred thouſand Pounds by Loans to be made at Intereſt, not lower than one Pound *per Centum* under the lawful Intereſt for the Time being, to any Perſon or Perſons, Bodies Politic or Corporate, and to uplift the ſaid Capital in Whole or in Part, and to employ the ſame from Time to Time, and for putting into Execution all the other Powers in and by this Act given.

Truſtees not to employ any Part of the Capital without Conſent of Lord Preſident, &c.

XLII. Provided always, That it ſhall not be in the Power of the ſaid Truſtees to lend out, uplift, or re-employ any Part of the Capital, but with the Advice and Conſent of the Lord Preſident and the two Senior Judges of the Court of Seſſion, the Lord Chief Baron and the Senior Baron of the Court of *Exchequer*, and of the Lord Juſtice General and Lord Juſtice Clerk for the Time being, or any three of them.

XLIII. And

Quorum of Truſtees, and Meetings appointed.

XLIII. And be it enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid Truſtees, or any nine of them, whereof ſix to be Miniſters of the Church of *Scotland*, to execute all the Powers committed to them by this Act; and for that End they ſhall have four ſtated Meetings annually, to be held on the third *Tueſday* in the Month of *February*, the third *Tueſday* in the Month of *March*, the third *Tueſday* in the Month of *May*, and the fourth *Tueſday* in the Month of *November*, between the Hours of Twelve and Two in the Afternoon, in the Hall of the Houſe built by the ſaid Truſtees within the City of *Edinburgh*, with Power to the ſaid Truſtees, or any nine of them, as aforeſaid, to chuſe one of their Number to be Præſes, and with Power to adjourn themſelves, from Time to Time, to ſuch Times and Places as they ſhall ſee Cauſe; and that it ſhall and may be lawful for the Præſes of the laſt Meeting of the ſaid Truſtees, or in his Abſence the Moderator of the Preſbytery of *Edinburgh* for the Time being, or in his Abſence the eldeſt Miniſter of the City of *Edinburgh*, to call Meetings of the ordinary and ſtated Truſtees as Occaſion ſhall require, at ſuch Times and Places as he ſhall judge proper, by cauſing a Summons to be left at their reſpective Dwelling-houſes, twenty-four Hours at leaſt previous to the Meeting; and the ſaid Præſes, Moderator of the Preſbytery of *Edinburgh*, and eldeſt Miniſter of the ſaid City reſpectively, are hereby required, upon the Requeſt of any five or more of the Truſtees, to call ſuch Meetings in like Manner; which Meetings of the ordinary and ſtated Truſtees are hereby impowered, if they ſhall ſee Cauſe, to call a General Meeting of the whole Truſtees, by giving Notice in the *Edinburgh* Newſpapers fourteen Days at leaſt previous to the Meeting, by an Advertiſement bearing the ſpecial Purpoſe for which ſuch Meeting is called.

Manner in which the Meetings of the Truſtees are to be called.

Former Clerk to the Truſtees eſtabliſhed in his Office.

'XLIV. And whereas *Alexander Stevenſon*, one of the Depute Clerks of the Court of Seſſion, was, on 'the twenty-fifth Day of *November*, one thouſand ſeven hundred and ſixty, elected, and has ſince that 'Time officiated as Clerk to the ſaid Truſtees, with a Salary of fifty Pounds of lawful Money of *Great* '*Britain*, and gave Bond, with ſufficient Sureties, for the faithful Diſcharge of his Office, under the 'Penalty of one hundred Pounds of like Money,' be it enacted by the Authority aforeſaid, That the ſaid *Alexander Stevenſon* ſhall, and he hereby is appointed to exerciſe the ſaid Office of Clerk to the Truſtees; and ſhall, at his own Charge, provide proper Books, and ſhall inſert therein, from Time to Time, their Proceedings; and ſhall write, or cauſe to be written, their Orders; and ſhall have an Officer for advertiſing the Meetings of the Truſtees, for which Officer he ſhall be allowed a Sum not exceeding five Pounds of lawful Money of *Great Britain*.

Succeeding Clerks to give Security.

XLV. And be it enacted by the Authority aforeſaid, That his Succeſſors to be choſen in the Manner herein-after directed, with a Salary not exceeding the like Sum of fifty Pounds of lawful Money of *Great Britain*, and five Pounds of like Money for his Officer, ſhall, upon his Election, give Bond to the Truſtees, with one or more ſufficient Sureties, under the Penalty of one hundred Pounds, of like Money, for the faithful Diſcharge of his Office, as herein-before and after enacted reſpecting the preſent Clerk.

Former Collector eſtabliſhed in his Office, &c.

'XLVI. And whereas the Reverend Doctor *Alexander Webſter*, one of the Miniſters of the City of *Edin*-'*burgh*, was, upon the twenty-ſixth Day of *June*, one thouſand ſeven hundred and ſeventy-one, elected, 'and has ſince that Time officiated as General Collector or Receiver of the aforeſaid annual and other 'Rates and Sums payable for Support of the Fund, with a Salary of one hundred and fifty-five Pounds of 'lawful Money of *Great Britain*, and gave Bond to the Truſtees, with ſufficient Sureties, to the Extent 'of ſeven thouſand Pounds of like Money, for the faithful Diſcharge of his Truſt, and that he would 'effectually levy and make good the annual and other Rates payable by the Miniſters of the ſaid Church, 'and by the Heads, Principals, and Maſters, in the Univerſities aforeſaid;' be it enacted by the Authority aforeſaid, That the aforeſaid General Collector or Receiver ſhall, and he is hereby appointed to execute the ſaid Office of General Collector or Receiver of the aforeſaid annual and other Rates payable by the ſaid Miniſters, Heads, Principals, and Maſters reſpectively, and ſhall effectually levy and make good the ſame.

Proviſo.

XLVII. Provided always, and it is hereby enacted, That the aforeſaid General Collector or Receiver ſhall not be obliged to make good the Rates that ſhall become due by the ſaid Miniſters, Heads, Principals, and Maſters, after they ſhall ceaſe to have Right to a Benefice in the ſaid Church, or to an Office in any of the Univerſities aforeſaid.

Power to the Collector to recover Rates.

XLVIII. Provided always, That the aforeſaid General Collector or Receiver ſhall uſe ultimate legal Diligence for the Recovery of theſe Rates within twelve Calendar Months after they ſhall become due, which he ſhall report and inſtruct annually to the Truſtees at their ſtated Meeting on the fourth *Tueſday* in the Month of *November*, when his Accounts are to be cleared; but if no Alteration ſhall happen in the Circumſtances of ſuch Perſons againſt whom the ſaid General Collector or Receiver has uſed ultimate Diligence without Effect, he, upon giving Evidence thereof to the Truſtees, and their ſuſtaining the ſame, ſhall be acquitted and diſcharged, notwithſtanding he ſhall not have renewed ſuch Diligence for the preceding Year's Rate.

The Collector to execute his Office of levying and applying the Procuce of the Fund as directed by the Truſtees.

XLIX. And be it enacted by the Authority aforeſaid, That the General Collector or Receiver aforeſaid is hereby authoriſed and impowered to levy the Rates payable out of or in reſpect of the Ann, and alſo the Rates payable out of the vacant Stipends or Salaries reſpectively, and all the other Sums payable for Support of the Fund in the Manner herein-before directed; and to iſſue the Annuities to Widows, and the Proviſions to Children; and to lend out the Surpluſſes upon Intereſt, from Time to Time, as he ſhall be directed by the Truſtees.

Proviſo.

L. Provided always, That it ſhall not be in the Power of the ſaid General Collector or Receiver to lend out any Part of the Capital, or to uplift or re-employ the ſame, without a particular Appointment of the ſaid Truſtees.

Collector to keep a Public Office in Edinburgh.

LI. And be it enacted by the Authority aforeſaid, That the ſaid General Collector or Receiver ſhall keep a Public Office within the City of *Edinburgh*, in which Attendance ſhall be given from the Hour of Ten to Twelve in the Forenoon of every lawful Day for thirty Days immediately following the iſſuing of the

the Warrants to him, in the Manner herein-after mentioned; and from the Hour of Ten to Twelve in the Forenoon of every *Wedneſday* throughout the reſt of the Year.

Collector to deduct from Widows Annuities, and Childrens Proviſions, Sums due by their deceaſed Huſbands or Fathers.

LII. And be it enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid General Collector or Receiver, at the Sight and Direction of the aforeſaid Truſtees, to retain and deduct from the Annuities of Widows, and from the Proviſions of Children, ſuch Sum or Sums as ſhall be due by the reſpective deceaſed Huſbands or Fathers, or their Heirs and Executors, and which have not been or cannot be recovered, upon the ſaid General Collector or Receiver making over his Claim and Demand upon the Deceaſed, his Heirs or Executors, with all the Privileges and Preferences thereunto belonging, in favour of the Widow or Children reſpectively.

Collector may appoint Deputies.

LIII. And be it enacted by the Authority aforeſaid, That the ſaid General Collector or Receiver ſhall and may appoint one or more Deputies, for whom he ſhall be anſwerable, for levying the annual Rates and other Sums herein-before directed to be paid to him at his Office in *Edinburgh*, in caſe the ſame ſhall not be paid within the Time before limited.

Expences in recovering Sums due from Debtors to be paid out of their Eſtates.

LIV. And be it enacted by the Authority aforeſaid, That the full Expences that ſhall be incurred by the ſaid General Collector or Receiver, or his Deputies, in recovering Payment of the reſpective Sums from the Debitors therein, or out of their Effects, through their Default in not making regular Payment as aforeſaid, ſhall be recovered out of their reſpective Eſtates without any Abatement or Mitigation.

Lords of Council and Seſſion to iſſue Letters of Horning againſt Miniſters, &c. for compelling Payment;

LV. And be it enacted by the Authority aforeſaid, That it ſhall and may be lawful for the Lords of Council and Seſſion in *Scotland*, or any one of them, to iſſue Letters of Horning, at the Inſtance of the ſaid General Collector or Receiver, againſt all and every the Miniſters of the Church of *Scotland*, and the Heads, Principals, and Maſters, in the Univerſities aforeſaid, and the other Perſons ſubject and liable to one or other of the aforeſaid annual Rates, and againſt all and ſundry the Perſons liable in Payment of the Rates out of or in reſpect of the Ann, and vacant Stipends or Salaries reſpectively, for compelling Payment of the aforeſaid Sums, Principal and Intereſt, to the Payment of which they, or any of them, are or may be liable by virtue of this Act; and that the ſaid Letters of Horning ſhall be executed, and other Proceedings ſhall be had thereon, in the ſame Form and Manner as is now in Uſe and authoriſed by Law with reſpect to Hornings, at the Inſtance of the ſaid Miniſters of the Church of *Scotland*, for compelling Payment of their Stipends; and that no Suſpenſion of any Charge, to be given in virtue of ſuch Letters of Horning, ſhall be paſſed without Conſignation of the Sums charged for, as is alſo in Uſe and authoriſed by Law in the aforeſaid Caſe; any Law or Cuſtom to the contrary notwithſtanding.

and for recovering Sums due from vacant Benefices and Salaries,

LVI. And be it enacted by the Authority aforeſaid, That if the Moderators of Preſbyteries, Principals of Univerſities, or their reſpective Clerks, ſhall neglect to intimate, from Time to Time, the Sums that ſhall fall due out of vacant Benefices or Salaries reſpectively, within the Time, and to the Perſons herein-before particularly appointed, it ſhall and may be lawful for the ſaid General Collector or Receiver, to charge them with Horning for compelling Payment of the Damages and Expences which the Fund may ſuſtain through ſuch Default; and that the ſaid Letters of Horning ſhall be executed, and other Proceedings ſhall be had thereon, in the ſame Manner as is above enacted, reſpecting Hornings iſſued againſt the aforeſaid Miniſters of the Church, and Heads, Principals, and other Maſters, in the Univerſities aforeſaid.

Collector, or his Sureties in caſe of his Death, may recover Sums appointed to be made good by him.

LVII. And be it enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid General Collector or Receiver, in caſe of his being removed from his Office, before he ſhall have received the Rates that are by this Act appointed to be made good by him, or for his Sureties in caſe of his Death, to levy the ſame, in the ſame Manner and by the ſame Diligence as was competent for him to have uſed whilſt in Office, with all the Privileges and Preferences to which he was entitled.

Reſignation of Offices to be made to the Truſtees at one of their ſtated Meetings.

LVIII. And be it enacted by the Authority aforeſaid, That all Reſignations of the Office, whether of Clerk to the Truſtees, or of General Collector or Receiver, ſhall be made to the Truſtees at one or other of their four ſtated Meetings herein-before appointed to be held; and that all Reſignations of the aforeſaid Offices, at any other Meetings of the Truſtees, ſhall be, and are hereby declared to be null and void.

Truſtees may ſuſpend or remove their Officers upon reaſonable Cauſe.

LIX. And be it enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid Truſtees, for reaſonable Cauſes, to ſuſpend or remove their Clerk, or the General Collector or Receiver, and thereupon to elect another Clerk, or General Collector or Receiver, who is hereby impowered to act until the next Meeting of the General Aſſembly of the Church of *Scotland*; which Meeting is hereby authoriſed finally to determine upon the Cauſes of the Suſpenſion or Deprivation of the former Clerk, or the former General Collector or Receiver; and ſhall either reſtore him to his Office, or continue the Clerk, or the General Collector or Receiver elected by the Truſtees; or remit to the Truſtees to elect another Clerk, or another General Collector or Receiver, with Power to act until the next Meeting of the General Aſſembly.

Vacancies of the Office of Clerk or Collector to be filled up by the Truſtees, until the Meeting of the General Aſſembly.

LX. And be it further enacted by the Authority aforeſaid, That on every other Vacancy of the Office of Clerk to the ſaid Truſtees, or of the Office of General Collector or Receiver, whether ſuch Vacancy ſhall happen by Reſignation, Death, Diſapprobation of the General Aſſembly aforeſaid, or any other Way, it ſhall and may be lawful for the ſaid Truſtees to elect a Clerk, or a General Collector or Receiver, who ſhall have Power to act until the next Meeting of the General Aſſembly; which Meeting is hereby impowered to continue the Clerk, or the General Collector or Receiver, choſen by the Truſtees, or to diſapprove of him; and in caſe the Clerk, or the General Collector or Receiver, choſen by the Truſtees, ſhall be diſapproved of by the General Aſſembly, the ſaid Truſtees ſhall thereupon elect another Clerk, or General Collector or Receiver, who is hereby impowered to act until the next Meeting of the General Aſſembly: It being the true Meaning and Intent of this Act, that in all Caſes of a Vacancy, either in the Office of Clerk to the Truſtees, or of General Collector or Receiver, whether the ſaid Vacancy is occaſioned by Reſignation, Suſpenſion, Deprivation, Death, Diſapprobation of the General

Aſſembly, or any other Way; the ſaid Truſtees ſhall, in the firſt Inſtance, elect a new Clerk, or a General Collector or Receiver; ſuch Election being always ſubjected to the Review of the General Aſſembly, in Manner aforeſaid.

Proviſo.

LXI. Provided always, That the Clerk, or General Collector or Receiver, ſo named and elected by the Truſtees, ſhall be allowed a proportionable Part of the Salary annexed to his Office during the Time that he ſhall have diſcharged his Truſt.

One or two may be choſen to execute the Office of Collector.

LXII. And be it enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid Truſtees to elect one or two Perſons, but no greater Number, to execute the Office of General Collector or Receiver, whoſe Election ſhall be ſubject to the Review of the next General Aſſembly, in the Manner herein-before deſcribed.

Notice to be given of Election of Officers;

LXIII. And be it further enacted by the Authority aforeſaid, That in all Elections of the Clerk, or of the General Collector or Receiver aforeſaid, by the Truſtees, whether ſuch Election ſhall be made in a ſtated Meeting of the Truſtees, or in a Meeting called for that Purpoſe, Notice ſhall be given, in the *Edinburgh* Newſpapers, of the intended Election, and of the Day appointed for the ſame, at leaſt fourteen Days before the Day of Election.

or ſuch Elections to be void.

LXIV. And it is hereby enacted, That every Election, whether of Clerk to the Truſtees, or of the General Collector or Receiver aforeſaid, made by the Truſtees, without ſuch public Notice, ſhall, to all Intents and Purpoſes, be null and void.

General Collector to give Security.

LXV. And be it enacted by the Authority aforeſaid, That the General Collector or Receiver, ſo elected and choſen, ſhall, upon his Admiſſion, give Bond to the ſaid Truſtees, with one or more ſufficient Sureties, to the Extent of ſeven thouſand Pounds of lawful Money of *Great Britain*, for the faithful Diſcharge and Execution of his Truſt, in the Manner herein before and after enacted, reſpecting the preſent General Collector or Receiver; and ſhall, in Conſideration of his whole Trouble and Expence, be allowed an annual Salary, not exceeding the Sum of one hundred and fifty-five Pounds of like Money.

Preſbyteries to make up Liſts of Miniſters, &c. admitted to Benefices, &c.

LXVI. And be it further enacted by the Authority aforeſaid, That every Preſbytery in *Scotland*, and each of the Univerſities aforeſaid, ſhall from Time to Time make up Liſts of all the Miniſters, Heads, Principals, or Maſters, admitted into Benefices or Offices, within their reſpective Preſbyteries or Univerſities, with the particular Dates of their Admiſſions, and of their reſpective Ages at ſuch Admiſſions, properly certified; and with a particular Account, whether ſuch Miniſter or Member of the Univerſity be married, or a Widower having Children, and with the Date of his Marriage, if the ſame ſhall happen afterwards; and alſo a particular Liſt of the Miniſters of the Preſbytery and Members of the Univerſity reſpectively, who ſhall have died within the Year; and whether they have left a Widow and Children, with the Name of the Widow, and the Names and Ages of the Children; and alſo a Liſt of all the Widows who have died, or been married, within the Year, with the Dates of their Death or Marriage, and what Children of their former Huſband's were alive at the Time of the ſaid Widow's Death or Marriage; and alſo Liſts of all the Vacancies happening within their ſaid Preſbyteries or Univerſities reſpectively, with the Dates and Cauſe of the Vacancy: Which Liſts, as alſo all other Liſts that ſhall be found neceſſary by the Truſtees, and by them appointed to be made up, ſhall be computed from the twenty-ſecond Day of *November* in each Year, to the twenty-ſecond Day of *November* in the Year following, and ſhall be atteſted by the Moderator and Clerk of the Preſbytery, and by the Head or Principal, and Clerk, of the ſaid Univerſities reſpectively, and ſhall be tranſmitted by the ſaid Moderator, Head, or Principal reſpectively, to the Truſtees Clerk reſiding at *Edinburgh*, on or before the firſt Day of *February*, and the Moderator of the Preſbytery, and the Head and Principal of the Univerſities, neglecting to ſign and tranſmit ſuch Liſts as aforeſaid, ſhall, for every ſuch Offence, forfeit the Sum of ten Pounds of lawful Money of *Great Britain*, to be paid in to the General Collector or Receiver, and to be levied in the ſame Manner, and to be applied to the ſame Purpoſes, as the annual Rates are herein-before appointed to be applied.

Proviſo in favour of the Preſbyteries in the Iſles.

LXVII. Provided always, That the Moderators of the Preſbyteries, in the Weſtern and Northern Iſles of *Scotland*, ſhall not be ſubject to the ſaid Penalty of ten Pounds, in caſe they tranſmit ſuch Liſts as aforeſaid on or before the firſt Day of *May* yearly.

Preſbyteries, &c. to give Certificates to the Widows and Children.

LXVIII. And be it enacted by the Authority aforeſaid, That the ſaid Moderators or Preſbyteries, and their Clerks, and the Heads or Principals of the Univerſities aforeſaid, and their Clerks reſpectively, ſhall, at the Requeſt of each Widow or Child claiming Right to an Annuity or Proviſion, deliver to them a Certificate ſigned as aforeſaid, certifying the Death of the Miniſter, or the Death or Marriage of his Widow, with the reſpective Dates thereof, and the Names and Ages of his Children.

Truſtees to make up Liſts of Widows and Children intitled to receive Annuities and Proviſions.

LXIX. And be it enacted by the Authority aforeſaid, That the ſaid Truſtees ſhall, at their Meeting on the ſaid third *Tueſday* of *March* yearly, make up Liſts of all the Widows and Children intitled to receive Annuities and Proviſions out of the Funds of the preceding Year, mentioning the Sums to which they are reſpectively intitled; which Liſts ſhall remain in the Hands of the Truſtees Clerk, and ſhall be open to the Inſpection of all Parties intereſted; and it ſhall and may be lawful for the ſaid Parties intereſted to give in their Objections in Writing to the ſaid Clerk, to be by him laid before the ſaid Truſtees for their Determination, at their ſaid Meeting, upon the third *Tueſday* of *May* following.

Truſtees to ſettle the Liſts of Annuitants, &c.

LXX. And be it enacted by the Authority aforeſaid, That the ſaid Truſtees ſhall, at their ſaid Meeting upon the third *Tueſday* of *May* yearly, finally ſettle and adjuſt the ſaid Liſts, and their Præſes ſhall ſign two fair Copies thereof, one to be kept by their Clerk, and the other to be forthwith delivered to the General Collector or Receiver; and ſhall alſo ſign a Warrant upon the General Collector or Receiver for Payment accordingly, in favour of each Widow or Child intereſted; *videlicet*, for Payment of an Annuity to every Widow who ſhall ſurvive Twelve of the Clock at Noon on the twenty-ſixth of *May*, and for Payment to the Children of their reſpective Proviſions, on the thirteenth Day of *Auguſt* thereafter; and ſhall lodge all the ſaid Warrants in the Hands of their Clerk, to be by him delivered to the Widows as they ſhall call for the ſame; upon their producing to him ſuch Certificates as ſhall be required by the ſaid Warrants;

and iſſue Warrants for Payment, &c.

rants; and shall deliver to the Children the Warrants in their Favour, on the said thirteenth Day of *August*, or so soon thereafter as they shall call for the same.

General Collector to make Payment upon Warrants being presented to him.

LXXI. And be it enacted by the Authority aforesaid, That the aforesaid General Collector or Receiver shall, immediately upon the said Warrants being presented to him, at his Office, upon any of the Days, and within the Hours above specified, make Payment of the respective Sums therein contained, without Fee or Reward, upon a Receipt indorsed upon the said Warrants.

Widows or Children to lodge the Certificates required.

LXXII. Provided always, That the Widows or Children claiming Annuities or Provisions in virtue of the aforesaid Warrants shall along therewith lodge, with the said General Collector or Receiver, such Certificates as shall be required by the said Warrants, according to the Forms prescribed by the Trustees.

No Rewards to be taken by the Collector or Clerk for delivering Warrants.

LXXIII. And be it enacted by the Authority aforesaid, That if either the General Collector or Receiver, or the Clerk to the Trustees aforesaid, shall, on any Pretence whatever, exact or receive any Money or Reward whatsoever, for or in respect of delivering the aforesaid Warrants, or for making Payment pursuant to the said Warrants, the said General Collector or Receiver, and Clerk respectively so offending, shall, *ipso facto*, forfeit his Office, and be incapable of ever being re-elected into the same; and upon Proof of such Offence being taken by the Trustees, which Proof they are hereby impowered to take, the said Trustees are hereby impowered and required to deprive the said General Collector or Receiver, or the said Clerk respectively, and to declare him or them incapable of being re-chosen: And if any Person acting under the said General Collector or Receiver, or under the said Clerk respectively, shall exact any Fee or Reward upon the aforesaid Accounts, the said General Collector or Receiver, or the said Clerk, by whom such Person was appointed, shall, for every such Offence, forfeit the Sum of ten Pounds, of lawful Money of *Great Britain*, upon Proof brought before the said Trustees in Manner aforesaid, which Sums shall be levied and applied in the same Manner as is above directed with respect to the Annual Rates.

Remedy for Widows or Children omitted in the Lists.

LXXIV. And be it enacted by the Authority aforesaid, That if any Widow, Child, or Children, intitled to an Annuity, or to Provisions respectively, shall be unduly omitted in making up the said Annual List as aforesaid, whether such Omission shall be occasioned through Default of the Presbyteries or Universities respectively, in not transmitting Lists agreeable to the Form that shall be prescribed by the Trustees, or from whatever other Cause or Occasion, it shall and may be lawful for such Widow, Child, or Children, to make their Claim to the said Trustees, on or before their next stated Meeting, upon the third *Tuesday* of *March*, in the Year following; and the said Trustees are hereby impowered and required to insert the said Widow, Child, or Children, in their Lists to be made up for that Year; and shall grant Warrants for Payment of their Annuities and Provisions respectively, out of the Produce of the Year immediately preceding.

If Omission not owing to Default, Trustees may allow Interest on their Claims.

LXXV. And be it further enacted, That if it shall appear to the said Trustees, that the Omission of such Widow, Child, or Children, was not owing to any Default of their own, but to other Causes, of which the Trustees are hereby declared the sole Judges in this Case, and no otherways, it shall be competent for them to allow such Widow, Child, or Children, Interest on their respective Claims, from the Dates when such Claims shall respectively be given in.

Time limited for making Claims upon such Omissions.

LXXVI. Provided always, That if the Widow, Child, or Children, so unduly omitted, shall, if residing within the Kingdoms of *Great Britain* or *Ireland*, neglect to make their Claim within five Years, or if residing out of these Kingdoms within ten Years after such Omission, their Claim shall be held as deserted and given up, and shall not be allowed at any Time thereafter.

Payments to be made to Majors, and to Tutors for Minors.

LXXVII. And be it enacted by the Authority aforesaid, That the Payment herein-before directed shall be made to the Widows or Children respectively named in the Warrants, if the Persons so named are Majors, and to the Tutors and Curators of such of them as are Minors; and if they have no Tutors or Curators, to such Person or Persons as shall be authorised for that Purpose, by an Act of the Presbytery or University respectively, of which the Person under whom the Provision is claimed was last a Member.

Annuities and Provisions to Children not liable to Arrestment.

LXXVIII. And be it enacted by the Authority aforesaid, That the aforesaid Annuities payable to Widows, and the Provisions payable to Children, of the aforesaid Ministers of the Church of *Scotland*, and of the Heads, Principals, and Masters, in the Universities aforesaid, shall not be liable to any Arrestment, but shall be paid to the Widows and Children themselves, or to their Tutors or Curators, or Trustees as aforesaid, or to their Executors and Administrators or Assigns; any Law or Usage to the contrary notwithstanding.

Trustees to attend stated Meetings, or forfeit 2s. 6d.

LXXIX. And be it enacted by the Authority aforesaid, That the said Trustees herein-before named and appointed shall attend the aforesaid stated Meetings, and the adjourned Meetings thereof, and all occasional Meetings to which they shall be lawfully warned or summoned; and in case of the Absence of the said Trustees from any of the aforesaid four stated Meetings, they shall forfeit the Sum of two Shillings and Six-pence of lawful Money of *Great Britain*, to be levied and applied to such Purposes as the Trustees shall appoint; and a Certificate, under the Hands of the Clerk, shall be a sufficient Evidence of such Absence, and of the Penalty being incurred, unless the Trustees absent as aforesaid shall have a sufficient Cause for such Absence, and which shall be allowed by a Majority of the Trustees who shall be present at the respective Meetings.

Proviso.

LXXX. Provided always, That if such Excuse is disallowed of, it shall not be competent for the Trustees to modify or lessen the Penalty.

Trustees to prepare a State of the Fund, and cause the same to be printed.

LXXXI. And be it enacted by the Authority aforesaid, That the said Trustees shall annually prepare a State of the Funds under their Management, and an Account of their Proceedings, which shall be laid annually before the General Assembly of the Church of *Scotland*, and shall cause one thousand Copies thereof to be printed, to lie in the Hands of the Clerk of the Trustees in their Hall, till called for by the several Ministers, Heads, Principals, and Masters, and others liable in Payment of any of the annual Rates aforesaid.

Expence of printing, &c. to be paid by the Collector.

LXXXII. And it is hereby enacted, That the Expence of printing the ſaid annual State as aforeſaid, and of ſupporting and keeping in Repair the before-mentioned Houſe and Hall of the Truſtees, and their other neceſſary or incidental Expences, ſhall be paid by the ſaid General Collector or Receiver, and ſhall be allowed to him out of his Receipts annually; provided the ſaid Expences do not in any one Year exceed the Sum of ſeventy Pounds of lawful Money of *Great Britain*.

Collector to exhibit an Account of Money come to his Hands.

LXXXIII. And be it enacted by the Authority aforeſaid, That the ſaid General Collector or Receiver ſhall annually, on the ſaid fourth *Tueſday* of *November*, exhibit to the Truſtees, at their Meeting, a particular Account of the Sums that ſhall then have come into his Hands in the Year preceding, diſtinguiſhing by whom paid, and on what Account; and alſo of the Sums paid by him out of his Receipts; and the ſaid Truſtees ſhall, and are hereby impowered to audit and paſs his Accounts, and to acquit and diſcharge him and his Sureties, from Time to Time, of the Sums ſo accounted for.

Annual Rates paid by the Miniſters deemed Part of their Stipends.

LXXXIV. And be it enacted by the Authority aforeſaid, That in all future Proceſſes of Modification and Augmentations of Stipends, the aforeſaid annual Rates payable by the Miniſters of the Church of *Scotland*, by virtue of this Act, ſhall be deemed and computed as Part of their Stipends; any Thing herein contained to the contrary notwithſtanding.

Expence of this Act to be paid by the Collector.

LXXXV. And be it enacted by the Authority aforeſaid, That the Expence incurred in obtaining this preſent Act of Parliament ſhall be paid by the ſaid General Collector or Receiver, at the Sight and by Direction of the Truſtees herein-before appointed, and for which he ſhall have Credit at the firſt Clearance of his Accounts thereafter.

Former Acts repealed.

LXXXVI. And be it further enacted by the Authority aforeſaid, That from and after the paſſing of this preſent Act, the aforeſaid in Part recited Acts of the ſeventeenth and of the twenty-ſecond Years of the Reign of his late Majeſty King *George* the Second, ſhall be, and they are hereby repealed and made void.

Public Act.

LXXXVII. And it is hereby further enacted and declared, That this Act ſhall be deemed and taken to be a Public Act; and all Judges, Juſtices, and other Perſons, are to take Notice thereof as ſuch in all Courts and Places whatſoever without ſpecially pleading the ſame.

## CAP. XXI.

### An Act for licenſing and regulating Lottery-office Keepers.

Moſt Gracious Sovereign,

Preamble.

'WE, your Majeſty's moſt dutiful and loyal Subjects, the Commons of *Great Britain*, in Parliament aſſembled, think it will be for the Advantage of the Public, and that it will prevent many fraudulent Practices uſed by Perſons dealing in Lottery Tickets, and in Shares and Chances of Lottery Tickets, to grant unto your Majeſty the Duty upon Licences, and to eſtabliſh the ſeveral Regulations herein-after mentioned;' and therefore do moſt humbly beſeech your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That, from and after the fifth Day of *April*, one thouſand ſeven hundred and ſeventy-nine, no Perſon or Perſons whatſoever ſhall, publicly or privately, ſet up, exerciſe, keep, or open, by himſelf, or any other Perſon or Perſons, any Office or Place for buying, ſelling, inſuring, regiſtering, giving, or otherwiſe dealing in, any Tickets or Chances, or Parts thereof, or on the Number or Numbers of any Ticket or Tickets in any Lottery whatſoever, or ſhall, by Writing or Printing, publiſh the ſetting up or uſing any ſuch Office or Place, without firſt taking out a Licence for that Purpoſe, in Manner hereafter mentioned, before he, ſhe, or they, ſhall ſo ſet up, keep open, or publiſh, any ſuch Office or Place as aforeſaid.

After April 5, 1779, no Perſon to keep a Lottery-office without a Licence.

Each Licence to coſt 50 l.

II. And be it further enacted by the Authority aforeſaid, That, from and after the ſaid fifth Day of *April*, one thouſand ſeven hundred and ſeventy-nine, for every Licence to be taken out by any Perſon or Perſons, for every ſuch Office or Place uſed for dealing in or concerning Lottery Tickets, as aforeſaid, there ſhall be paid unto his Majeſty, his Heirs and Succeſſors (over and above all other Duties, to which the Perſon or Perſons taking out the ſame may be reſpectively liable, as Brokers, or otherwiſe), the Sum of fifty Pounds, immediately upon taking out ſuch Licence; and every ſuch Licence ſhall be granted under the Hands and Seals of two or more of the Managers and Directors of the Lottery for the Time being, and the Duty for the ſame ſhall be paid at their Office in *London*, or at ſuch other Place, and to ſuch Perſon or Perſons, as the ſaid Managers and Directors ſhall appoint to deliver out ſuch Licences reſpectively, and to receive the ſaid Duties; and they are hereby reſpectively authoriſed and required to grant and deliver ſuch Licences to all Perſons applying for the ſame, upon their Payment of fifty Pounds for each Licence as aforeſaid.

and ſhall be granted under the Hands and Seals of two Managers.

Licence to ſet forth the Name of the Perſon taking out the ſame, &c. and to continue in Force for one Year.

III. And it is hereby further enacted by the Authority aforeſaid, That every ſuch Licence ſhall ſet forth the true Name and Place of Abode of the Perſon or Perſons taking out the ſame; and alſo the Place where ſuch Buſineſs or Dealing ſhall be carried on; and ſuch Licence ſhall continue in Force for twelve Calendar Months from the Date thereof, and no longer; and every Perſon acting or dealing in any of the Matters therein contained, after the Expiration of ſuch Licence, without firſt taking out ſuch Licence, and renewing the ſame yearly, in Manner aforeſaid, ſhall reſpectively forfeit, for each Offence, the Sum of one hundred Pounds; to be recovered and diſtributed in Manner hereafter mentioned.

Perſons keeping any Office contrary to this Act, to forfeit 100 l.

IV. And be it further enacted by the Authority aforeſaid, That every Perſon who, after the ſaid fifth Day of *April*, one thouſand ſeven hundred and ſeventy-nine, ſhall publiſh, open, ſet up, or keep, any ſuch Office or Place, under any of the Denominations aforeſaid, or any like Denominations, contrary to the

the Intent and Meaning of this preſent Act, ſhall forfeit, for every ſuch Offence, the Sum of one hundred Pounds.

Produce of the Duty on Licences to be applied towards defraying the Expences of the Lottery.

V. And be it enacted by the Authority aforeſaid, That all the Monies to ariſe by the Duty hereby granted for Licences as aforeſaid, ſhall be applied towards defraying the Expences attending the Commiſſion to be made forth for managing, directing, and drawing, the Lottery eſtabliſhed by an Act, made in this Seſſion of Parliament (intituled, *An Act for raiſing a certain Sum of Money by way of Annuities, and for eſtabliſhing a Lottery)*, in ſuch Manner as the Commiſſioners of the Treaſury, or any three or more of them, or the High Treaſurer for the Time being, ſhall direct, authoriſe, and approve.

No Perſon to ſell any Share of a Ticket leſs than a Sixteenth,

'VI. And whereas the dividing of Chances or Tickets in a Lottery into very ſmall Shares, has been 'found miſchievous,' be it further enacted by the Authority aforeſaid, That no Perſon or Perſons, ſo licenſed as aforeſaid, ſhall ſell any Share or Shares of any Ticket or Tickets in the ſaid Lottery, or of the Chance or Chances of any Ticket or Tickets in the ſaid Lottery, in any ſmaller Share or Proportion than One-ſixteenth Part or Share only, or ſhall publiſh any Propoſals for ſelling any Share or Shares of any Ticket or Tickets in the ſaid Lottery, or of any Chance of any Ticket or Tickets in the ſame, in any ſmaller Share or Proportion than One-ſixteenth Part or Share, contrary to the true Intent and Meaning of this Act; every Perſon who ſhall offend in any of the ſaid Matters ſhall forfeit and pay, for every ſuch Offence, the Sum of fifty Pounds, to be recovered and diſtributed in Manner hereafter mentioned; and every ſuch Sale or Contract, and every Agreement relating thereto, ſhall be, and is hereby declared null and void.

on Penalty of 50 l.

Penalty on Perſons promiſing to pay any Money upon any Chance relating to the drawing of the Lottery, contrary to this Act.

VII. And be it further enacted by the Authority aforeſaid, That no Perſon or Perſons ſhall, under the Denomination of Sale of any Goods, Wares, or Merchandiſes, or with or without Conſideration, or under any Pretence, or in any Manner whatſoever, promiſe or agree to pay any Sum or Sums of Money, upon any Chance or Event whatſoever relating to the drawing of any Ticket or Tickets in the ſaid Lottery, or ſhall publiſh any Propoſals for any ſuch Purpoſes as aforeſaid, contrary to the true Intent and Meaning of this Act; and every Perſon or Perſons who ſhall offend in any of the ſaid Matters, ſhall forfeit and pay, for every ſuch Offence, the Sum of fifty Pounds; to be recovered and diſtributed in the Manner hereafter mentioned; and every ſuch Promiſe or Contract, and every Agreement relating thereto, ſhall be, and is hereby declared null and void.

No Buſineſs to be tranſacted at any Lottery-office before Eight in the Morning, nor after Eight in the Evening. Exception.

VIII. Provided always, and it is hereby further enacted by the Authority aforeſaid, That no ſuch Office or Place kept for any of the ſaid Purpoſes, ſo licenſed as aforeſaid, ſhall be open for any of the ſaid Purpoſes, or for the Tranſaction of any Buſineſs relating to the ſaid Lottery, before the Hour of Eight of the Clock in the Morning, nor after the Hour of Eight of the Clock in the Evening (except on the Evening of the *Saturday* preceding the drawing of the ſaid Lottery); and that the ſaid Limitation or Reſtriction in Point of Time ſhall be inſerted in, and made a Condition of, every ſuch Licence; and in caſe of any Breach of the ſaid Condition, ſuch Licence ſhall be forfeited, and ſhall and may be revoked by any two or more of the ſaid Managers and Directors; and (over and beſides all other Penalties to which ſuch Perſon or Perſons may be liable) ſuch Licence ſhall not be renewed, nor ſhall any new Licence be granted to, or for the Benefit of, the ſame Perſon or Perſons, directly or indirectly, for keeping any ſuch Office or Place for any of the Purpoſes aforeſaid.

Two Juſtices may ſummon Offenders againſt this Act, &c. and, on Proof of the Offence, convict them in Penalties, &c.

'IX. And whereas many Perſons have offended againſt former Acts made for eſtabliſhing Lotteries, in 'ſuch Manner that they could not be proſecuted to Conviction, by Action of Debt, Bill, Plaint, or In-'formation, in the regular Courſe of Law, within the Period of drawing a Lottery, and having made their 'Profit thereof, have eaſily avoided the Penalties incurred for ſuch Offences by ſuddenly removing them-'ſelves;' be it therefore enacted by the Authority aforeſaid, That, from and after the ſaid fifth Day of *April*, one thouſand ſeven hundred and ſeventy-nine, it ſhall and may be lawful to and for any two or more of his Majeſty's Juſtices of the Peace, for the County, City, Town, or Place, where any Offences ſhall be committed againſt this Act, or the ſaid Act made in this Seſſion of Parliament, upon Information or Complaint made to them upon Oath (which Oath there are hereby authoriſed to adminiſter) againſt any Perſon or Perſons offending againſt this Act, or the ſaid Act, to ſummon the Party offending, and, upon full and ſufficient Proof being produced, to convict the Perſon or Perſons ſo offending againſt this or the ſaid Act, in the penal Sum or Sums to be forfeited and paid by ſuch Offender or Offenders as aforeſaid; and the Perſon or Perſons ſo convicted ſhall, immediately after ſuch Conviction, pay ſuch Penalty to ſuch Juſtices of the Peace as aforeſaid; one Moiety whereof ſhall be for the Uſe and Benefit of ſuch Perſon or Perſons as ſhall firſt inform and proſecute for the ſame, and the other Moiety to be applied to the ſame Uſes and Purpoſes as the Monies ariſing by the Duty on Licences granted by this Act are directed to be applied: And, upon the Neglect or Refuſal of ſuch Offender or Offenders to pay ſuch Penalty or Penalties in Manner aforeſaid, the ſaid Juſtices, before whom ſuch Offender or Offenders ſhall be convicted, are hereby authoriſed and required to grant a Warrant of Diſtreſs, to levy ſuch Penalty or Penalties on the Goods and Chattels of ſuch Offender or Offenders; and in caſe no ſufficient Diſtreſs ſhall be found, then to commit ſuch Offender or Offenders to the common Gaol for ſuch County, City, or Place, there to remain for any Time not exceeding three Months, or until the Money ſo forfeited ſhall be fully paid and ſatisfied.

If Penalties are not immediately paid, they may be levied by Diſtreſs.

On Failure of Diſtreſs, Offender to be committed.

Any Perſon forging a Licence, ſhall forfeit 500 l. &c.

X. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons whatſoever ſhall forge or counterfeit any Licence or Licences, to be made forth by virtue of this Act for the Purpoſes aforeſaid, ſuch Perſon or Perſons ſhall forfeit the Sum of five hundred Pounds; one Moiety thereof to his Majeſty, his Heirs and Succeſſors, and the other Moiety to him that ſhall proſecute or ſue for the ſame; to be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, in which no Eſſoin, Protection, Wager of Law, or more than one Imparlance, ſhall be allowed; and ſhall be ſubject to ſuch other Penalties as may be inflicted on Perſons for Forgery.

Commiſſioners of the Treaſury to eſtabliſh an

'XI. And, the more effectually to prevent Abuſes in the ſelling of Lottery Tickets in Shares or 'Chances,' be it enacted by the Authority aforeſaid, That any three or more of the Commiſſioners of the Treaſury,

Office in London, and to appoint a Perſon to conduct the Buſineſs thereof;

Treaſury, or the High Treaſurer for the Time being, ſhall and may, on or before the fifth Day of *April*, one thouſand ſeven hundred and ſeventy-nine, inſtitute and eſtabliſh, and are and is hereby authoriſed and required to inſtitute and eſtabliſh, an Office, within the City of *London*, for the Purpoſes herein-after mentioned; and that any three or more of the ſaid Commiſſioners, or the ſaid High Treaſurer for the Time being, ſhall appoint, and are and is hereby authoriſed and required to appoint, ſome one or more fit and proper Perſon or Perſons to officiate in, and to conduct the Buſineſs of, the ſaid Office, taking ſuch Security for the full and true Performance of his or their Duty therein, as to any three or more of the ſaid Commiſſioners, or to the ſaid High Treaſurer for the Time being, ſhall ſeem requiſite and neceſſary; and that each and every Ticket in the ſaid Lottery, before it ſhall be divided into or ſold in Shares or Chances, ſhall be brought to the ſaid Office, and ſhall be there depoſited and left with the ſaid Officer or Officers ſo to be appointed as aforeſaid, who is or are hereby authoriſed to receive the ſame.

with whom all Tickets, before they are divided into Shares, ſhall be depoſited.

All Shares to be ſtamped by the Officer,

XII. And be it further enacted by the Authority aforeſaid, That the ſaid Officer or Officers ſo to be appointed as aforeſaid, or his or their Deputy or Deputies, ſhall, and is and are hereby authoriſed and required to ſtamp and mark each and every Share or Chance of each and every ſuch Ticket in the ſaid Lottery, ſo depoſited as aforeſaid, with ſome Flouriſh or Device engraved thereon; and that the ſaid Officer or Officers ſo to be appointed as aforeſaid, or his or their Deputy or Deputies, upon the Receipt of every ſuch Ticket, or any Number of Tickets, in the ſaid Lottery, for the Purpoſe aforeſaid, ſhall give a Receipt or Receipts to the Holder or Proprietor, at whoſe Office ſuch Ticket or Tickets is or ſhall be ſhared or divided, in Writing for the ſame, in the Form following; (that is to ſay)

who ſhall give a Receipt for every Ticket depoſited with him.

Form of Receipt.

'RECEIVED the Day of one thouſand ſeven hundred and ſeventy-nine, of a Ticket in the preſent Lottery, Number which is divided into Shares or Chances; purſuant to an Act of Parliament, made in the nineteenth Year of the Reign of King *George* the Third, intituled, *An Act for licenſing and regulating Lottery-office Keepers*; which ſaid Ticket now remains and is in my Cuſtody, in purſuance of the ſaid Act.'

All Tickets depoſited in the Office, to remain there three Days after drawing.

XIII. And be it further enacted by the Authority aforeſaid, That each and every ſuch Ticket in the ſaid Lottery as ſhall be ſo depoſited in the ſaid Office, and ſhall be divided into Shares or Chances purſuant to this Act, ſhall remain and continue in the Cuſtody and Poſſeſſion of the ſaid Officer or Officers, ſo to be appointed as aforeſaid, until the Expiration of three Days next after the Drawing of ſuch Ticket in the ſaid Lottery; and that on the Expiration of three Days next after the Drawing of ſuch Ticket in the ſaid Lottery, ſuch Ticket ſhall be returned to the Owner or Owners thereof, his, her, or their Agent or Agents, Aſſignee or Aſſigns, upon producing the ſaid Officer's ſaid Receipt for the ſame.

The Numbers of all Tickets depoſited in the Office to be entered in a Book, with the Names of the Owners, and the Number of Shares into which they are divided.

XIV. And be it further enacted by the Authority aforeſaid, That a Book or Books ſhall be kept by the ſaid Officer or Officers ſo to be appointed as aforeſaid, who ſhall truly and fairly enter and regiſter in ſuch Book or Books, the Number of each and every ſuch Ticket in the ſaid Lottery, which ſhall be ſo as aforeſaid depoſited in the ſaid Office for the Purpoſe aforeſaid, together with the Name and Names of all and every ſuch Perſon or Perſons who ſhall ſo leave and depoſit the ſame, for the Purpoſe aforeſaid, and alſo the Number of Shares or Chances into which each and every ſuch Ticket in the ſaid Lottery ſhall be ſo divided as aforeſaid; which Book or Books any Perſon or Perſons whomſoever ſhall and may, from Time to Time, and at all ſeaſonable Times, reſort to and inſpect, on Payment of the Sum of Two-pence, of lawful Money of *Great Britain*, to the ſaid Officer or Officers ſo to be appointed as aforeſaid.

2 d. for each Share to be paid to the Officer on depoſiting Tickets in the Office; who ſhall therewith pay all Expences incident to the Office.

XV. And be it further enacted by the Authority aforeſaid, That, upon the leaving and depoſiting of any Ticket in the ſaid Lottery at or in the ſaid Office, with the ſaid Officer or Officers ſo to be appointed as aforeſaid, for the Purpoſe aforeſaid, the Perſon or Perſons who ſhall ſo leave and depoſit the ſame ſhall pay to the ſaid Officer or Officers ſo to be appointed as aforeſaid, for each and every Share or Chance, into which each and every ſuch Ticket in the ſaid Lottery ſhall be divided by the ſaid Officer or Officers ſo to be appointed as aforeſaid, the Sum of Two-pence of lawful Money of *Great Britain*; and that with the Monies ariſing from ſuch Fee to be paid as aforeſaid, the ſaid Officer or Officers ſo to be appointed as aforeſaid, ſhall bear and pay all ſuch incident Charges and Expences as ſhall or may attend the Receipt, Entry, and taking Care of all ſuch Tickets in the ſaid Lottery, as ſhall be brought to and depoſited in the ſaid Office as aforeſaid, for the Purpoſe aforeſaid, and all other Expences attendant on the ſaid Office.

Penalty on ſelling any Share of a Ticket without a Stamp.

XVI. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons whomſoever ſhall, at any Time or Times hereafter, ſell or expoſe to Sale any Share or Chance of any Ticket in the ſaid Lottery, without ſuch Share or Chance ſhall have been firſt ſtamped and marked by the ſaid Officer or Officers, purſuant to this Act; that then, and in ſuch Caſe, all and every ſuch Perſon and Perſons ſo offending, upon being convicted thereof before any one Juſtice of the Peace for any County, Riding, or Diviſion, or before the Mayor, or other Juſtice or Juſtices of the Peace, for any City or Town Corporate, upon the Oath or Oaths of one or more credible Witneſs or Witneſſes (which ſaid Oaths the ſaid Juſtices of the Peace and Mayor are hereby authoriſed, impowered, and required to adminiſter), or upon the View of ſuch Juſtice or Juſtices, or the Mayor, Juſtice or Juſtices, for any City or Town Corporate, or on the Confeſſion of the Party or Parties accuſed, ſhall forfeit and pay the Sum of fifty Pounds for each and every Share or Chance ſo ſold or expoſed to Sale, as aforeſaid; to be levied by Diſtreſs and Sale of the Offender's Goods, by Warrant under the Hand and Seal, or Hands and Seals, of one or more Juſtice or Juſtices of the Peace of ſuch County, Riding, Diviſion, City, or Town, where the Offence ſhall be committed; which ſaid Forfeitures, when recovered, after deducting the reaſonable Charges of ſuch Proſecution, ſhall go and be applied, One-third thereof to the Informer, and the remaining Two-thirds to the Uſe of the Poor of the Pariſh where ſuch Offence ſhall be committed.

Application thereof.

XVII. And

XVII. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall preſume to forge or counterfeit, or to cauſe or procure to be forged or counterfeited, or ſhall willingly act or aſſiſt in the forging or counterfeiting of any Receipt or Receipts for, or any Share or Shares, Chance or Chances of, any Ticket or Tickets, ſigned, divided, made, and delivered out, by virtue of this Act, or alter any Number, Figure, Word, or Stamp, therein or thereon, or utter, vend, barter, or diſpoſe of, any ſuch forged, counterfeited, or altered Receipt or Receipts for any Share or Shares, Chance or Chances, of any Ticket or Tickets; or ſhall bring any ſuch forged or counterfeit Receipt or Receipts, or any Share or Shares, Chance or Chances, the Stamp whereof, or any Figure or Word therein, ſhall have been altered (knowing the ſame to be ſuch), to any Perſon or Perſons whomſoever with a fraudulent Intention, or ſhall willingly aid, abet, aſſiſt, hire, or command, any Perſon or Perſons to commit any ſuch Offence as aforeſaid; then, and in every ſuch Caſe, all and every ſuch Perſon or Perſons ſo offending, and being thereof convicted in due Form of Law, ſhall forfeit and incur the ſame Penalty, to be recovered in the ſame Manner, and ſuffer the ſame Puniſhment, as is herein-before inflicted and declared in reſpect to the forging or counterfeiting of a Licence, in this Act before mentioned. Penalty on forging or altering Receipts, or uttering the ſame with a fraudulent Intention.

XVIII. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall be ſued, moleſted, or proſecuted, for any Thing done by virtue or in purſuance of this Act, ſuch Perſon or Perſons ſhall and may plead the General Iſſue, and give this Act, and the ſpecial Matter in Evidence, in his, her, or their Defence or Defences; and if afterwards a Verdict ſhall paſs for the Defendant or Defendants, or the Plaintiff or Plaintiffs ſhall diſcontinue his, her, or their Action or Proſecution, or be nonſuited, or Judgment ſhall be given againſt him, her, or them, upon Demurrer, or otherwiſe; then ſuch Defendant or Defendants ſhall have Treble Coſts awarded to him, her, or them, againſt any ſuch Plaintiff or Plaintiffs. General Iſſue. Treble Coſts.

## CAP. XXII.

An Act to continue ſeveral Laws relating to the giving further Encouragement for the Importation of Naval Stores from the *Britiſh* Colonies in *America*, to the landing of Rum or Spirits of the *Britiſh* Sugar Plantations before Payment of the Duties of Exciſe; to the diſcontinuing the Duties payable upon the Importation of Tallow, Hogs Lard, and Greaſe; to the regulating the Fees of Officers of the Cuſtoms and Naval Officers in *America*; to the allowing the Exportation of certain Quantities of Wheat, and other Articles, to his Majeſty's Sugar Colonies in *America*; and to the allowing a Drawback of the Duties on Rum ſhipped as Stores to be conſumed on board Merchant Ships on their Voyages.

'WHEREAS the Laws herein-after mentioned have by Experience been found uſeful and beneficial, and are near expiring,' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That ſo much of an Act, made in the eighth Year of the Reign of King *George* the Firſt, intituled, *An Act for giving further Encouragement for the Importation of Naval Stores, and for other Purpoſes therein mentioned*, as relates to the Importation of Wood and Timber, and of the Goods commonly called *Lumber*, therein particularly enumerated, from any of his Majeſty's *Britiſh* Plantations or Colonies in *America*, free from all Cuſtoms and Impoſitions whatſoever, which was to be in Force for twenty-one Years from the twenty-fourth Day of *June*, one thouſand ſeven hundred and twenty-two; and which by ſeveral ſubſequent Acts, made in the ſixteenth, twenty-fourth, and thirty-firſt Years of the Reign of his late Majeſty King *George* the Second, and the fourth and twelfth Years of his preſent Majeſty's Reign, was further continued until the twenty-ninth Day of *September*, one thouſand ſeven hundred and ſeventy-eight, and from thence to the End of the then next Seſſion of Parliament, ſhall be, and the ſame is hereby further continued, from the Expiration thereof, until the twenty-ninth Day of *September*, one thouſand ſeven hundred and eighty-five, and from thence to the End of the then next Seſſion of Parliament. Preamble. Such Part of an Act 8 Geo. I. for encouraging the Importation of Naval Stores, &c. as relates to Timber and Lumber, further continued till Sept. 29, 1785, &c.

II. Provided nevertheleſs, and it is hereby further enacted by the Authority aforeſaid, That a due Entry of ſuch Goods ſhall be firſt made in the Cuſtom-houſe belonging to the Port where the ſame ſhall be imported, in the ſame Manner and Form, expreſſing the Quantities and Qualities of the reſpective Goods, as was uſed and practiſed before the making of the ſaid recited Act; and the ſaid Goods ſhall be landed in the Preſence of the proper Officer appointed for that Purpoſe, otherwiſe ſuch Goods ſhall be liable to the Payment of the like Duties as would be due and payable for the ſame, at the Times of the Importation thereof, if the ſaid recited Act had not been made; and it ſhall and may be lawful for any Officer of the Cuſtoms to ſtop ſuch Goods, and ſecure the ſame in his Majeſty's Warehouſe till ſuch Duties are accordingly paid; and if the ſame ſhall not be paid within ſix Months after the ſaid Goods are brought to ſuch Warehouſe, they ſhall and may be ſold, and the Produce thereof applied in the ſame Manner as other Goods, which are brought to his Majeſty's Storehouſes for Security of the Duties, may, by the Laws now in Force, be ſold and diſpoſed of, any Thing in the ſaid recited Act, or any other Act, to the contrary notwithſtanding. The above-mentioned Goods to be entered in the Cuſtom-houſe at the Place of Importation, &c.

III. And be it further enacted by the Authority aforeſaid, That ſo much of an Act, made in the fifteenth and ſixteenth Years of the Reign of his late Majeſty King *George* the Second, intituled, *An Act to impower the Importers or Proprietors of Rum or Spirits of the* Britiſh *Sugar Plantations, to land the ſame before Payment of the* Part of an Act 15 & 16 Geo. II. relating to the

Landing of Rum, &c. before Payment of the Duties of Excise,

*the Duties of Excise charged thereon, and to lodge the same in Warehouses at their own Expence; and for the Relief of* Ralph Barrow, *in respect to the Duty on some Rock Salt, lost by the overflowing of the Rivers* Weaver *and* Dane; as relates to the landing of Rum or Spirits of the *British* Sugar Plantations, before Payment of the Duties of Excise, and to the lodging of the same in Warehouses, at the Expence of the Importers or Proprietors thereof, which was to continue in Force from the twenty-ninth Day of *September*, one thousand seven hundred and forty-two, to the twenty-ninth Day of *September*, one thousand seven hundred and forty-nine, and from thence to the End of the then next Session of Parliament, and which, by several subsequent Acts of the twenty-third and thirty-first Years of the Reign of his said late Majesty, and the fourth and eleventh Years of the Reign of his present Majesty, was further continued until the twenty-ninth Day of *September*, one thousand seven hundred and seventy-eight, and from thence to the End of the then next Session of Parliament, shall be, and the same is hereby further continued, from the Expiration thereof, until the twenty-ninth Day of *September*, one thousand seven hundred and eighty-five, and from thence to the End of the then next Session of Parliament.

further continued till Sept. 29, 1785, &c.

Act 7 Geo. III. relating to the Duties on Importation of Tallow, &c.

IV. And be it further enacted by the Authority aforesaid, That an Act, made in the seventh Year of the Reign of his present Majesty, intituled, *An Act to discontinue, for a limited Time, the Duties payable upon the Importation of Tallow, Hogs Lard, and Grease*, which was to be in Force for three Years, from the twenty-fifth Day of *March*, one thousand seven hundred and sixty-seven, and from thence to the End of the then next Session of Parliament; and which by several subsequent Acts, of the tenth, thirteenth, and sixteenth Years of the Reign of his present Majesty, was further continued until the twenty-fifth Day of *March*, one thousand seven hundred and seventy-nine, shall be, and the same is hereby further continued, from the Expiration thereof, until the twenty-fifth Day of *March*, one thousand seven hundred and eighty-two.

further continued till March 25, 1782.

So much of an Act 11 Geo. III. as relates to regulating the Fees of Custom-house Officers in America, &c.

V. And be it further enacted by the Authority aforesaid, That so much of an Act, made in the tenth Year of the Reign of his present Majesty, as relates to the regulating the Fees of the Officers of the Customs in *America*, and for extending the same to the Naval Officers there, which was to be in Force from the first Day of *August*, one thousand seven hundred and seventy, for the Term of two Years, and from thence to the End of the then next Session of Parliament; and which was by two Acts, made in the twelfth and fourteenth Years of the Reign of his present Majesty, further continued until the first Day of *August*, one thousand seven hundred and seventy-eight, and from thence to the End of the then next Session of Parliament, shall be, and the same is hereby further continued, from the Expiration thereof, until the first Day of *August*, one thousand seven hundred and eighty-two, and from thence to the End of the then next Session of Parliament.

further continued till Aug. 1, 1782, &c.

So much of 16 Geo. III. Cap. 37, as relates to the Exportation of Wheat, &c. to the Sugar Colonies,

VI. And be it further enacted by the Authority aforesaid, That so much of an Act, made in the sixteenth Year of the Reign of his present Majesty, intituled, *An Act for allowing the Exportation of certain Quantities of Wheat, and other Articles, to his Majesty's Sugar Colonies in* America, *and to the Island of* Saint Helena; *and to the other Settlements belonging to the United Company of Merchants of* England *trading to the* East Indies; *and of Biscuit and Pease to* Newfoundland, Nova Scotia, Bay Chaleur, *and* Labrador; *and for indemnifying all Persons with respect to advising or carrying into Execution his Majesty's Orders of Council already made for allowing the Exportation of Wheat and other Articles*; as relates to allowing the Exportation of certain Quantities of Wheat, and other Articles, to his Majesty's Sugar Colonies in *America*, which was to continue in Force until the first Day of *January*, one thousand seven hundred and seventy-seven; and which by two Acts, made in the seventeenth and eighteenth Years of the Reign of his present Majesty, was continued until the first Day of *May*, one thousand seven hundred and seventy-nine, shall be, and the same is hereby further continued, from the Expiration thereof, until the first Day of *May*, one thousand seven hundred and eighty.

further continued till May 1, 1780.

Clause for encouraging the Exportation of Rum, &c. the Produce of the British Sugar Plantations, to be consumed on board Vessels in foreign Parts,

'VII. For encouraging the Exportation of Rum and Spirits of the Growth, Produce, and Manufacture, 'of the *British* Sugar Plantations in *America*, from this Kingdom, as Stores to be sent and consumed on 'board in any Voyage to Parts beyond the Seas;' be it enacted by the Authority aforesaid, That during the Term of two Years from and after the passing of this Act, the same Drawbacks and Allowances which are given by any former Act or Acts of Parliament now in Force on the Exportation of such Rum to Parts beyond the Seas, as Merchandise, shall be allowed and paid to the Merchant or Merchants, on his, her, or their shipping any such Rum as Stores to be spent and consumed on board in any Voyage to Parts beyond the Seas; and when any Merchant or Merchants shall be desirous of shipping any such Rum as Stores, as aforesaid, and shall give five Days Notice thereof to the respective Commissioners of Excise, for the Time being, or to such other Person or Persons as they shall, from Time to Time, appoint for that Purpose, mentioning in such Notice the exact Destination of the intended Voyage, the Tonnage of the Ship or Vessel, and the Number of the Mariners intended to be employed in navigating the same, and also the Number of his Majesty's Troops that may hereafter be embarked in the same; it shall and may be lawful to and for the said Commissioners of Excise, or the Person or Persons so to be appointed by them as aforesaid, to ascertain the Quantity of such Rum which shall be shipped on board such Ship or Vessel as Stores, and for which such Drawback and Allowance shall be paid and made; and also the Size and Marks of the Cask or Casks in which such Spirits shall be so shipped; and on Oath being made, before one or more of the said Commissioners of Excise, or Justices of the Peace for the County or Place from whence any such Rum is intended to be exported, or before such other Person or Persons as shall be authorised as aforesaid by the said Commissioners of Excise for that Purpose, that the same are to be shipped as Stores, to be spent and consumed in the Voyage, the Merchant or Merchants shipping the same shall be paid the same Drawbacks, and have the same Allowances for Rum so shipped, as if such Rum had been exported as Merchandise: Provided always, That neither the said Drawback or Allowance, or any other Drawback or Allowance, shall be made or paid for any Quantity of such Rum which shall be exported or shipped for Stores as aforesaid, in any Cask which shall contain less than one hundred Gallons; nor shall

Drawback not to be allowed for any Rum exported in a Cask containing less than 100 Gallons, &c.

any such Drawback or Allowance whatsoever be made or paid for any Quantity of Rum which shall be so exported or shipped for Stores as aforesaid, on board of any Vessel or Vessels of less Burthen than one hundred Tons; but that all such Rum shall be exported and shipped, in all Respects not otherwise directed by this present Act, under the same Rules, Regulations, and Penalties, as are prescribed by any former Act or Acts of Parliament now in Force, relating to the Exportation of Spirits, drawn or made in *Great Britain*, as Stores to be spent and consumed aboard in any Voyage to Parts beyond the Seas.

## CAP. XXIII.

An Act more effectually to enable the President and Governors of the Hospital or Infirmary at *Bath*, established by an Act, passed in the twelfth Year of the Reign of his late Majesty King *George* the Second, intituled, *An Act for establishing and well-governing an Hospital or Infirmary in the City of* Bath, to take or acquire, and hold, any Lands, Tenements, or Hereditaments, or any Interest in Lands, Tenements, or Hereditaments, and any Money or Personal Property, to be laid out in Lands, Tenements, or Hereditaments, pursuant to any Will, or otherwise, to the Amount limited in the said Act.

" Preamble, reciting Act 12 Geo. II. c. 31. Devises, &c. deemed valid, although not made conformable " to Statute of Mortmain. Hospital Estate not to exceed the Sum limited by former Act. General Sav- " ing. Public Act."

## CAP. XXIV.

An Act for charging the Lands within the North Level, Part of the Great Level of the Fens called *Bedford Level*, and divers Lands adjoining thereto, in the Manor of *Crowland*, with further Taxes, for a limited Time, for discharging the Debts incurred by the Commissioners under an Act of the Twenty-seventh Year of King *George* the Second; and for better supporting and preserving the Drainage of the said Lands.

Preamble.

Recital of Act 15 Car. II.

and 27 Geo. II.

By the last-mentioned Act, the North Level and Portland were divided into five Districts; and Commissioners appointed, who were impowered to lay Taxes not exceeding 1 s. per Acre for the first Four Years,

' WHEREAS, by an Act of Parliament, made in the fifteenth Year of the Reign of his late Majesty King *Charles* the Second, intituled, *An Act for settling the Draining of the Great Level of the Fens, called* Bedford Level, it was (amongst other Things) enacted, That *William* then Earl of *Bedford*, and the Adventurers and Participants of *Francis* then late Earl of *Bedford*, and of the said Earl *William*, their Heirs and Assigns, should be a Body Politic and Corporate, in Deed and in Name, and have Succession for ever, by the Name of the Governor, Bailiffs, and Commonalty, of the Company of Conservators of the Great Level of the Fens, with Power to lay Taxes on ninety-five thousand Acres of Land, allotted as a Recompence for draining the said Great Level, in order to the Support, Maintenance, and Preservation, of the said Great Level, and Works made, and to be made, for that Purpose, in such Manner as by the said Act is set forth: And whereas, by another Act, passed in the twenty-seventh Year of the Reign of his late Majesty King *George* the Second, intituled, *An Act for discharging the Corporation of the Governor, Bailiffs, and Commonalty, of the Company of Conservators of the Great Level of the Fens, commonly called* Bedford Level, *from a Debt due to the Duke of* Bedford, *and Earl of* Lincoln, *and for enabling the Proprietors of Lands in the North Level, Part of the said Great Level, to raise Money to discharge the Proportion of the said North Level in the Debts of the said Corporation, and for ascertaining and appropriating the Taxes to be laid on the said North Level, and for the more effectual draining and preserving the said North Level, and divers Lands adjoining thereto, in the Manor of* Crowland; stating (amongst other Facts) that, at a Court of the said Corporation, held on the tenth Day of *March*, one thousand six hundred and ninety-seven, the said Corporation had declared, that the several Parts of the said Great Level should be distinguished by the Names of the *North Level*, the *Middle Level*, and the *South Level*, respectively; it was (amongst other Things) enacted, That all the Money that should arise or be produced by the Taxes on such Part of the said ninety-five thousand Acres as lay within the said North Level (and which were thereby fixed at a Tax and a Quarter), and all other Rents and Revenues of the said Corporation, arising from the said North Level, should from thenceforth be applied and disposed of by the said Governor, Bailiffs, and Commonalty, and their Successors, in and about the several Banks and Works in the said Act, in that Behalf mentioned; and, in the first Place, to raise, make good, and keep in Repair, the North Bank of *Moreton's Leame*, the East Bank of *Cordyke*, from *Moreton's Leame* to *The Folly Bank*, *the Folly Bank* from *Cordyke* to the River *Welland*, the Bank reaching from *The Folly Bank* to *Peakirk Town*, and the South Bank of the River *Welland* to the West Dam at the End of *Crowland* Town, until the said Banks should be made of such Height and Strength as the said Governor, Bailiffs, and Commonalty, or their Successors, should judge sufficient to defend the said North Level, and *South Holland*, against the Land-floods; and afterwards, in such other Works belonging to the said North Level as are therein for that Purpose mentioned: And whereas it was by the said last-mentioned Act further enacted, That the Lands and Grounds in the said North Level, and the Lands called *Portsand*, otherwise *Great Porsand*, lying within the Manor of *Crowland*, in *South Holland*, in the County of *Lincoln*, intended to be drained under the Authority of the said Act, should be divided into five several Districts, in Manner therein mentioned; and Commissioners were thereby appointed for the said several Districts, and Powers were thereby given for continuing and keeping up a Succession of such Commissioners; and it was thereby enacted, That the Commissioners for the said five Districts should meet yearly, and from Time to Time assess, tax, and charge, all and every the respective Owner or Owners of all and singular the Lands and Grounds within the said several Districts (except as therein is excepted) by and with equal and proportionable yearly Rates and Taxes, not exceeding one Shilling

and 6 d. per Acre afterwards;

and to borrow 14,000 l.

That Sum borrowed, and applied pursuant to that Act, and to another Act of 13 Geo. III.

Act 29 Geo. II. impowered the Corporation to borrow 5,000 l. more.

Recital of Act 11 Geo. III.

The 5,000 l. borrowed and expended, and other Debts contracted.

The Lands in the North Level charged with a further Tax of 6 d. per Acre, and Portsand 3 d. per Acre, payable to the Corporation.

The Taxes, and Money borrowed thereon, to be applied to the Corporation Works belonging to the North Level.

The Corporation impowered to borrow the further Sum of 10,000 l.;

'*per* Acre, yearly, during the first four Years, and not exceeding Sixpence *per* Acre in any one Year after 'the Expiration of the said four Years, to be paid half-yearly to such Person or Persons as the said Com-'missioners should appoint to receive the same; and that the Monies to be raised by the said Taxes, and 'also all Sums to be borrowed and received on the Credit thereof, in Manner therein-after mentioned, 'should, from Time to Time, be applied and disposed of by the said Commissioners, in or towards divers 'Works therein mentioned and specified, for draining and preserving the said Districts; and the said 'Commissioners were thereby impowered to borrow and take up Money (not exceeding in the Whole the 'Sum of fourteen thousand Pounds) on the Credit of the said Taxes, so directed to be assessed by them as 'aforesaid, and such Taxes were, in the first Place, to be chargeable with the Monies so borrowed, and 'the Interest thereof: And whereas the Commissioners, acting under the said last-mentioned Act, did, 'pursuant to the Powers therein contained, borrow and take up at Interest in the Whole the Sum of four-'teen thousand Pounds, on the Credit of the said Taxes by the said last-mentioned Act directed to be assessed 'and charged by the said Commissioners as aforesaid; and the Monies so borrowed, together with the 'Surplus of the said Taxes, after keeping down the Interest thereof, have been applied by the said Com-'missioners in and towards the Works directed by the said Act, and likewise in executing divers other 'necessary and expensive Works for the Improvement of the *Wisbeach* River, at or near the Outfall of 'the Waters of the said North Level and *Portsand*, to the Sea, in pursuance, and according to the Direc-'tions, of another Act of Parliament, made and passed in the thirteenth Year of the Reign of his present 'Majesty, intituled, *An Act for draining and preserving certain Lands and Grounds in the Parishes of* Tid 'Saint Giles, *and* Newton, *in the Isle of* Ely, *in the County of* Cambridge, *and in* Tid Saint Mary's, *in the 'County of* Lincoln; and, by the last-mentioned Act, the said Tax of Sixpence *per* Acre, chargeable by 'the said Commissioners under the said Act of the twenty-seventh Year of his said late Majesty, is made 'applicable towards the further Support and Maintenance of the said Works; and the said fourteen thou-'sand Pounds now remain a Debt on the said Taxes, so chargeable by virtue of the said last-mentioned 'Act: And whereas, by an Act passed in the twenty-ninth Year of the Reign of his said late Majesty, 'intituled, *An Act for establishing a Fund, for Payment of the Bonds of the Governor, Bailiffs, and Com-'monalty, of the Company of Conservators of the Great Level of the Fens, called* Bedford Level, *and for ex-'changing the present Bonds of the said Corporation for other Bonds, payable out of the Revenues of the Middle 'and South Levels, Part of the said Great Level, and for enabling the said Corporation to borrow further Sums 'for the Use of the said Great Level*, the said Corporation was impowered to borrow Money upon Bonds, 'not exceeding in the Whole five thousand Pounds, for the Use of the said North Level, to be charged 'on the Rents, Taxes, and Sums of Money, to be received, raised, or levied, by the said Corporation, 'from, upon, or on account of such Part of the said ninety-five thousand Acres as lay within the said 'North Level: And whereas, by an Act passed in the eleventh Year of the Reign of his present Majesty 'King *George* the Third, intituled, *An Act to enable the Governor, Bailiffs, and Commonalty, of the Company 'of Conservators of the Great Level of the Fens called* Bedford Level, *to complete and maintain the principal 'Banks and Works necessary to the well draining and preserving the North Level, Part of the said Great Level, 'and for laying Taxes upon the Lands within the said North Level, and divers Lands adjoining thereto, in the 'Manor of* Crowland, reciting (amongst other Things) that several Breaches having happened in the 'North Bank of *Moreton's Leame* in the Years one thousand seven hundred and sixty-three, and one thou-'sand seven hundred and sixty-four, the said Corporation had borrowed the said Sum of five thousand 'Pounds; and that other Breaches having happened in the said North Bank of *Moreton's Leame* in the 'Year one thousand seven hundred and sixty-seven, the said five thousand Pounds had been expended, and 'other Debts contracted, by the said Corporation, in the necessary Repairs of the said North Bank, and 'other Works belonging to the said Corporation, in the said North Level; and that further Breaches had 'then lately happened in the said North Bank of *Moreton's Leame*; it was enacted, That all the Lands 'and Grounds within the said North Level, and the said Lands called *Portsand*, comprised in the said Act 'of the twenty-seventh Year of King *George* the Second (except as therein excepted), should be, and the 'same were thereby yearly, and every Year, rated, charged, and assessed, in Manner following; that is 'to say, all the Lands and Grounds within the said North Level (except as therein excepted) with a Tax 'of Sixpence for every Acre, and the said Lands, called *Portsand*, with Three-pence for every Acre, 'to be paid to the said Corporation, or their Receiver; and that the said Taxes, and all Money to be 'raised thereon, or borrowed and received on the Credit thereof, should, together with all Money 'arising by the Tax and a Quarter, fixed upon such Part of the said ninety-five thousand Acres as lie 'within the said North Level, and all other the Rents and Revenues arising or payable to the said Corpo-'ration from the said North Level (but without Prejudice to the Payment of the said former Debt of five 'thousand Pounds, and the Interest thereof), be applied by the said Corporation in and towards the 'Charges of repairing the said North Bank of *Moreton's Leame*, and the several other Banks and Works of 'the said North Level, to which the Monies arising from the said Tax and a Quarter, on such of the said 'ninety-five thousand Acres as lie within the said North Level, and the Rents and other Revenues of the 'said Corporation, arising from the said North Level, were, by the said Act of the twenty-seventh Year 'of his late Majesty King *George* the Second, directed to be applied: And it was thereby further enacted, 'That it should be lawful for the Commissioners for the five several Districts or Divisions, nominated or 'appointed, elected or chosen, by virtue of the said Act of the twenty-seventh Year of his said late Ma-'jesty King *George* the Second, to elect, yearly, eighteen of the said Commissioners, to be a Committee, 'to superintend and direct the Repairs and Amendments of the said Banks and Works; and the said Cor-'poration was thereby impowered to raise, by Sale of the Taxes thereby charged, or to borrow on the 'Credit thereof, and of their other Taxes, Rents, and Revenues, arising from the said North Level (but 'without Prejudice to the Bond Creditors for the said Sum of five thousand Pounds), such further Monies 'as they should judge necessary for the Purposes aforesaid, not exceeding twenty thousand Pounds:

'And

'And whereas the said Corporation, in pursuance of the said last-mentioned Act, did borrow, upon Bonds, further Sums, to the Amount of twenty thousand Pounds, for the Purposes therein mentioned, which Debt of twenty thousand Pounds, and also the said former Debt of five thousand Pounds (amounting together to twenty-five thousand Pounds), now remain due and owing on Bonds from the said Corporation, upon account of the said North Level: And whereas the said Tax of Sixpence *per* Acre, chargeable by the said Act of the twenty-seventh Year of his said late Majesty, upon the Lands and Grounds in the said North Level, and upon the said Lands called *Portsand*, and payable to the said Commissioners of the said five Districts, being subject in the first Place to the said Debt of fourteen thousand Pounds incurred thereon, the Surplus thereof, after Payment of the Interest of that Debt, amounts only to three hundred and twenty-six Pounds one Shilling and Two-pence *per Annum*, or thereabouts, which is insufficient for supporting and maintaining the several Works to which the same is applicable by the said Acts of the twenty-seventh Year of his said late Majesty King *George* the Second, and the thirteenth Year of his present Majesty; and the several Taxes, Rents, and Revenues, payable to the said Governor, Bailiffs, and Commonalty, from the said North Level, being subject, in the first Place, to the Interest of the said Debt of twenty-five thousand Pounds incurred thereon, and to the Payment of a yearly Sum of forty-one Pounds to the Trustees for the *Welland* Bank and Road, the Surplus thereof, after Payment of such Interest and yearly Sum, and of the further yearly Sum of seventy-seven Pounds (the Amount of the Salaries of the several Officers of the said Corporation for the said North Level), amounts only to three hundred forty-six Pounds eleven Shillings and Ten-pence, *per Annum*, or thereabouts, which is insufficient for supporting and maintaining the several Works to which the same is applicable; and without further Aids for supporting and maintaining the said several Banks and Works for preserving the said North Level, the said Banks will soon be in Danger of breaking, whereby the said Lands would be drowned, to the inestimable Loss of the several Owners and Proprietors thereof, and to the Prejudice of the Public; for Prevention whereof, and in regard it will be greatly for the Benefit of the Proprietors of the said Lands to raise further Taxes thereon, for a limited Time, to be paid to the Commissioners of the said five Districts, not only for augmenting their present Revenue, applicable to the Works directed to be maintained by the said Commissioners, but also for gradually discharging the said Debt of fourteen thousand Pounds, whereby that Revenue will be increased, from Time to Time, as the Interest of the said Debt shall decrease by such gradual Discharge thereof; and likewise to raise further Taxes on the said Lands, for a limited Time, to be paid to the said Governor, Bailiffs, and Commonalty, to be applied, in Augmentation of their present Revenue from the said North Level, to the Support of the several Works directed to be maintained by them for the Preservation of the said North Level:' May it therefore please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That for and notwithstanding the several Acts herein-before mentioned, or any of them, or any Clause or Clauses therein, or in any of them, contained, all and singular the Lands and Grounds situate, lying, or being, within the said North Level, and all and every the said Lands and Grounds called *Great Porsand*, otherwise *Great Porsand*, lying within the said Manor of *Crowland*, comprised in the said Act of the twenty-seventh Year of his said late Majesty King *George* the Second (except *Great Burrough Fen Common*, otherwise *Peterborough Great Fen Common*, the Common now commonly called *The four hundred Acre Common* in *Alderlands*, *Little Borough Fen Common*, otherwise *Peterborough Little Fen Common*, otherwise *Flagg Fen Common*, and that Part of *Sutton Common* which lies South of *Old South Eau*; and also except all the Lands called *Hurts Grounds*, in the Parish of *Stand-ground*; and also all the Lands of *Oxney* and *Tanholt Farms*, *Chapel close*, *Borough-hill Close*, *Padhams*, *Peakirk Long Meadows*, *Peakirk Little Meadows*, and the Closes adjoining thereto, *Newark Edgerley*, and the Closes adjoining thereto towards the West and North, *Billingswood*, and the Closes adjoining thereto, in the Parish of *Paston*, the Lands called *The Inhams*, lying South of the *Folly Bank*, and the Closes at the South End of *The Inhams*, called *Puttock Closes*; and also except all the High Lands in *Eyebury* and *Newark*, and all the High Lands in the Parishes of *Peterborough*, *Werrington*, *Glinton*, *Peakirk*, *Eye*, *Standground*, and *Whittlesey*, or any of them), shall yearly and every Year, from and after the twenty-fifth Day of *December*, one thousand seven hundred and seventy-nine, for and during the Term or Space of nine Years, to be computed from the said twenty-fifth Day of *December*, one thousand seven hundred and seventy-nine, be further rated, taxed, charged, and assessed; and the same are hereby further rated, taxed, charged, and assessed, in Manner following; that is to say, all and every the said Lands and Grounds within the said North Level (except as before excepted) with a further yearly Tax of one Shilling for every Acre thereof, and the said Lands and Grounds called *Portsand*, otherwise *Great Porsand*, with a further yearly Tax of Sixpence for every Acre thereof; and that the said Taxes so hereby charged as aforesaid shall be paid by the respective Owner or Owners, Occupier or Occupiers, of the respective Lands and Grounds so hereby respectively charged therewith, half-yearly, at the Days or Times following; that is to say, on the twenty-fourth Day of *June*, and the twenty-fifth Day of *December*, in each Year, during the said Term or Space of nine Years, by equal Payments, to such Person or Persons as the Commissioners for the Time being of the said five Districts, under the said Act of the twenty-seventh Year of his said late Majesty King *George* the Second, or the major Part of them present at any General Meeting, shall, from Time to Time, appoint to be Receiver or Receivers; the first half-yearly Payment thereof to begin and be made on the twenty-fourth Day of *June*, one thousand seven hundred and eighty.

which was borrowed accordingly.

The Revenues, after the pinching down the Interest of the Debts, are insufficient to support the Works;

which, without further Aid, will soon be in Danger of breaking.

The Lands in the North Level charged with a further Tax of 1s. per Acre, and Portsand with 6d. per Acre, for nine Years, payable to the Commissioners.

II. And be it further enacted by the Authority aforesaid, That the Monies arising from the said Taxes hereby charged as aforesaid, shall, together with the Monies arising from the said Tax of Sixpence *per* Acre assessable on the said Lands and Grounds within the said five Districts, by the said Commissioners, under the said Act of the twenty-seventh Year of his said late Majesty King *George* the Second (but without Prejudice to the Securities of the Creditors for the said Sum of fourteen thousand Pounds, or any of them),

New Taxes to be applied with former Taxes; viz.

them), be applied and diſpoſed of by the ſaid Commiſſioners for the ſaid five Diſtricts in Manner following; that is to ſay, in the firſt Place, in paying and defraying the Coſts, Charges, and Expences, incurred in and about the paſſing of this Act; and ſecondly, in paying and keeping down the Intereſt of the ſaid Debt of fourteen thouſand Pounds, or of ſo much thereof as ſhall from Time to Time remain due and undiſcharged; and thirdly, in the gradual Diſcharge of the Principal of the ſaid Debt, by applying a yearly Sum of not leſs than one thouſand five hundred Pounds, during the firſt ſeven Years of the ſaid Term or Space of nine Years, out of the Rates and Taxes to become due and payable during the ſaid firſt ſeven Years of the ſaid Term, in and towards the Payment and Reduction of the ſaid Debt; and by applying a further Sum of not leſs than one thouſand ſeven hundred Pounds, out of the Rates and Taxes to become due and payable in the eighth Year of the ſaid Space or Term of nine Years, in or towards the Payment of the then Reſidue of the ſaid Debt; and by applying out of the Rates and Taxes, to become due in the ninth Year of the ſaid Term, a further Sum of not leſs than one thouſand eight hundred Pounds, in Diſcharge of the Reſidue of the ſaid Debt, if ſo much thereof ſhall then remain undiſcharged; and fourthly, that the Reſidue and Surplus of the Monies ariſing from the ſaid ſeveral yearly Rates and Taxes, after anſwering the Purpoſes aforeſaid, ſhall be applied, from Time to Time, by the ſaid Commiſſioners for the ſaid five Diſtricts, or the major Part of them preſent at their General Meetings, in and about the ſeveral Works to which the ſaid Tax of Sixpence *per* Acre, chargeable and aſſeſſable by the ſaid Commiſſioners, by virtue of the ſaid Act of the twenty-ſeventh Year of the Reign of his ſaid late Majeſty King *George* the Second, is applicable by that Act, and by the ſaid Act of the thirteenth Year of the Reign of his preſent Majeſty, or any other Act, and in diſcharging the Wages and Salaries of Officers, and other neceſſary Expences.

to keep down the Intereſt of the Debt of 14,000 l. and in the gradual Diſcharge of that Debt;

and to the Support of the Works.

The Lands in the North Level charged with a further Tax of 4 d. and Portſand of 2 d. per Acre, for the like Term of nine Years, payable to the Corporation:

III. And be it further enacted by the Authority aforeſaid, That, for and notwithſtanding the before-mentioned Acts, or any of them, or any Clauſe or Clauſes therein, or in any of them contained, all and every the ſaid Lands and Grounds ſituate or being within the ſaid North Level (except as before is excepted), and all and every the ſaid Lands and Grounds called *Portſand*, otherwiſe *Great Porſand*, in the ſaid Manor of *Crowland*, ſhall, yearly and every Year, from and after the ſaid twenty-fifth Day of *December*, one thouſand ſeven hundred and ſeventy-nine, for and during the ſaid Term or Space of nine Years, to be computed from the ſaid twenty-fifth Day of *December*, one thouſand ſeven hundred and ſeventy-nine, be further rated, taxed, charged, and aſſeſſed; and the ſame are hereby further rated, taxed, charged, and aſſeſſed, in Manner following; that is to ſay, all and every the ſaid Lands and Grounds within the ſaid North Level (except as before is excepted), with a further yearly Tax of Four-pence for every Acre thereof, and the ſaid Lands and Grounds called *Portſand*, otherwiſe *Great Porſand*, with a further yearly Tax of Two-pence for every Acre thereof; and that the ſaid Taxes of Four-pence *per* Acre and Two-pence *per* Acre, hereby reſpectively charged as laſt aforeſaid, ſhall be paid by the reſpective Owner or Owners, Occupier or Occupiers, of the reſpective Lands and Grounds ſo reſpectively charged therewith, half-yearly, at the Days or Times following; that is to ſay, on the twenty-fourth Day of *June*, and the twenty-fifth Day of *December*, in each Year, during the ſaid Term or Space of nine Years, by equal Payments, to the ſaid Governor, Bailiffs, and Commonalty, of the ſaid Company of Conſervators, and their Succeſſors, or to ſuch Perſon as ſhall, from Time to Time, be by them appointed, by virtue of the aforeſaid Act of the eleventh Year of his preſent Majeſty, to be Receiver of the Taxes charged by that Act; the firſt half-yearly Payment thereof to begin and be made on the twenty-fourth Day of *June*, one thouſand ſeven hundred and eighty.

To be applied to the Works of the Corporation belonging to the ſaid North Level.

IV. And be it further enacted and declared by the Authority aforeſaid, That the Monies ariſing from the ſaid reſpective Taxes of Four-pence *per* Acre, and Two-pence *per* Acre, ſo hereby charged as laſt aforeſaid, and directed to be paid to the ſaid Governor, Bailiffs, and Commonalty, or their Receiver, appointed purſuant to the ſaid Act of the eleventh Year of his preſent Majeſty, ſhall be, from Time to Time, applied by the ſaid Governor, Bailiffs, and Commonalty, in and towards the ſeveral Works for Preſervation of the ſaid North Level, to which the preſent Revenues of the ſaid Corporation ariſing from the ſaid North Level are applicable, by virtue of the ſaid Acts of the twenty-ſeventh Year of his ſaid late Majeſty King *George* the Second, and the eleventh Year of his preſent Majeſty, or any other Act, in ſuch Manner as the Committee, to be from Time to Time elected and appointed out of the ſaid Commiſſioners of the ſaid five Diſtricts, by the ſaid Act of the eleventh Year of his preſent Majeſty, ſhall, from Time to Time, direct, and in ſuch Sort as the ſaid Committee are by the ſaid laſt-mentioned Act impowered, in reſpect to the Application of the Taxes charged by that Act.

Quantities of the Lands how to be taken.

V. And it is hereby further enacted by the Authority aforeſaid, That the Quantities of the ſeveral Lands and Grounds, ſo taxed and charged by this Act, ſhall be deemed and taken according to the Quantities thereof aſcertained in purſuance of the ſaid Act of the twenty-ſeventh Year of his ſaid late Majeſty King *George* the Second; and that the reſpective Owners or Occupiers of the ſaid Lands and Grounds ſhall pay the reſpective Taxes charged by this Act, according to the ſame Number of Acres, Roods, and Perches, as they are now rated and taxed at, under the ſaid Act of the twenty-ſeventh Year of his ſaid late Majeſty, ſave as to ſuch Variations or Alterations as may be found neceſſary to be made in Conſequence of the Proviſions and Directions herein-after contained.

Accounts to be delivered in of the Names of Tenants, and Quantities of Lands.

VI. Provided, and be it further enacted and declared by the Authority aforeſaid, That the ſeveral and reſpective Owners of the ſeveral Lands and Grounds hereby taxed and charged as aforeſaid, or his, her, or their Agent or Agents, ſhall, on or before the twenty-fifth Day of *March*, one thouſand ſeven hundred and eighty, deliver to the Commiſſioners of the ſaid five Diſtricts or Diviſions, or to their Clerk, Receiver, or Collector, juſt and true Accounts, in Writing under their reſpective Hands, of the Names of each and every of their reſpective Tenants, and of the Quantities of Acres, Roods, and Perches, in Statute Meaſure, of their reſpective Lands and Grounds taxed and charged by this Act, in the Hands or Occupation of each and every of his, her, and their Tenant or Tenants reſpectively; and alſo of the Quantities of

Acres,

Acres, Roods, and Perches, in Statute Meaſure, of ſuch of his, her, or their Lands taxed and charged by this Act, as ſhall be in his, her, or their own Hands or Occupation reſpectively, or as ſhall be untenanted; and ſhall likewiſe, from Time to Time hereafter, when and ſo often as thereunto required by the ſaid Commiſſioners, or their Clerk, Receiver, or Collector, by one Month's Notice in Writing, ſigned by the ſaid Clerk, Receiver, or Collector, to be given to ſuch Owner or Owners, or his, her, or their Agent or Agents, or left at his, her, or their Dwelling-houſe or Dwelling-houſes, or uſual Place or Places of Abode reſpectively, deliver further Accounts, in Writing under their reſpective Hands, of ſuch Particulars as aforeſaid, and ſo as often, from Time to Time, as ſuch Notice ſhall be given to any ſuch Owner or Owners, or his, her, or their Agent or Agents, or left at his, her, or their Dwelling-houſe, or Dwelling-houſes, or uſual Place or Places of Abode reſpectively: And in caſe any ſuch Owner or Owners, or his, her, or their Agent or Agents, ſhall, at any Time or Times, refuſe or neglect to deliver in ſuch Account or Accounts within the Time aforeſaid, or according to ſuch Notice as aforeſaid; or in caſe the ſaid Commiſſioners ſhall have Reaſon or Cauſe to ſuſpect that any Account or Accounts ſo delivered in ſhall not be juſt and true; that then, and in either of the ſaid Caſes, it ſhall and may be lawful to and for the Committee for examining the Accounts of the ſaid Commiſſioners, appointed in purſuance of the ſaid Act of the twenty-ſeventh Year of his ſaid late Majeſty King *George* the Second, or any three of them, to direct and cauſe Surveys or Admeaſurements to be made of all or any Part of the Lands and Grounds of all or any of the Perſons ſo refuſing or neglecting to give in ſuch Account or Accounts as aforeſaid, or whoſe Account or Accounts ſhall be ſuſpected not to be juſt and true, the Perſon or Perſons making ſuch Survey or Admeaſurement being firſt ſworn to make a true and juſt Survey or Admeaſurement of ſuch Lands or Grounds according to the beſt of his Skill and Judgment, which Oath any one of the ſaid Commiſſioners is hereby impowered to adminiſter; and in caſe, upon any ſuch Survey or Admeaſurement, it ſhall be found that any ſuch Account or Accounts, delivered in as aforeſaid, was or were a true and juſt Account or Accounts, then the Expence of ſuch Survey or Admeaſurement, as to the Lands and Grounds contained in ſuch Account or Accounts ſo found to be juſt and true, ſhall be borne by the ſaid Commiſſioners out of the Monies ariſing from the ſaid Taxes; but in caſe any ſuch Account or Accounts, delivered in by any ſuch Owner or Owners, or his, her, or their Agent or Agents, ſhall be found not to contain or ſet forth a full and true Account of the Name or Names of all and every his, her, or their Tenant or Tenants, and the full and true Quantities of all and every his, her, and their Lands, in the Hands or Occupation of each and every of his, her, and their Tenants reſpectively, and of the Lands in his, her, or their own Occupation, or untenanted or to be otherwiſe fraudulent or unjuſt; or in caſe any Perſon or Perſons ſhall refuſe or neglect to deliver in ſuch Account or Accounts within the Time aforeſaid, or purſuant to ſuch Notice as aforeſaid; then, and in either of the ſaid Caſes, and ſo often as the ſame ſhall happen, the Expence of ſuch Surveys and Admeaſurements, as to the Lands or Grounds of the Perſon or Perſons ſo refuſing or neglecting to deliver in ſuch Account or Accounts within the Time aforeſaid, or delivering in untrue or unjuſt Account or Accounts, ſhall be borne by the Perſon or Perſons refuſing or neglecting to deliver in ſuch Account or Accounts, or delivering in ſuch untrue or unjuſt Account or Accounts reſpectively, and ſhall be charged and levied upon his, her, or their Lands and Grounds, in ſuch Manner as the ſaid Taxes hereby charged are herein-after directed to be levied; and that the ſeveral and reſpective Owner or Owners, Occupier or Occupiers, of the ſeveral Lands and Grounds hereby taxed and charged as aforeſaid, ſhall be charged and chargeable with, and ſhall, from Time to Time, pay the ſaid Taxes hereby taxed and charged as aforeſaid; and alſo the ſeveral Taxes and Rates already taxed or charged, or hereafter to be taxed or charged, by virtue of the aforeſaid Acts of the twenty-ſeventh Year of his ſaid late Majeſty King *George* the Second, and the eleventh Year of his preſent Majeſty, or either of them, for the Lands and Grounds in his, her, or their Hands or Occupations reſpectively, according to the Accounts ſo given in, where no Objection ſhall be made thereto by the ſaid Commiſſioners or Committee, and according to ſuch Survey or Surveys, Admeaſurement or Admeaſurements, where ſuch Survey or Surveys, Admeaſurement or Admeaſurements, ſhall be made, and ſo from Time to Time, when and ſo often as any ſuch Account or Accounts ſhall be given in, and not objected to, as aforeſaid, or when and ſo often as any ſuch Survey or Surveys ſhall be made.

*How to proceed when Owners neglect to deliver in Accounts, or ſhall deliver ſuſpicious Accounts.*

'VII. And, to the End that the ſeveral and reſpective Taxes, to be charged and aſſeſſed by virtue of 'this Act, may be the more eaſily collected,' be it further enacted by the Authority aforeſaid, That all and every the ſeveral and reſpective Occupiers of the ſeveral and reſpective Lands and Grounds taxed and charged by virtue of this Act, ſhall be, and they are hereby reſpectively required, and made liable to pay the ſaid ſeveral and reſpective Taxes hereby charged upon the Lands and Grounds in their reſpective Occupations; and in caſe of ſuch Payment by any Tenant or Tenants, who ſhall hold the Lands and Grounds by him, her, or them occupied, at a Rack Rent or Rack Rents, ſuch Tenant or Tenants ſhall be at Liberty, and he, ſhe, and they, is and are hereby reſpectively impowered, to deduct and retain, out of his, her, or their Rent or Rents, all ſuch Sum and Sums of Money, as he, ſhe, or they, ſhall reſpectively pay for ſuch Taxes as aforeſaid; and the ſeveral and reſpective Landlords, or Owners of ſuch Lands and Grounds, are hereby required to allow ſuch Deductions or Payments, upon the Receipt of the Reſidue of their Rents, ſuch Tenant or Tenants producing proper Receipts for the Payment of ſuch Taxes; and all and every Tenant or Tenants, ſo holding at Rack Rent, and paying ſuch Taxes, ſhall be acquitted and diſcharged, from and againſt his, her, or their Landlord or Landlords, of and from ſo much Money as the Tax or Taxes, by him, her, or them reſpectively paid as aforeſaid, ſhall amount unto, in as full and ample a Manner, as if the ſame had been actually paid to his, her, or their Landlord or Landlords reſpectively.

*Taxes to be paid by the Occupiers.*

*Tenants at Rack Rent to deduct the ſame out of their Rents.*

VIII. Provided always, and it is hereby further enacted and declared by the Authority aforeſaid, That no Leſſee or Tenant, for any Life or Lives, or Years, charged with the ſaid Taxes, who ſhall hold his, her, or their Lands, hereby taxed and charged as aforeſaid, by virtue of, or under any Leaſe from any Biſhop or Collegiate Church or College, or any Eccleſiaſtical Corporation, ſole or aggregate, or the Truſtees

*But not Leſſees holding beneficial Leaſes.*

Truſtees for the Charity of *Peterborough*, or under any other beneficial Leaſe whatſoever, ſhall be intitled to deduct any Tax or Taxes charged by this Act, out of the Rent reſerved or payable, by any ſuch Leaſe or Leaſes, to his, her, or their Landlord or Landlords, but the ſaid Taxes ſhall be paid and borne by the ſaid Leſſee or Leſſees, ſo holding ſuch Lands and Grounds under any ſuch Leaſe or Leaſes, any Thing herein-before contained to the contrary thereof in any-wiſe notwithſtanding.

Power of Diſtreſs, for Recovery of the Taxes.

IX. And it is further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall neglect to pay all or any of the reſpective Taxes hereby taxed and charged upon, or for or in reſpect of, the Lands or Grounds in his, her, or their Poſſeſſion or Occupation, by this Act, or any Part thereof, within twenty-one Days next after the ſame ſhall become due or payable reſpectively, unto the Receiver or Receivers appointed from Time to Time to collect or receive the ſame reſpectively, at the uſual Place or Places of Reſidence of ſuch Receiver or Receivers reſpectively, within the ſaid North Level, it ſhall and may be lawful to and for ſuch Receiver or Receivers reſpectively, or any Perſon or Perſons, by virtue of any Warrant or Precept under the Hand and Seal of ſuch Receiver or Receivers reſpectively, to enter into or upon the Lands and Grounds ſo taxed and charged by this Act, in Poſſeſſion of ſuch Perſon or Perſons ſo making Default in Payment as aforeſaid, or into any Part thereof, and into all or any of the Meſſuages, Buildings, or Erections, thereupon ſtanding, or thereunto belonging, with their Appurtenances, and to levy and raiſe all and every Sum and Sums of Money by him, her, or them, payable for ſuch Tax or Taxes reſpectively, by Diſtreſs of the Goods and Chattels which ſhall be found upon the Premiſes, for or in reſpect of which ſuch Tax or Taxes in Arrear ſhall have become due or payable; and, in caſe ſufficient Diſtreſs cannot be found on ſuch Premiſes, then to levy and raiſe all Arrears of the ſaid Taxes reſpectively, by Diſtreſs of the Goods and Chattels of the Perſon or Perſons ſo making Default in Payment as aforeſaid, which ſhall be found in any other Place within the Kingdom of *Great Britain*, and the Goods and Chattels ſo diſtrained to impound on the Premiſes, or take, lead, drive, carry away, and keep for the Space of five Days, at the Coſts and Charges of the Owner or Owners thereof, leaving at ſuch Meſſuage, Grounds, or Premiſes, Notice in Writing of the Cauſe of ſuch Diſtreſs or Diſtreſſes; and, if the Owner or Owners of the Goods and Chattels ſo diſtrained ſhall not pay all and every ſuch Sum and Sums of Money ſo due and in Arrear for ſuch Taxes reſpectively as aforeſaid, and all Charges attending ſuch Diſtreſs, or replevy the Goods and Chattels ſo diſtrained with ſufficient Sureties to be given to the Sheriff of the County where the Diſtreſs ſhall be ſo made, or High Bailiff of the Iſle of *Ely*, according to the Laws now in being for Diſtreſſes in caſe of Nonpayment of Rent, within five Days next after ſuch Diſtreſs ſhall be made, and Notice thereof given as aforeſaid, the Perſon or Perſons ſo diſtraining ſhall and may, with the Sheriff or Under-ſheriff of the County, High Bailiff of the Iſle of *Ely*, or his Deputy by him appointed, and acting for him, or Conſtable or Headborough of the Pariſh or Place where ſuch Diſtreſs ſhall be made (who are hereby required to aſſiſt therein), cauſe the Goods and Chattels ſo diſtrained to be appraiſed by two or more indifferent Perſons to be ſworn by ſuch Sheriff, Under-ſheriff, High Bailiff, or his Deputy, Conſtable, or Headborough (who are hereby impowered to adminiſter ſuch Oath), to appraiſe the ſame according to the beſt of their Judgment; and, after ſuch Appraiſement, it ſhall and may be lawful to and for ſuch Perſon or Perſons making ſuch Diſtreſs the Goods and Chattels ſo diſtrained to ſell for the beſt Price or Prices that can be reaſonably gotten for the ſame, for and towards Satisfaction of the Monies for which ſuch Diſtreſs ſhall be ſo made, and the Charges of taking, keeping, appraiſing, and ſelling the Goods and Chattels ſo diſtrained, leaving the Overplus (if any) in the Hands of ſuch Sheriff, Under-ſheriff, High Bailiff, or his Deputy, Conſtable, or Headborough, for the Owner's Uſe.

If Arrears, &c. are not paid, or Goods replevied, within five Days, they may be ſold.

Unoccupied Lands to remain a Security.

X. Provided always, and it is hereby further enacted and declared, That, in caſe any of the ſaid Lands or Grounds ſhall at any Time be untenanted or unoccupied, ſo that no ſufficient Diſtreſs can be found for levying the ſaid Taxes in Arrear as aforeſaid, then the Lands and Grounds chargeable therewith ſhall always remain a Security for the Payment thereof, and all Goods and Chattels, which ſhall at any Time thereafter be found thereon, ſhall and may be diſtrained, impounded, kept, appraiſed, and ſold, in Manner aforeſaid, until all Arrears of the ſaid Taxes, and the Charges of ſuch Diſtreſs, ſhall be fully paid and ſatisfied.

Limitation of Actions.

XI. Provided, and it is hereby further enacted and declared by the Authority aforeſaid, That if any Action, Suit, Information, or other Proceeding, ſhall, at any Time or Times, be commenced or proſecuted againſt any Perſon or Perſons, for any Thing done, or to be done, in purſuance of this Act, or in Execution of any of the Powers or Authorities hereby given, every ſuch Action, Suit, Information, or other Proceeding, ſhall be commenced within twelve Calendar Months next after the Fact committed, and not afterwards; and ſhall be laid or brought in ſome or one of the Counties of *Cambridge*, *Huntingdon*, *Lincoln*, and *Northampton*, or in the Iſle of *Ely*, and not elſewhere; and the Defendant or Defendants in

General Iſſue.

ſuch Action may plead the General Iſſue, or, if in Replevin, may juſtify and avow, by virtue of this Act, as Perſons acting under and by Authority of Commiſſioners of Sewers are enabled to do, and give this Act, and the Special Matter in Evidence, without ſpecially pleading the ſame (other than as aforeſaid), at any Trial to be had thereupon; and that the ſame was done in purſuance, and by the Authority of this Act: And if the ſame ſhall appear to have been ſo done, or if any ſuch Action, Suit, Information, or other Proceeding, ſhall be brought after the Time ſo limited for bringing the ſame, or ſhall be brought in any other County, then the Jury ſhall find for the Defendant or Defendants, Avowant or Avowants; and in ſuch Caſe, or if the Plaintiff or Plaintiffs ſhall become nonſuit, or forbear Proſecution of or diſcontinue his, her, or their, Action or Actions, Suit or Suits, or if Judgment ſhall be given againſt him, her, or them, upon Demurrer or otherwiſe, then, and in every or any of the ſaid Caſes, the Defendant or Defendants, Avowant or Avowants, ſhall recover double Coſts, for which he, ſhe, or they, ſhall have the like Remedy as where Coſts are awarded by Law.

Double Coſts.

General Saving.

XII. Saving and reſerving nevertheleſs unto the ſaid Governor, Bailiffs, and Commonalty, of the Company of Conſervators of the Great Level of the Fens, commonly called *Bedford Level*, and their Succeſſors, and

and to all and every other Perſon and Perſons, his, her, and their Heirs, Executors, Adminiſtrators, and Aſſigns, all ſuch lawful Rights, Powers, Juriſdictions, and Authorities, now veſted in, and enjoyed by, them reſpectively, as are not hereby taken away, repealed, or altered.

XIII. And be it further enacted and declared, That this Act ſhall be deemed and allowed, in all Courts within this Kingdom, and upon all Occaſions whatſoever, to be a Public Act; and ſhall be judicially taken Notice of as ſuch by all Courts, Judges, and other Perſons, without ſpecially pleading the ſame. Public Act.

## CAP. XXV.

An Act for granting to his Majeſty additional Duties upon the Produce of the ſeveral Duties under the Management of the reſpective Commiſſioners of the Cuſtoms and Exciſe in *Great Britain*.

*Moſt Gracious Sovereign*,

'WE your Majeſty's moſt dutiful and loyal Subjects, the Commons of *Great Britain*, in Parliament aſſembled, towards raiſing, by the moſt eaſy Means, the neceſſary Supplies to defray your Majeſty's public Expences, have freely and voluntarily reſolved to give and grant unto your Majeſty the ſeveral Subſidies and Duties herein-after mentioned;' and do moſt humbly beſeech your Majeſty, that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That, from and after the fifth Day of *April*, one thouſand ſeven hundred and ſeventy-nine, there ſhall be raiſed, levied, collected, and paid, to and for the Uſe of his Majeſty, his Heirs and Succeſſors, an additional Impoſt or Duty, after the Rate of five Pounds *per Centum* upon the Produce and Amount of all the ſeveral Subſidies, Impoſts, and other Duties, of what Kind or Nature ſoever they may be, which are now due and payable to his Majeſty, and are collected in this Kingdom under the Management and Direction of the reſpective Commiſſioners of the Cuſtoms in *Great Britain*, for and upon any Goods and Merchandiſes imported into, or exported from, or carried coaſtwiſe in, *Great Britain*; which ſaid additional Impoſt or Duty ſhall be charged and paid upon the Amount of the ſaid former Subſidies, Impoſts, and other Duties, after the uſual Diſcounts and other Allowances have been made and deducted therefrom, and ſhall be wholly repaid and drawn back upon Exportation of the Goods, under the ſame Rules, Regulations, Securities, Penalties, and Forfeitures, and in the ſame Manner and Form in all Reſpects as the preſent Duties of Cuſtoms are now charged, collected, paid, and drawn back, except as herein-after is provided. Preamble. From April 5, 1779, an additional Duty, after the Rate of 5 per Cent. of the former Duties, laid on all Goods imported into, exported from, or carried Coaſtwiſe in, Great Britain.

II. Provided always, and it is hereby further enacted by the Authority aforeſaid, That the ſaid Impoſt or Duty herein-before granted, ſhall not be charged and paid for or on Account of any Prize Goods warehouſed in this Kingdom purſuant to two ſeveral Acts of Parliament, the one made in the eighteenth Year of his Majeſty's Reign, and the other in this preſent Seſſion, for granting Relief to the Captors of Prizes with reſpect to bringing and landing certain Prize Goods in this Kingdom; nor for any other Goods which by any Act of Parliament now in Force are permitted to be warehouſed in this Kingdom for Exportation, unleſs, and until, ſuch Goods ſhall be taken out of any Warehouſe wherein they are ſo ſecured, to be conſumed or uſed in this Kingdom; and that the ſaid additional Impoſt or Duty ſhall not be drawn back or repaid upon the Exportation of any Goods, in any Caſe where no Drawback is allowed by Law. Prize Goods warehouſed, &c. not liable to the aforeſaid Duty.

III. And be it further enacted by the Authority aforeſaid, That, from and after the ſaid fifth Day of *April*, one thouſand ſeven hundred and ſeventy-nine, there ſhall be charged, levied, collected, and paid, to and for the Uſe of his Majeſty, his Heirs and Succeſſors, an additional Duty or Charge of five Pounds *per Centum*, upon the Produce and Amount of all the ſeveral Inland Duties, Rates, Impoſitions, and Charges (except as herein-after is excepted), now payable to his Majeſty, and which are charged and collected under the Management of the reſpective Commiſſioners of Exciſe in *England* and *Scotland*; which ſaid additional Duty or Charge of five Pounds *per Centum* hereby impoſed, ſhall and may, from Time to Time, be charged, raiſed, received, levied, recovered, and ſecured, by ſuch Ways and Means, and under ſuch Penalties and Forfeitures, and with ſuch Power of adjudging and mitigating Penalties and Forfeitures, and ſubject to ſuch Allowances, Drawbacks, Rules, and Directions, as the ſeveral and reſpective Inland Duties, Rates, Impoſitions, and Charges, on the Produce and Amount of which the ſaid additional Duty and Charge is hereby impoſed, are or can, by any Statute now in Force, be reſpectively charged, raiſed, received, levied, collected, recovered, ſecured, mitigated, or drawn back, as fully and effectually, to all Intents and Purpoſes, as if all and every the ſeveral reſpective Powers, Authorities, Directions, Rules, Regulations, Methods, Penalties, Forfeitures, Powers of Mitigation, Clauſes, Matters, and Things, were particularly repeated and again enacted in the Body of this preſent Act. An additional Duty on all exciſeable Goods (except as after excepted), after the Rate of 5 per Cent. of the former Duties.

IV. Provided always, and it is hereby enacted by the Authority aforeſaid, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to charge, with the ſaid additional Duty or Charge of five Pounds *per Centum*, the Produce or Amount of the Duty on Malt, Mum, Cyder, or Perry, continued and granted to his Majeſty in and by an Act made in this preſent Seſſion of Parliament, intituled, *An Act for continuing and granting to his Majeſty certain Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year one thouſand ſeven hundred and ſeventy-nine*; nor upon the Produce or Amount of the Duties ariſing from and payable for any Beer, Soap, Tallow Candles, or Hides, brewed, made, tanned, tawed, or dreſſed, within *Great Britain*; any Thing herein before contained to the contrary notwithſtanding. This Act not to affect the Duties granted by the Malt Act of this Seſſion, nor thoſe on Beer, Soap, Tallow Candles, and Hides, made, &c. in Great Britain.

V. And be it further enacted by the Authority aforeſaid, That, from and after the ſaid fifth Day of *April*, one thouſand ſeven hundred and ſeventy-nine, there ſhall be charged, raiſed, levied, collected, and paid, An additional Duty on Malt

of 15 per Cent. of the Duty payable thereon by an Act of 33 Geo. II.

paid, to and for the Uſe of his Majeſty, his Heirs and Succeſſors, an additional Rate, Duty, and Impoſition, of fifteen Pounds *per Centum* upon the Produce or Amount of the Duty payable on Malt, by an Act, made in the thirty-third Year of the Reign of his late Majeſty King *George* the Second, intituled, *An Act for granting to his Majeſty ſeveral Duties upon Malt; and for raiſing the Sum of eight Millions by way of Annuities, and a Lottery, to be charged on the ſaid Duties; and to prevent the fraudulent obtaining of Allowances in the ganging of Corn making into Malt; and for making forth Duplicates of Exchequer Bills, Tickets, Certificates, Receipts, Annuity Orders, and other Orders, loſt, burnt, or otherwiſe deſtroyed:*

The ſaid Duty to be raiſed, levied, &c. agreeable to the Directions contained in the Malt Act of this Seſſion.

VI. And be it further enacted by the Authority aforeſaid, That the additional Rate, Duty, and Impoſition, of fifteen Pounds *per Centum* hereby granted, ſhall be aſcertained, ſecured, raiſed, collected, levied, recovered, and paid, in ſuch and the like Form and Manner, and under ſuch Management, and by the ſame Ways, Means, and Methods, and with ſuch and the like Allowances and Repayments, and Power of making Compoſitions, proportionally and according to ſuch Rules, Regulations, and Directions, and under ſuch Penalties, Forfeitures, and Fines, with ſuch Power of Recovery and Mitigation thereof, and other Powers, as are preſcribed, mentioned, or expreſſed, for or concerning the aſcertaining, compounding, ſecuring, managing, raiſing, collecting, levying, recovering, paying, allowing, and repaying, the ſeveral and reſpective Duties upon Malt within *Great Britain*, which were continued and granted to his Majeſty, in and by the ſaid above-recited Act, made in this preſent Seſſion of Parliament, or as are contained in any other Act or Acts of Parliament in and by the ſaid Act, made in this preſent Seſſion, mentioned or referred unto, or any of them; and that all and every Article, Rule, Clauſe, Matter, and Thing, in them, any or either of them, contained or thereby referred unto, ſhall be in full Force and Effect, and be duly obſerved, practiſed, and put in Execution, for charging, aſcertaining, compounding, ſecuring, managing, raiſing, collecting, levying, recovering, paying, allowing, and repaying, the ſaid additional Rate, Duty, and Impoſition, of fifteen Pounds *per Centum* hereby granted, and for levying, recovering, and mitigating, Fines, Penalties, and Forfeitures, and for doing all other Matters and Things, as fully and effectually, to all Intents and Purpoſes, as if the ſame were ſpecially repeated and re-enacted in the Body of this preſent Act.

New Duties to be paid into the Exchequer weekly;

VII. And it is hereby enacted by the Authority aforeſaid, That the ſaid additional Impoſts and Duties by this Act granted, ſhall, from Time to Time, be paid into the Hands of the Receiver-general of the Cuſtoms, and to the Caſhier of the Exciſe in *England*, reſpectively, for the Time being; and ſuch Receiver-general and Caſhier reſpectively ſhall weekly, to wit, on *Wedneſday* in every Week, if it be not an Holiday, and if it be, then on the next Day after that is not an Holiday, anſwer and pay all the Monies ariſing by the ſaid additional Impoſts and Duties (the neceſſary Charges of raiſing, collecting, and anſwering the ſame, only excepted) into the Receipt of his Majeſty's Exchequer, diſtinct and apart from all other Monies which ſuch Receiver-general and Caſhier reſpectively ſhall receive for the Uſe of his Majeſty, his Heirs and Succeſſors, for the Uſes and Purpoſes in this Act mentioned.

to be kept ſeparate from all other Duties;

VIII. And be it further enacted by the Authority aforeſaid, That there ſhall be provided and kept, in the Office of the Auditor of the ſaid Receipt of Exchequer, a Book or Books, in which all the Monies ariſing from the ſaid ſeveral Impoſts and Duties, and paid into the ſaid Receipt as aforeſaid, ſhall be entered ſeparate and apart from all other Monies paid and payable to his Majeſty, his Heirs and Succeſſors, upon any Account whatſoever; and the ſaid Money ſo paid into the ſaid Receipt of Exchequer, as aforeſaid, ſhall, together with ſuch other Rates, Duties, and Revenues, as ſhall be granted by any Act or Acts of this Seſſion of Parliament for this Purpoſe, be a Fund for the Payment of the ſeveral Annuities, and all ſuch other Charges and Expences as are directed to be paid and payable purſuant to an Act of this preſent Seſſion of Parliament, intituled, *An Act for raiſing a certain Sum of Money by way of Annuities, and for eſtabliſhing a Lottery.*

and to be applied in Payment of the Annuities granted by the Lottery Act of this Seſſion.

## CAP. XXVI.

### An Act to continue and amend an Act, made in the eleventh Year of his preſent Majeſty's Reign, intituled, *An Act for the Encouragement of the White Herring Fiſhery.*

Preamble. Act 11 Geo. III. recited,

'WHEREAS by an Act, made in the eleventh Year of the Reign of his preſent Majeſty (intituled, *An Act for the Encouragement of the White Herring Fiſhery*), it was enacted, for the better Regulation of the ſaid Trade, and for preventing Frauds and Impoſitions in the Management thereof, That, from and after the twenty-ſecond Day of *October*, one thouſand ſeven hundred and ſeventy-one, a Bounty of thirty Shillings *per* Ton ſhould be paid annually, in Manner as in the ſaid Act is provided for, to the Owner or Owners of all deckt Veſſels from twenty to eighty Tons Burthen, that ſhould be fitted out and employed in the ſaid Fiſhery, in Manner, and under the Regulations mentioned in the ſaid Act, and that for the Space and Term of ſeven Years from and after the ſaid twenty-ſecond Day of *October*, one thouſand ſeven hundred and ſeventy-one, and to the End of the then next enſuing Seſſion of Parliament: And whereas the ſaid Fiſhery is of the greateſt Importance to the Nation, by promoting uſeful Induſtry, providing for great Numbers of poor People, and ſerving as a Nurſery for Seamen; but the ſame cannot be carried on without the Aid of a Bounty, and as a Prolongation of the above-recited Act (which expires at the End of this preſent Seſſion of Parliament) will be of great Advantage to the Public;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Act, and all the Powers, Proviſions, Clauſes, and Penalties, therein contained (except as hereinafter is excepted), ſhall, from and after the Term therein mentioned, be, and the ſame are hereby granted and continued for and during the further Term of ſeven Years, and from thence to the End of the then next

and further continued (except as after excepted) for ſeven Years.

next Session of Parliament, and shall, during such additional Term, be in full Force, and be put in Execution, as fully and effectually, to all Intents and Purposes, as if the same were again repeated and re-enacted in the Body of this present Act.

Part of a Clause in the said Act repealed.

'II. And whereas great Inconveniencies have arisen to the said Fishery, and to the Persons employed 'therein, by reason of Part of a Clause in the said Act which enacts, That every Buss or Vessel shall 'proceed respectively, manned, furnished, and accoutred (as therein mentioned), either to *Yarmouth* in 'the County of *Norfolk*, *Whitehaven* in the County of *Cumberland*, and *Leith* in the County of *Edinburgh*, '*Inverness* in the County of *Inverness*, or to *Brassey Sound* in *Shetland*, *Campbeltown* or *Oban* in *Argyleshire*, 'or *Kirkwall* in *Orkney*, and be at the Rendezvous of the said Fishery there on or before the twenty-second 'Day of *June*, and shall not shoot or wet their Nets before the twenty-fourth Day of the said Month of '*June*, and shall continue fishing to the twelfth Day of *October*; or shall proceed to *Yarmouth* in the 'County of *Norfolk*, *Whitehaven* in the County of *Cumberland*, *Leith* in the County of *Edinburgh*, *Inver-* 'ness in the County of *Inverness*, or to *Brassey Sound* in *Shetland*, *Campbeltown* or *Oban* in *Argyleshire*, or '*Kirkwall* in *Orkney*, and be at the Rendezvous of the said Fisheries on or before the first Day of *October*, 'and shall continue fishing until the eleventh Day of *January* following, unless they shall have sooner 'completed their Loading of Fish;' be it therefore enacted, That, from and after the passing of this present Act, that Part of the said Clause above recited shall be, and the same is hereby repealed.

At what Places, and at what Time, the fishing Vessels are to rendezvous, &c.

III. And be it enacted by the Authority aforesaid, That every such Buss or Vessel shall, from and after the passing of this present Act, proceed respectively, manned, furnished, and accoutred, in Manner directed by the before-recited Act, either to *Yarmouth* in the County of *Norfolk*, *Whitehaven* in the County of *Cumberland*, *Leith* in the County of *Edinburgh*, *Inverness* in the County of *Inverness*, or to *Brassey Sound* in *Shetland*, *Campbeltown* or *Oban* in *Argyleshire*, *Kirkwall* in *Orkney*, *Stranraer* in the County of *Wigtown*, or to *Stornoway* in the Island of *Lewis* and County of *Ross*, and shall be at the Rendezvous of the said Fishery there at any Time between the first Day of *August* and the first Day of *October*, in each Year, and shall continue fishing for the Space of three Months from the Day of their respective Departures from the said Places of Rendezvous, unless they shall have sooner completed their Loading of Fish; any Thing in the before-recited Act to the contrary notwithstanding.

## CAP. XXVII.

An Act for further continuing and extending the Provisions of two Acts, made in the twenty-ninth Year of the Reign of his late Majesty King *George* the Second, and in the tenth Year of the Reign of his present Majesty, *for granting a Bounty on certain Species of* British *and* Irish *Linens exported, and taking off the Duties on the Importation of foreign Raw Linen Yarns made of Flax*; and *for granting a Bounty on the Exportation of* British *chequed and striped Linens, and upon* British *and* Irish *Diapers, Huckabacks, Sheeting, and other Linen, of above a certain Breadth.*

Recital of an Act 29 Geo. II.

'WHEREAS by an Act, made in the twenty-ninth Year of the Reign of his late Majesty King 'George the Second (intituled, *An Act for granting a Bounty upon certain Species of* British *and* Irish 'Linens exported, and taking off the Duties on the Importation of foreign Raw Linen Yarns made of Flax), it 'is enacted, That there shall be given and paid, without any Fee, Reward, or Deduction whatsoever, a 'Bounty for every Yard of *British* and *Irish* Linens, made of Hemp or Flax, and of the Breadth of twenty-'five Inches, or more, under the Value of Five-pence *per* Yard, the Sum of one Halfpenny; and of the 'Value of Five-pence *per* Yard, and under the Value of Six-pence *per* Yard, the Sum of one Penny; and 'of the Value of Six-pence *per* Yard, and not exceeding the Value of Eighteen-pence *per* Yard, the Sum 'of one Penny Halfpenny; which, from and after the twenty-fourth Day of *June*, in the Year one thou-'sand seven hundred and fifty-six, and within the Term of fifteen Years, to commence from the said 'twenty-fourth Day of *June*, or at any Time thereafter before the End of the then next Session of Par-'liament, shall be exported out of *Great Britain* to *Africa*, *America*, *Spain*, *Portugal*, *Gibraltar*, the Island 'of *Minorca*, or the *East Indies*: And it was thereby further enacted, That, from and after the said 'twenty-fourth Day of *June*, no Subsidy, Custom, Rate, Duty, or other Imposition whatsoever, should be 'demanded, collected, received, or taken, upon any Raw or Brown Linen Yarn, made of Flax, and 'known by the Names of *Dutch* Yarn, and *French* Yarn, and of Spruce or *Muscovia* Yarn, or any other 'foreign Raw or Brown Linen Yarns, made of Flax, which shall be imported into this Kingdom; but that 'all such Linen Yarns shall and may be imported Duty-free for the Space of fifteen Years, from the said 'twenty-fourth Day of *June*, or at any Time thereafter before the End of the then next Session of Par-'liament, any former Law, Statute, or Act or Acts of Parliament, to the contrary notwithstanding: And 'whereas by another Act, made in the tenth Year of the Reign of his present Majesty (intituled, *An Act* 'for continuing the Bounties on British *and* Irish *Linens exported*; *for further discontinuing the Duties on the* 'Importation of foreign Raw Linen Yarns made of Flax; *and for granting a Bounty on the Exportation of* British 'chequed and striped Linens, *and upon* British *and* Irish *Diapers, Huckabacks, Sheeting, and other Linen, of* 'above a certain Breadth), the said first-recited Act of the twenty-ninth Year of the Reign of his late Ma-'jesty King *George* the Second, was thereby continued until the twenty-fourth Day of *June*, one thousand 'seven hundred and seventy-eight, and from thence to the End of the then next Session of Parliament: 'And it was thereby further enacted, That there shall be given and paid, without any Fee, Reward, or 'Deduction whatsoever, a Bounty for every Yard of *British* chequed or striped Linen, of the Breadth of 'twenty five Inches, or more, and not exceeding one Shilling and Six-pence, and not under Seven-pence,

and 10 Geo. III. Cap. 38.

'in Value *per* Yard, the Sum of one Halfpenny; which, from and after the twenty-fourth Day of *June*, 'one thouſand ſeven hundred and ſeventy-one, and within the Term of ſeven Years, to commence from 'the ſaid twenty-fourth Day of *June* laſt mentioned, and from thence to continue to the End of the then 'next Seſſion of Parliament immediately following the Expiration of the ſaid additional Term of ſeven 'Years, ſhall be exported out of *Great Britain* to *Africa*, *America*, *Spain*, *Portugal*, *Gibraltar*, the Iſland 'of *Minorca*, or the *Eaſt Indies*, in the ſame Manner, and under the like Proviſions, Conditions, and Li- 'mitations, as the herein-before recited Bounties were allowed by the ſaid Act of the twenty-ninth Year 'of his late Majeſty, and continued under the ſaid Act of the tenth Year of his preſent Majeſty: And by 'the ſaid laſt-recited Act, it was further enacted, That for and upon every ſquare Yard of Diapers, Huck- 'backs, Sheeting, and other Species of Linen, upwards of one Yard *Engliſh* in Breadth, though of no 'finer or better Fabrick or Quality than Linen of an ordinary Breadth (which are intitled to the Bounty 'by the ſaid firſt-recited Act), being of the Manufacture of *Great Britain* or *Ireland*, and not exceeding 'one Shilling and Six-pence the ſquare Yard in Value, a Bounty of one Penny Halfpenny upon every 'ſuch ſquare Yard, and ſo in Proportion for any Quantity exceeding a ſquare Yard, ſhall be allowed upon 'the Exportation thereof, reſpectively, for ſuch Time, and in ſuch Manner, and under and ſubject to the 'like Conditions, Reſtrictions, and Limitations, as are preſcribed by the ſaid firſt-recited Act of the 'twenty-ninth Year of his late Majeſty's Reign, and continued by the ſaid Act of the tenth Year of his 'preſent Majeſty: And whereas the Manufacture of Linen would continue to be improved, and the Ex- 'portation thereof to foreign Parts be preſerved and increaſed, if the Bounties granted by the ſaid recited 'Acts of the twenty-ninth Year of the Reign of his late Majeſty, and tenth Year of the Reign of his pre- 'ſent Majeſty, were continued, and the Duties on the Importation of foreign Raw Linen Yarn, made of 'Flax, taken off for a further Term of Years:' May it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Autho- rity of the ſame, That the ſaid two Acts, made in the twenty-ninth Year of the Reign of his late Majeſty, and in the tenth Year of the Reign of his preſent Majeſty, ſhall be, and the ſame are hereby further con- tinued, under all the Clauſes, Conditions, and Limitations, contained in the ſaid two recited Acts, until the twenty-fourth Day of *June*, one thouſand ſeven hundred and eighty-ſix, and from thence to the End of the then next Seſſion of Parliament.

The two recited Acts further continued for 8 Years.

'II. And whereas, by a Clauſe in the ſaid Act of the twenty-ninth Year of his late Majeſty, and alſo by 'the Act of the tenth Year of the Reign of his preſent Majeſty, it is provided and enacted, That no 'Linen of the Manufacture of *Ireland*, to be exported from *Great Britain*, ſhall be intitled to the Bounty, 'unleſs ſuch Linen ſhall be, at the Time of ſuch Exportation, the Property of a Perſon or Perſons re- 'ſiding in *Great Britain*, or in ſome of his Majeſty's Colonies or Plantations in *America*: And whereas it 'is reaſonable that the like Benefit and Advantage ſhould be allowed to the Merchants of *Ireland*, as is 'by the ſaid Act allowed to Perſons reſiding in the *American* Colonies and Plantations;' be it therefore further enacted, That during the Continuance of this Act, all Linen of the Manufacture of *Ireland*, to be exported from *Great Britain*, being at the Time of Exportation the Property of a Perſon or Perſons re- ſiding in *Ireland*, ſhall be intitled to the ſaid Bounty upon the like Terms with Linens the Property of Perſons reſiding in the *American* Colonies and Plantations; any Thing in the ſaid Acts, or either of them, to the contrary in any-wiſe notwithſtanding.

The ſame Bounty to be allowed on the Exportation of Iriſh Linens the Property of Perſons reſiding in Ireland, as on thoſe the Property of Perſons reſiding in America.

## CAP. XXVIII.

An Act to permit, during the preſent Hoſtilities with *France*, certain Goods enumerated in the Act of Navigation to be imported in *Britiſh*-built Ships ſold to Foreigners, and for releaſing Ships and Goods which have been ſeized in purſuance of the ſaid Act.

Preamble.

Recital of the Navigation Act 12 Car. II.

'WHEREAS by an Act of Parliament, made in the twelfth Year of the Reign of King *Charles* 'the Second (intituled, *An Act for encouraging and increaſing of Shipping and Navigation*), it is, 'amongſt other Things, enacted, That no Goods or Commodities of the Growth, Production, or Ma- 'nufacture of *Muſcovy*, or of any the Countries, Dominions, or Territories, to the Great Duke or Em- 'peror of *Muſcovy* or *Ruſſia* belonging; as alſo, that no Sorts of Maſts, Timber, or Board, no foreign 'Salt, Pitch, Tar, Roſin, Hemp, or Flax, Raiſins, Figs, Prunes, Olive Oils, no Sort of Corn or Grain, 'Sugar, Pot-aſhes, Wines, Vinegar, or Spirits called *Aqua Vitæ*, or Brandy Wine, ſhall be imported into 'England, Ireland, Wales, or Town of *Berwick upon Tweed*, in any Ship or Ships, Veſſel or Veſſels, what- 'ſoever, but in ſuch as do truly and without Fraud belong to the People thereof, or ſome of them, as the 'true Owners and Proprietors thereof, and whereof the Maſter, and three-fourths of the Mariners at 'leaſt, are *Engliſh*; and that no Currants nor Commodities of the Growth, Product, or Manufacture, of 'any of the Countries, Iſlands, Dominions, or Territories, to the *Ottoman* or *Turkiſh* Empire belonging, 'ſhall be imported into any of the foremention'd Places, in any Ship or Veſſel but which is of *Engliſh*- 'built, and navigated as aforeſaid, and in no other, except only ſuch foreign Ships and Veſſels as are of 'the Built of that Country or Place of which the ſaid Goods are the Growth, Production, or Manufac- 'ture, reſpectively, or of ſuch Port where the ſaid Goods can only be, or moſt uſually are, firſt ſhipped 'for Tranſportation, and whereof the Maſter, and three-fourths of the Mariners at leaſt, are of the ſaid 'Country or Place, under the Penalty and Forfeiture of Ship and Goods: And whereas the ſelling of '*Britiſh*-built Ships to Foreigners is a beneficial Branch of Trade, and ought therefore to be encouraged, 'and it is highly reaſonable that *Britiſh* Ships ſo ſold to, or being the Property of, Foreigners, ſhould en- 'joy the ſame Privilege in theſe Kingdoms as if they were of the Built of the reſpective Countries or

'Places from whence such Ships do come;' be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the fifth Day of *April*, one thousand seven hundred and seventy-nine, and during the present Hostilities with *France*, but no longer, the said recited Act of the twelfth Year of the Reign of King *Charles* the Second shall not extend, or be construed to extend, to hinder or prevent any Person or Persons whatsoever from importing into the Kingdom of *Great Britain* or *Ireland*, any of the said Goods or Merchandizes herein-before mentioned and expressed, in Shipping built in *Great Britain*, *Ireland*, or the Islands of *Guernsey*, *Jersey*, or *Man*, or in any of the Lands, Islands, Dominions, and Territories, to his Majesty, in *Africa*, *Asia*, or *America*, or in his Possession, so as the Master, and three-fourths of the Mariners at least, belonging to and navigating any such Ship or Vessel, are *British*, or of the same Country or Place of which the said Goods are the Growth, Production, and Manufacture, respectively, and not otherwise.

The said Act not to extend (during the present Hostilities with France) to prevent the Importation of certain enumerated Goods in Vessels the Property of Foreigners, provided they are British or Irish Built, &c.

II. Provided always, That all such Goods and Merchandizes so imported into *Great Britain* or *Ireland*, in Ships belonging to, and the Property of, Foreigners, although *British*-built, shall be liable to Aliens and all other Duties, in the same Manner as if such Ships were Foreign-built.

Goods imported in such Ships liable to Aliens Duties.

'III. And whereas several Ships or Vessels *British* built, which are the Property of Foreigners, and 'navigated with foreign Mariners, have arrived in this Kingdom since the present Hostilities with *France*, 'laden with some of the Goods and Merchandizes mentioned and expressed in the before-recited Act of 'the twelfth Year of the Reign of King *Charles* the Second, and the Owners of such Goods are prevented 'from entering the same, and some have been seized, with the Vessels importing such Goods, on account 'of their being liable to the Penalties and Forfeitures inflicted by the said Act: And whereas it is reasonable that the Owners of such Ships or Vessels and Goods should receive the Benefit intended by this 'Act;' be it therefore enacted by the Authority aforesaid, That it shall and may be lawful for the Owners of such Goods so imported, to enter and pay the Aliens and other Duties due and payable for the said Goods, without incurring any Penalties or Forfeitures whatsoever, for or by reason of the said recited Act; and that the said Goods so entered or to be entered, and the said Ships or Vessels in which they were imported, shall be released and discharged from any Seizure or Forfeiture on account of such Importation, any Thing in the said recited Act, or any Act, to the contrary notwithstanding.

Owners of all such Ships which have already arrived since the present Hostilities with France, shall receive the Benefit of this Act.

## CAP. XXIX.

An Act for allowing Corn, Grain, and Flour, imported into the Port of *Cowes* in the *Isle of Wight*, to be landed without Payment of the Duties, under the like Restrictions as Corn, Grain, and Flour, are allowed to be landed at the several Ports mentioned in an Act, made in the thirteenth Year of his present Majesty's Reign, intituled, *An Act to regulate the Importation and Exportation of Corn.*

Preamble.

'WHEREAS by an Act, made in the thirteenth Year of the Reign of his present Majesty, intituled, '*An Act to regulate the Importation and Exportation of Corn*; it is enacted, That in case any Wheat 'or Wheat-flour, Rye, Pease, Beans, Barley, Beer, Bigg, or Oats, shall be imported into any or either 'of the Ports in the said Act particularly mentioned, at any Time when the Duties not repealed by the 'said Act shall be due and payable for such Species of Corn, Grain, or Flour respectively, the same, upon 'due Entry thereof, may be forthwith landed from on board the Ship or Vessel, in which such Species of 'Corn, Grain, or Flour, shall be so imported, in the Presence of the proper Officer or Officers of the 'Customs, without Payment of the said Duties, under certain Restrictions and Regulations in the said Act 'mentioned and prescribed: And whereas it is expedient that Corn, Grain, and Flour, imported into the 'Port of *Cowes*, at any Time when the Duties not repealed by the said Act shall be due and payable for such 'Species of Corn, Grain, or Flour, respectively, should, in like Manner, be landed without Payment of 'the said Duties:' May it therefore please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in case any Wheat or Wheat-flour, Rye, Pease, Beans, Barley, Beer, Bigg, or Oats, shall be imported into the said Port of *Cowes*, at any Time when the Duties not repealed by the said Act shall be due and payable for such Species of Corn and Grain, or Flour, respectively, the same, upon due Entry thereof, may be forthwith landed from on board the Ship or Vessel in which such Species of Corn, Grain, or Flour, shall be so imported, in the Presence of the proper Officer or Officers of the Customs, without Payment of the said Duties; and such Corn, Grain, and Flour, shall be subject and liable to be warehoused, and to be delivered in the same Manner, and under and subject to the like Securities, Conditions, Regulations, and Restrictions, as Corn, Grain, and Flour, imported into any or either of the several Ports mentioned in the said Act are subject and liable to, as fully and effectually, to all Intents and Purposes, as if the said Port of *Cowes* had been included in the said Act; any Law, Custom, or Usage, to the contrary thereof in any-wise notwithstanding.

Recital of the Corn Act 13 Geo. III.

Wheat, Wheat-flour, &c. may be imported at Cowes Duty-free, subject to the Regulations contained in the above-recited Act.

## CAP. XXX.

An Act for the better Relief and Employment of the Poor of the several Parishes within the Hundred of *Cosford* (except the Parish of *Hadleigh*), and also of the Parish of *Polsted*, within the Hundred of *Babergh*, in the County of *Suffolk*.

## CAP. XXXI.

An Act for building a new Aſſize or Town Hall and Market-houſe, within the City or Borough of *Wells*, in the County of *Somerſet*; and for regulating the Markets within the ſaid City or Borough.

## CAP. XXXII.

An Act for continuing and amending two Acts, made in the twenty-ſixth Year of his late Majeſty, and the fourth Year of his preſent Majeſty, for repairing the Road from *Piper's Inn* to *Glaſtonbury*, and ſeveral other Roads therein mentioned, in the County of *Somerſet*; and for repairing the Road from *Piper's Inn* aforeſaid to *Athelney-Bridge*; and alſo for paving, cleanſing, and lighting the City or Borough of *Wells*, in the ſaid County, and for removing and preventing Incroachments, Nuiſances, and Annoyances therein.

## CAP. XXXIII.

An Act for draining, improving, and preſerving, the Low Lands in the Pariſhes of *Altcar*, *Sefton*, *Halſall*, and *Walton upon the Hill*, in the County Palatine of *Lancaſter*.

Preamble.

'WHEREAS certain Low Lands, lying in the ſeveral Townſhips, Vills, Hamlets, or Diſtricts, of *Altcar*, *Sefton*, *Netherton*, *Lunt*, *Thornton*, *Aintree*, *Maghull*, *Melling*, *Ince Blundell*, *Little Crosby*, *Formby*, and *Down Holland*, within the ſeveral Pariſhes of *Altcar*, *Sefton*, *Halſall*, and *Walton upon the Hill*, in the County Palatine of *Lancaſter*, containing, in the Whole, four thouſand eight hundred and forty-three Acres of Land, Statute Meaſure, or thereabouts, and herein-after particularly deſcribed, have for ſeveral Years paſt been, and ſtill are, commonly overflowed with Water, through the Defect of their Outfalls to the Sea, and Obſtructions in the preſent Courſe of the River *Alt*, in the ſaid County; by which Means the ſame are rendered of little or no Value, to the Loſs of the Public as well as the great Damage of the Owners and Proprietors of ſuch Lands: And whereas the ſaid Low Lands are bounded as follows; (that is to ſay) In *Melling*, from or near a certain Bridge called *Bull-bridge*, beginning at the higher End of a Cloſe called *Knotsfield*, belonging to the Right Honourable the Earl of *Sefton* in the Kingdom of *Ireland*, on the South and Eaſt Sides thereof, adjoining to the Highway leading to *Melling*, and from about the Middle of the ſame Cloſe, acroſs another Cloſe of the ſaid Earl called *The Cannock*, and from thence acroſs three Cloſes called *The Wheat Hey*, *The Summer Worked Hey*, and *The Meadow*, belonging to the ſaid Earl, and from thence acroſs another Cloſe called *The Meakins Hey*, into another Cloſe called *The Big Ryding*, both belonging to the Reverend *Wilfred Troutbeck*, and acroſs the ſame at the South End thereof, to another Cloſe called *The Dyers Carr*, belonging to the ſaid Earl, and acroſs the ſame near the South End thereof, and from thence on the North Side to about the Middle thereof, to another Cloſe called *The Poolers Meadow*, belonging to *Richard Wilbraham Bootle* Eſquire, and down or acroſs the ſame Cloſe, to another Cloſe called *The Old Meadow*, belonging to the Reverend *John Stanley*, and from thence into *Maghull*, to another Cloſe called *The Loweſt Alter*, belonging to the ſaid Earl, and acroſs the ſame to another Cloſe called *The Cowhey*, belonging to the ſaid Earl, about the Middle of the End thereof, and from the South-weſt Corner thereof, and acroſs the ſame to the North-eaſt Corner thereof, adjoining to the Highway leading from *Ormſkirk* to *Liverpool*, and from thence Weſtwards to another Cloſe called *The Chew*, belonging to the ſaid Earl, and acroſs the ſame, adjoining to the Townſhip of *Sefton*, and following the North-weſt Side thereof, to about the Middle of the South End of a Cloſe called *The Little Wood Hey*, belonging to the ſaid Earl, and from thence acroſs the ſame to three other Cloſes called *The Great Wood Hey*, and the *Two Wharfs*, belonging to the ſaid Earl, and acroſs the ſame three Cloſes to another Cloſe called *The Calf Croft*, belonging to the Reverend *Richard Rothwell*, and acroſs the ſame about the Middle thereof, to another Cloſe called *The Marled Hey*, belonging to the ſaid Earl, and acroſs the ſame near the Bottom thereof to another Cloſe called *The Cow Acre*, belonging to the ſaid *Richard Rothwell*, and acroſs the ſame, to and acroſs the Highway leading from *Ormſkirk* to *Sefton*, to another Cloſe called *The Parſons Hey*, belonging to the ſaid *Richard Rothwell*, and acroſs the ſame about the North-eaſt Corner thereof, near unto a Capital Meſſuage called *The Oldhall of Maghull*, and from thence Northwards to other Cloſes called *The Carr*, and *The Little Meadow*, belonging to the ſaid *Richard Rothwell*, and acroſs the Eaſt Ends thereof, to another Cloſe called *The Aughton Meadow*, belonging to the ſaid Earl, and acroſs the ſame, near the higher End thereof, to Two other Cloſes called *The Old Paſture*, and *The Lane Meadow*, belonging to the ſaid Earl, and acroſs the ſame, near the Middle thereof, and alſo acroſs a Lane adjoining thereto, unto another Cloſe called *The Loweſt Lane Croft*, belonging to the ſaid Earl, on the higher Side thereof, and from thence to another Cloſe called *The Lower Mean Hey*, belonging to the ſaid Earl, and following the South and Eaſt Sides thereof, to and acroſs the higher Part of another Cloſe called *The Puſhed Meadow*, belonging to the ſaid Earl, and acroſs the higher Part thereof, and from thence into *Altcar*, to the higher Side of another Cloſe called *The Prieſt Meadow Stack*, and along the ſame Northwards to the North-weſt Corner thereof, and from thence to about the Middle of the North Side thereof, and from thence to about the Middle of another Cloſe called *The Broad Hey*, and acroſs the ſame to another Cloſe called *The Showrick Side*, and following the Eaſt Side thereof to the South-weſt Corner of another Cloſe called *The Horſe Coppy*, and along the South and Eaſt Sides thereof, to another Cloſe called *The Nearer Carr*, along the South and Eaſt Sides thereof, to two other Cloſes, called *The Marled Carr* and *The Near Carr*, on the Eaſt Ends thereof, and acroſs the ſame unto and acroſs a Lane to two other Cloſes, called *The Intack* and *The Hainſhoot Meadow*, at the higher Ends thereof, and following the ſame to another Cloſe called *The Ryding Lake*, and

Boundaries of the Low Lands: In Melling;

In Maghull;

In Altcar;

'and acroſs the ſame to another Cloſe called *The Lower Gore Meadow*, on the higher Side thereof, and following the ſame unto and acroſs a Lane to another Cloſe called *The Calf Croft*, on the Eaſt Side thereof, and along the ſame Northwards to the South-eaſt Corner of another Cloſe called *The Cowhey*, and acroſs the ſame to the North-weſt Corner thereof, and from thence Weſtwards in a direct Line to a certain Place called *Shack Lady's Cabbin*, and from thence Northwards in a direct Line to the Weſt End of a Lane called *The Higher Carr Lane*, and along the ſame Northwards to the higher Part of another Cloſe called *The Carr*, and along the ſame North eaſtwards to the higher Sides of three other Cloſes, called *The Barn Hey*, *The Barn Yard*, and *The Fazakerleys Hey*, and along the ſame Eaſtwards, to the South Side of another Cloſe called *The Far New Hey*, and following the ſame to the South-weſt Corner of another Cloſe called *The Middle New Hey*, and acroſs the ſame, to a Clow at the North-eaſt Corner thereof, to another Cloſe called *The Lower Cuddock Meadow*, at the South-eaſt Corner, and along the Eaſt and North Sides, and about one Half Part of the Weſt Side thereof, to the lower Parts of four ſeveral Cloſes called *The Lunts Heys*, and acroſs the ſame to the South-eaſt Corner of another Cloſe called *The Kiln Meadow*, and acroſs the ſame to the North-weſt Corner thereof, and from thence to another Cloſe called *The Near Middle Hey*, along the Eaſt Side thereof, to a Lane called *Cawſey Lane*, and along the South Side thereof to the North-weſt Corner of a Cloſe called *The Brow*, and all round the ſame to another Lane called *Harveys Lane*, and acroſs the ſame to the Weſt Side of another Lane called *The Lower Moſs Lane*, and on the Weſt Side thereof, in a direct Line to the End thereof, adjoining to *Down Holland* (all which ſaid laſt-mentioned ſeveral Cloſes in *Altcar* aforeſaid do belong to the ſaid Earl); and from thence into *Down Holland*, Eaſtwards, to the South End of a Lane called *The New Moſs Lane*, following the Weſt Side thereof, Northwards, to another Lane called *Sander Lane*, and acroſs the ſame to and along the Eaſt Ends of three Cloſes called *The Quarters*, and from thence to and along the Eaſt and North Sides of another Cloſe called *The Quarter*, and from thence Weſtwards, to and along the North Side of another Cloſe alſo called *The Quarter*, to a Lane called *The Quarter Lane*, and along the ſame Northwards, to the North Side of another Cloſe alſo called *The Quarter*, and along the ſame to another Cloſe called *Hallaſs Carr*, and acroſs two Butts, and along the Weſt Side thereof, to the North-eaſt Corner of another Cloſe called *The Stake Hey*, and along the North Ends thereof, to another Cloſe alſo called *The Stake Hey*, and along the North Ends thereof, to the North-eaſt Corner of another Cloſe called *The Higher Green Hey*, and along the North and Weſt Sides thereof, to the Eaſt Side of another Cloſe called *The Green Hey*, and acroſs the ſame unto and acroſs two other Cloſes called *The Green Heys*, and from thence to and along the North and Weſt Sides of another Cloſe called *The Green Hey*, to the ſaid Lane called *Sanders Lane*, and following the ſame Weſtwards, to a Plat called *The Horſe Stone Plat* (all which ſaid laſt-mentioned ſeveral Cloſes in *Down Holland* do belong to the Honourable *Charles Lewis Mordaunt*, and *Richard Formby* Eſquire, a Minor, reſpectively); and from thence into *Formby* Southwards, along a certain Brook called *Down Holland Brook*, or *Fleam Brook*, to near the lower End of *Jane Norris's* Orchard, and from thence Weſtwards, to and acroſs a Cloſe called *The New Hey*, to the North-eaſt Corner of another Cloſe called *The North Hey*, and along the North Side thereof, to the Weſt Side of a Butt of Land therein, now or late in the Poſſeſſion of *Robert Sutton*, and along the ſame Southwards, to and acroſs a Lane to the Weſt Side of another Butt of Land now or late in the Poſſeſſion of *Thomas Sutton*, and to another Cloſe called *The North Hook*, and along the ſame Butt, to and acroſs another Cloſe called *The Long Dales*, and along the South Side thereof Eaſtwards, to the ſaid Brook called *Down Holland Brook*, or *Fleam Brook*, and following the ſame downwards on the Weſt Side thereof, to a Bridge called *Fleam Bridge* (all which ſaid ſeveral laſt-mentioned Cloſes and Butts in *Formby* belong to the ſaid *Richard Formby*, and *Henry Blundell* Eſquire, reſpectively); and from thence into *Altcar*, to a Cloſe or Common Field called *The Wilkins Field*, at the Eaſt Corner, and acroſs the lower Part thereof to another adjoining Cloſe alſo called *Wilkins Field*, and along the North-weſt Corner thereof, to a Lane between ſeveral Cloſes, called *The Cook's Fields* and *The Salt Fields*, and along the ſaid Lane to the North Side of a Cloſe called *Cook Field*, at the Eaſt Corner thereof, and along Part of the North Side thereof, and acroſs the ſame, to another Lane called *The Salt Field Lane*, and out of the ſame to the Eaſt Corner of a Cloſe called *The Great Salt Field*, and acroſs the lower Side of the ſame to another Cloſe called *The Croſs Shoot Hey*, and acroſs the ſame to the Weſt Corner thereof, and from thence acroſs a Road or Cop, to the Eaſt Corner of another Cloſe called *The Nearer Moſſocks*, and acroſs the ſame to the Weſt Corner thereof, and from thence to and acroſs another Cloſe called *The Little Marſh*, to or near the South Corner of another Cloſe called *The Marſh Hey*, and acroſs the Weſt End thereof to another Cloſe alſo called *The Marſh Hey*, and acroſs the ſame to the Eaſt Corner of another Cloſe alſo called *The Marſh Hey* (all which ſaid laſt-mentioned ſeveral Cloſes in *Altcar* do belong to the ſaid Earl); and acroſs the ſame into *Formby*, to the Eaſt End of a Cloſe called *The Clayholes*, on the North Side thereof, and following the ſame to the North End of another Cloſe called *Dohbey*, and acroſs the North End thereof, to and acroſs the North Ends of three Cloſes called *Formby Marſhes*, to and along the North-weſt and South Sides of another Cloſe called *Formby Marſh* (which ſeveral laſt-mentioned Cloſes in *Formby* do belong to the ſaid *Richard Formby*); and from thence into *Altcar*, to the North-weſt Corner of a Cloſe called *The Lord's Marſh*, on the South Side, to the South-eaſt Corner thereof, to certain Parcels of Land called *The Outſides*, and following the ſame Weſtwards, down to a Place called *The Floodgates* (which ſaid laſt-mentioned Cloſe and Parcels of Land in *Altcar* do belong to the ſaid Earl); and from thence into *Ince Blundell*, following up the River *Alt*, along the North Side of a Cloſe called *The New Marſh*, to about one Half of the Length thereof, and then acroſs the ſame Southwards to near the North-weſt Corner of another Cloſe called *The Logers Field*, and acroſs the ſame to the North Corner of another Cloſe called *The Calf Croft*, and acroſs the ſame to the South-eaſt Corner thereof, and from thence to another Cloſe called *The Blake Hey*, and acroſs the ſame to the North-eaſt Corner, and along the Eaſt Side thereof, to another Cloſe called *The Higheſt Hey*, and acroſs the ſame Weſtwards, to near the

in Down Holland;

in Formby;

in Altcar;

in Formby;

in Altcar;

in Ince Blundell;

'the Middle of the West Side thereof, to another Close called *The Briary Hey*, and across the same to the 'South Corner thereof (all which said several last-mentioned Closes in *Ince Blundell* do belong to the said 'Earl), and from thence to another Close called *The Reedy Croft*, and across the same, near the South Side 'thereof, to another Close called *The Middle Hey*, and across the same, near the North-west Side thereof, 'to another Close called *The North Flat*, and along the West Side thereof, to another Close called *The Kiln* 'Croft, and along the West Side, to near One-half of the Length thereof (all which said several last- in Little Crosby; 'mentioned Closes in *Ince Blundell* do belong to the said *Henry Blundell*); and from thence into *Little* 'Crosby, to the North-west Corner of a Close called *The Barn Hey*, and along the South Side thereof, to 'another Close called *The Nans Croft*, and along the South Side thereof, to and across a Lane to the 'North-east Corner of another Close called *The Nearer Mosses*, and along the North End and Part of the 'West Side thereof, to the North-east Corner of another Close called *The Green Hey*, and along the North- 'west and South Sides thereof, to the North-west Corner of another Close called *The West Croft*, and 'across the West End thereof, to another Close called *The Moss Hey*, and across the West End thereof, 'to and along about two Third-parts of the West End of another Close called *The Wildings Croft*, and 'surrounding an Hill therein, to the South-west Corner of another Close called *The Moss Croft*, and along 'the West End thereof to another Close also called *The Moss Hey*, and along the West and Part of the South 'Sides thereof to and across another Close called *The Bridge House Croft*, to another Close called *The Fur- 'ther Croft*, on the North and Part of the West Sides thereof, and on the lower Sides of the High Lands 'therein, Eastwards, Northwards, and Eastwards again, to a Lane called *The Moss Lane* (all which said 'several last-mentioned Closes in *Little Crosby* do belong to *Nicholas Blundell* Esquire, except the said Close in Ince Blun- 'called *The Moss Croft*, which belongs to the said *Henry Blundell*); and across the same Lane into *Ince* dell; 'Blundell, to and across another Close called *The Ryding Moss*, to and across another Close called *The* 'Moss Heys, to and across a Lane called *Shire Lane*, to the North-west Corner of another Close called 'The Little Moss, and across about the Middle thereof to two other Closes called *The Shire Lane Moss*, 'and across the same to another Close called *The Orrell Hill*, in the North-east Side thereof; and across 'the same, to and across the North Ends of two other Closes called *The Backside*, and *The Lady Green*, to 'and across a Lane called *Scaffold Lane*, and following the same Southwards to and across a Close called 'The Six Acres, to and across two other Closes also called *The Six Acres*, and out of the same at the South- 'east Corner thereof to a Lane called *The Marsh Lane*, and along the same Eastwards to another Close 'called *The Riddings Hey*, and across the same to the South-east Corner thereof, and from thence to ano- 'ther Close called *The Further Riddings Hey*, and along about One-half of the Length thereof to another 'Close called *The Long Marsh*, and across the same, to and across another Close called *The Long Marsh*, 'and from thence South-eastwards to, across, and over several other Closes called *The Meadows*, to the 'South-east Corner thereof, and from thence to a Lane called *The Old Marsh Lane*, and across the same 'to another Close called *God's Croft*, and across the same, to and across another Close called *The Old Marsh*, 'to and across another Close called *The Lower Johnson's Hey*, to and across another Close called *The Lower* 'Great Hey, to the North End of a Place called *The Eleven Acre Lane*, and Southwards in the same Lane 'to the South-west Corner of another Close called *The West Carr*, and along the same on the South-west 'Side thereof, to the South-west Corner of another Close called *The Hallopo Hey*, and along the South- 'west Side thereof, to a Lane called *The Carr House Lane*, and across the same to another Close called 'The Little Birches, along the North-east and North-west Sides thereof, to another Close called *The Acre*, 'and along the North and West Sides thereof, to and along the West Side of another Close called *The* 'Lower Birches, to and across another Close called *The Coneys Hey*, to and across another Close called *The* 'Meadows Hey, to and across the said Lane called *Carr House Lane*, to another Close called *Sefton Man-* 'shey, and across the same about the Middle of the North-west End thereof, to and along the South-west 'or higher Ends of several Closes called *The Green Carr*, and *The Black Carrs* (all which several last- 'mentioned Closes in *Ince Blundell* do belong to the said *Henry Blundell*); and from thence into *Thornton*, 'to the North-west Corner of a Close called *The Hullmere Carr*, and across the South End thereof, to a 'Close called *The Molyneux Croft*, belonging to the said Earl, and across the same, to and across Lands 'belonging to Mr. *Bootle*, to the nigher or South-west End of another Close called *Thornton Common Field*, in Lunt; 'belonging to the said Earl, and along the West End thereof; and from thence into *Lunt*, to and across 'seven Closes called *The Moor Heys*, to and across another Close called *The Pool Meadow*, to and across 'a Lane called *The Moor Lane*, to and across two other Closes called *The Great Pool Meadow*, and *The* 'Great Meadow, to and across another Close called *The Bootles Meadow*, to and along the West End of 'another Close called *The Higginson Meadow*, to and across another Close called *The Coneys Meadow*, to 'and across another Close called *The Little Ox Hey*, to the South-east Corner thereof (all which said in Sefton; 'several last-mentioned Closes in *Lunt* do belong to the said Earl); and from thence into *Sefton*, to a Close 'called *The Mill Meadow* belonging to the said Earl, and along the South-west Side thereof, to and across 'the said Highway leading from *Ormskirk* to *Sefton*, to another Close called *The Pale Carr*, belonging to 'the said Earl, and along the South-west Side, for near One-half of the Length thereof; and from thence in Netherton; 'into *Netherton*, to the North Corner of a Close called *The Dales Meadow*, and across the same, to and 'across five other Closes, also called *The Two Fox Meadows*, and *The Great Meadow*, *The Horse Croft*, and 'The Great and Little Moor Hey, to and along the South-west Side of another Close called *The Further* 'Moor Hey, to and across the East or Lower Ends of Six other Closes called *The Moor Heys*, to another 'Close called *The Old Ireland*, and along the West Side thereof, to another Close called *The Little Ireland*, 'and along the West Side thereof (all which said last-mentioned several Closes in *Netherton* do belong to in Aintree; 'the said Earl); and from thence into *Aintree*, to the South-west Corner of a Close called *The Chew*, and 'along the South End thereof to the Highway leading between *Liverpool* and *Ormskirk*, and across the 'same to the South-west Corner of another Close called *The Alices-Meadow*, and along the South-west 'Sides thereof, and also of three other Closes called *The Old Meadow*, *The Little Meadow*, and *The Nook*,

'to

'to and acroſs another Cloſe called *The Hackings Meadow*, to the South-weſt Corner of another Cloſe 'called *The Further Feirock*, and acroſs the ſame to the South-eaſt Corner thereof, at or near the River '*Alt*, and following the ſame River upwards, to the North Corner of another Cloſe called *The Nearer* '*Knots Field*, and along the North Side, about One-half of the Length thereof, to and acroſs another 'Cloſe called *The Meadow*, Northwards, and along the North and Weſt Sides thereof to the ſaid Cloſe 'called *The Nearer Knots Field*, and along the South Side thereof to or near the ſaid River *Alt*, and follow-'ing the ſame River upwards, unto or near the ſaid Bridge called *Bull Bridge* (all which ſaid ſeveral 'laſt-mentioned Cloſes in *Aintree* do belong to the ſaid Earl): And whereas the ſaid Low Lands, ſo 'bounded and deſcribed as aforeſaid, might be greatly improved if the ſame were properly drained and pre-'ſerved, and if the Courſe of the ſaid River *Alt* was changed or altered; but the ſame cannot be effected 'without the Aid of Parliament:' May it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That *Thomas Stanley* of *Croſs Hall* Eſquire, *Robert Moſs* of *Sand Hills* Eſquire, *John Atherton* of *Walton on the Hill* Eſquire, the Reverend *Henry Heathcote* Rector of *Walton on the Hill* aforeſaid, *Henry Gill* of *Ormſkirk* Eſquire, *William Hallady* of *The Breck* in the Pariſh of *Walton* aforeſaid Eſquire, *Henry Porter* of *Bretherton* Gentleman, *James Waring* of *Knowſley* Gentleman, *Roger Ryding* of *Croſton* Gentleman, the Reverend *Richard Preſcott* of *Upholland* Clerk, and *William Greg ſon* of *Liverpool* Merchant, all in the ſaid County of *Lancaſter*, ſhall be, and are hereby appointed Commiſſioners to put this Act in Execution, in the Manner and for the ſeveral Purpoſes herein-after expreſſed and declared.

Commiſſioners Names.

II. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners, or any three or more of them, ſhall be, and they are hereby authoriſed and impowered, from Time to Time, to open, deepen, clear, enlarge, ſtraighten, divert, embank, and bring into a more direct Line and free Courſe, the River *Alt*, in the ſaid County of *Lancaſter*, below a certain Bridge called *Bull Bridge*, ſituate in the Townſhips of *Aintree* and *Melling* aforeſaid, from or near the ſame Bridge, unto the Shore, where the ſaid River falls and runs into the Sea, and alſo upon the Sea Shore, and down to the Low Water Mark, or Reflux of the Sea, in ſuch Courſe, Direction, and Manner, as the ſaid Commiſſioners, or any three or more of them, ſhall order or think proper, not deviating from the preſent Courſe thereof, in any of the incloſed or Inlands, more than Sixty Yards in any Place, in the opening, deepening, clearing, enlarging, diverting, embanking, or bringing the ſame River into a more direct Line and free Courſe, unleſs ſuch further Deviation ſhall be with the Conſent in Writing of the Owner or Proprietor of the Lands in which ſuch Deviation ſhall be made (except in or through certain Cloſes called *The Little Marſh*, *The Salt Marſh*, *The Long Carterer's Marſh*, and *Carterer's Marſh*, in *Altcar*; and certain Cloſes called *The Marſh*, *The Little Marſh*, *The North New Marſh*, and *The New Marſh*, in *Ince Blundell*); and the ſaid Commiſſioners, or any three or more of them, are hereby alſo authoriſed and impowered, for the more ſpeedy and effectual draining, improving, and preſerving of the ſaid Low Lands, and conveying and carrying off the ſaid Waters, to make, cut, and embank, a new Channel or Courſe for the ſame, from the ſaid River *Alt*, beginning at or near a certain Cloſe or Parcel of Land in *Altcar* aforeſaid, belonging to the ſaid Earl of *Sefton*, and now or late in the Poſſeſſion of *Robert Scariſbrick*, and adjoining, on the North Side thereof, to the ſaid Cloſe or Parcel of Land called *The Lord's Marſh*, and acroſs the ſame to or near the South-weſt Corner thereof, to and acroſs the South Ends of ſeveral other Cloſes or Parcels of Land called *Formby Marſhes*, *Brown Bear Garden*, and *Bear Garden*, adjoining or near thereto, belonging to the ſaid *Richard Formby*, and now or late in the ſeveral Poſſeſſions of *John Bolton*, *Thomas Aindow*, and *Richard Bolton*, on the North Side of a Cop or Fence called *Formby Marſh Cop*, and to and acroſs another Cloſe or Parcel of Land called *The Outſides*, belonging to the ſaid *Richard Formby*, and now or late in the Poſſeſſion of the ſaid *Richard Bolton*, and from thence to and through a certain Common or unincloſed Lands called *Ravenſmeals Common*, belonging to the ſaid *Richard Formby*, on the North Side of a certain Pier or Pillar there, called *Formby Land Mark*, to the Sea Shore, and down to the Low Water Mark or Reflux of the Sea, in ſuch Courſe, Direction, and Manner, as the ſaid Commiſſioners, or any three or more of them, ſhall order or think proper; ſuch new Channel not to be made above twenty Yards wide at the Bottom, nor the Embankment thereof above forty Yards diſtant from each Side of ſuch new Channel or Courſe, in any Part of the incloſed Lands, unleſs the ſame or any of them ſhall be made wider or more diſtant with the Conſent of the Owner or Proprietor of the Inlands through which ſuch new Channel or Courſe ſhall be made; and the ſaid Commiſſioners, or any three or more of them, are hereby alſo authorized and impowered to open, deepen, clear, enlarge, embank, and bring into a more direct and free Courſe, the ſeveral Rivulets, Brooks, or Streams of Water running into the ſaid River *Alt*, commonly called *Maghull Hall Brook*, *Maghull Brook*, *Lydiate Brook*, or *Within Brook*, and *Down Holland Brook* or *Fleam Brook*; (that is to ſay) the ſaid Rivulet or Brook called *Maghull Hall Brook*, running between *Maghull* on the Eaſt, and *Netherton* and *Sefton* on the Weſt Sides thereof, from or near the higher or South-eaſt Corner of a Cloſe called *The New Meadow*, in *Netherton* aforeſaid, to and into the ſaid River *Alt*; the ſaid Rivulet or Brook called *Maghull Brook*, from or near the South-eaſt Corner of a certain Cloſe or Place called *The Prieſt's Meadow Nook*, in *Altcar* aforeſaid, to and into the ſaid River *Alt*; the ſaid Rivulet or Brook called *Lydiate Brook* or *Within Brook*, from or near the ſaid Clow, ſituate and being between the ſaid two Cloſes, called *The Middle Newhey*, and *The Higher Cuddock Meadow*, in *Altcar* aforeſaid, to and into the ſaid River *Alt*; and the ſaid Rivulet or Brook called *Down Holland* or *Fleam Brook*, from or near the ſaid Place called *The Horſe Plat*, being oppoſite or near unto the Houſe of the ſaid *Jane Norris*, and between the ſaid Townſhips of *Down Holland* and *Formby*, to a certain Bridge, called *The Rale Bridge*, ſituate and being between the ſaid Townſhips of *Formby* and *Altcar*, and from thence to and into the ſaid River *Alt*; and the ſaid Commiſſioners, or any three or more of them, are hereby alſo authoriſed and impowered to erect and make, or cauſe to be made, ſuch Bridges over the ſaid River, and alſo over the ſaid new Channel, and the ſaid Rivulets, Brooks, or Streams

Commiſſioners impowered to change the Courſe of the River Alt below Bull Bridge;

and to make a new Channel;

and to open ſeveral Rivulets;

and to make Bridges, Drains, and other Works;

Streams of Water, running into the ſaid River *Alt*, and to ſcour out or ſtop up, and turn ſuch Cuts and Drains, and to repair and ſupport ſuch Banks, Bridges, and Sluices, and likewiſe to make ſuch new Cuts, Drains, Dams, Banks, Tunnels, Clows, Sluices, and Outlets, in, through, or upon the ſaid Low Lands, or any Part or Parts thereof, and to erect ſuch Flood-gates, Engines, Locks, Wiers, and other Works, thereupon, and in, acroſs, and upon the ſaid River *Alt* and ſuch new Channel, for draining and conveying the Water from the ſaid Low Lands, and alſo to take and uſe ſuch Earth and Ground near or adjoining to the ſaid Banks and to the ſaid new Channel, as ſhall be neceſſary for the making, raiſing, ſtrengthening, and maintaining of ſuch Banks, as the ſaid Commiſſioners, or any three or more of them, ſhall think proper; the ſaid Commiſſioners, or any three or more of them, making ſuch Satisfaction to the ſeveral Perſons whoſe Lands and Grounds ſhall be damaged by the making or erecting any ſuch Works as aforeſaid, as ſhall be agreed on between ſuch Perſons reſpectively, and the ſaid Commiſſioners, or any three or more of them, for the Damages they ſhall ſuſtain thereby.

and to uſe Earth and Ground near the Banks.

Commiſſioners authoriſed to alter the Courſe of Rivulets and Brooks;

'III. And whereas, in order to ſcour and cleanſe the ſaid River *Alt*, or the ſaid new Channel, it is 'proper that the ſaid Commiſſioners ſhould be impowered to divert or alter the Courſe of ſeveral Rivulets, 'Brooks, and Streams, running into the ſaid River, below a Bridge called *Bull Bridge*;' be it therefore further enacted, That the ſaid Commiſſioners, or any three or more of them, are hereby fully authoriſed and impowered, from Time to Time, as they ſhall ſee Occaſion, to divert, alter, or change the Courſe of all or any Rivulets, Brooks, or Streams, running into the ſaid River *Alt* below *Bull Bridge* aforeſaid (except as herein-after is excepted), ſo as to cauſe the ſame to communicate with ſuch Part or Parts of the ſaid River or new Channel, as they, or any three or more of them, ſhall think fit, for the better and more effectual ſcouring and cleanſing the ſaid River or the ſaid new Channel.

but not to leſſen the Streams which ſupply Sefton Mills, &c.

IV. Provided always, That nothing ſhall be done by the ſaid Commiſſioners, or any Perſon or Perſons employed by them, which ſhall take away, leſſen, or diminiſh, any of the Streams of Water which uſually ſupply certain Mills in the ſaid Pariſh of *Sefton*, called *Sefton Mills*, or which ſhall in any Manner whatſoever prejudice or injure the ſaid Mills, or to divert, change, or alter any Stream of Water ſo as to deprive any of the Owners or Occupiers of their uſual Watering-places for their Cattle.

Clauſe for limiting the Time when the new Channel ſhall be made, &c.

V. Provided always, and be it further enacted by the Authority aforeſaid, That the ſaid new Channel ſhall not be made until the End of twelve Calendar Months after the ſaid River *Alt* ſhall have been opened, deepened, cleared, enlarged, diverted, and embanked as aforeſaid; and then only in caſe the ſaid Commiſſioners, or any three or more of them, ſhall in their Judgment think the ſaid River *Alt*, when ſo opened, deepened, cleared, enlarged, diverted, and embanked, as aforeſaid, inſufficient to drain, improve, and preſerve the ſaid Low Lands; and the ſaid Commiſſioners, or any three or more of them, ſhall in ſuch Caſes certify the ſame in Writing under their Hands, and ſuch Certificate ſhall be entered and recorded amongſt the other Proceedings of the ſaid Commiſſioners under this Act.

River Alt to be kept open and cleanſed till the new Channel is completed, and adjudged ſufficient to drain the Lands.

VI. And be it further enacted, That in caſe the ſaid River *Alt* ſhall be certified inſufficient to drain, improve, and preſerve the ſaid Low Lands as aforeſaid, the ſame ſhall nevertheleſs be from Time to Time opened, cleared, and embanked, until the ſaid new Channel ſhall be completely cut and made, and alſo until the ſaid new Channel ſhall be found ſufficient to drain, improve, and preſerve the ſaid Low Lands, by the Verdict of a Jury, as herein-after is mentioned.

Jury to be ſummoned.

VII. And be it further enacted, That the ſaid Commiſſioners, or any three or more of them, at any Time or Times after they ſhall have certified that the ſaid River *Alt* is inſufficient to drain, improve, and preſerve the ſaid Low Lands as aforeſaid, and after the ſaid new Channel ſhall have been completely cut and made as aforeſaid, ſhall, and they are hereby impowered and required, from Time to Time, to iſſue a Warrant or Warrants under their Hands, to the Sheriff of the ſaid County of *Lancaſter* for the Time being, or, in caſe ſuch Sheriff or his Under Sheriff ſhall happen to be one of the Proprietors of the ſaid Low Lands, or enjoy any Office or Truſt under the ſaid Commiſſioners, or ſhall be otherwiſe intereſted in the Matters in queſtion, then to one of the Coroners of the ſaid County of *Lancaſter*, not intereſted as aforeſaid, requiring ſuch Sheriff or Coroner reſpectively to impannel, ſummon, and return a Jury; and the ſaid Sheriff or Coroner, reſpectively, are hereby required accordingly to impannel, ſummon, and return, a Jury of twenty-four able and ſufficient and indifferent Men, qualified according to the Laws of this Realm, to be returned for Trials of Iſſues in his Majeſty's Court of Common Pleas at *Lancaſter*, to appear before the ſaid Commiſſioners, or any three or more of them, at ſuch Time and Place as in ſuch Warrant or Warrants ſhall be appointed, not being leſs than ten, or more than twenty-one Days after ſuch Warrant or Warrants ſhall be ſerved upon the ſaid Sheriff or Coroner reſpectively; and alſo to return Iſſues of every ſuch Perſon impannelled and returned, and not appearing, the Sum of forty Shillings, which ſhall be duly eſtreated and levied by the Sheriff of the ſaid County, upon the Goods and Chattels of the Perſon not appearing, to the Uſe of the ſaid Commiſſioners, to be applied for the Purpoſes of this Act, by Warrant or Warrants of the ſaid Commiſſioners, or any three or more of them, attending at ſuch Meeting; and in caſe a ſufficient Number of Jurymen ſhall not appear at the Time and Place appointed as aforeſaid, then the ſaid Sheriff or Coroner ſhall return other honeſt and indifferent Men of the Standers-by, or that can ſpeedily be procured to attend that Service (being ſo qualified as aforeſaid) to make up the ſaid Jury to the Number of twelve; and all Parties concerned may have their lawful Challenges againſt any of the ſaid Jurors, but ſhall not challenge the Array; and the ſaid Commiſſioners, or any one or more of them, are hereby impowered to ſummon and call before the ſaid Commiſſioners, or any three or more of them, at any of their Meetings to be holden in purſuance of this Act, in ſuch Manner as herein-after is mentioned, all and every ſuch Perſon and Perſons as ſhall be thought neceſſary to be examined as Witneſs or Witneſſes, touching the Matters to be inquired of by the ſaid Jury; and the ſaid Commiſſioners, or any three or more of them, are hereby impowered to examine on Oath any ſuch Witneſs or Witneſſes as aforeſaid, as well as any other Witneſs or Witneſſes, before the ſaid Jury; and the ſaid Commiſſioners, or any three

Commiſſioners may ſummon Witneſſes,

and examine them on Oath.

three or more of them, may order and authoriſe the ſaid Jury, or any ſix or more of them, to view the old Channel or Courſe of the ſaid River *Alt*, and alſo the ſaid new Channel; and ſuch Jury ſhall upon Oath (which Oath, as well as the Oaths to ſuch Perſon or Perſons as ſhall be called upon or produced to give Evidence as aforeſaid, the ſaid Commiſſioners, or any one or more of them, at any of their Meetings, is and are hereby impowered to adminiſter) enquire whether the ſaid new channel is ſufficient to drain, improve, and preſerve the ſaid Low Lands, without any opening, clearing, or embanking in future of the old Channel of the ſaid River, below the ſaid new Channel; and if the ſaid Jury ſo to be ſworn, ſhall by their Verdict find that the ſaid new Channel is ſufficient to drain, improve, and preſerve the ſaid Low Lands, without any opening, clearing or embanking in future of the old Channel of the ſaid River, below the ſaid new Channel, then and from thenceforth the ſaid old Channel, below the ſaid new Channel, ſhall not be opened, cleared, or embanked, under this Act; but as well the Eſtate, Right, Title, and Intereſt of and in the ſaid old Channel, below the ſaid new Channel, as of and in the Banks and other the Appurtenances thereto belonging, ſhall revert and belong to ſuch Perſon or Perſons as would have been intitled thereto in caſe this Act had not been made; and the ſaid Verdict ſhall, as ſoon as conveniently can be done, be entered and recorded amongſt the other Proceedings of the Commiſſioners for putting this Act in Execution; and the Expences of ſummoning ſuch Jury, and of taking their Inquiſition, ſhall be paid and borne by and out of the Monies to be collected and received under this Act.

*If the Jury find new Channel ſufficient to drain, the old Channel not to be opened in future.*

VIII. And be it further enacted, That it ſhall and may be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Huſbands, Guardians, Truſtees, Feoffees in Truſt, Committees, Executors, Adminiſtrators, and all other Truſtees whomſoever, not only for and on Behalf of themſelves, their Heirs and Succeſſors, but alſo for and on Behalf of their *Ceſtuique* Truſts, whether Infants, Iſſue unborn, Lunatics, Idiots, or *Femes-covert*, who are or ſhall be ſeiſed, poſſeſſed of, or intereſted in their own Right, and to and for all other Perſons whomſoever who are or ſhall be ſeiſed, poſſeſſed of, or intereſted in or to the Lands wherein ſuch new Channel ſhall be made and embanked as aforeſaid, or wherein the ſaid River *Alt* ſhall be enlarged or embanked, or brought into a more direct Line and free Courſe, or in or upon which any Bank, Cut, Drain, Dam, Tunnel, Outlet, or other Work ſhall be made, or in or upon which ſhall be erected or made any Bridge or Bridges, Floodgate or Flood-gates, Engine or Engines, Lock or Locks, Weir or Weirs, or other Work, or from whence ſhall be taken or uſed any Earth or Ground as aforeſaid, to agree with the ſaid Commiſſioners, or any three or more of them, for any Damage that ſhall be done thereby; and in caſe they ſhall not agree with the ſaid Commiſſioners, or any three or more of them, about the Value of ſuch Damage, then the ſame ſhall be aſſeſſed and adjudged as herein-after is mentioned; and all and every ſuch Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, Huſbands, Guardians, Truſtees, Feoffees in Truſt, Committees, Executors, Adminiſtrators, and all other Truſtees whomſoever, their Heirs and Succeſſors, and alſo their *Ceſtuique* Truſts, whether Infants, Iſſue unborn, Lunatics, Idiots, or *Femes-covert*, who are or ſhall be ſo ſeiſed, poſſeſſed of, or intereſted in their own Right, and every other Perſon and Perſons whomſoever who are or ſhall be ſo ſeiſed, poſſeſſed or intereſted as aforeſaid, ſhall be bound by all and every or any ſuch Agreement, Aſſeſſment, and Adjudication as aforeſaid; but if ſuch Perſon or Perſons ſhall not agree with the ſaid Commiſſioners, or any three or more of them, about the Value of the Damages to be occaſioned as aforeſaid, then ſuch Damages ſhall be aſſeſſed, aſcertained and determined, by the Juſtices at any Quarter Seſſions of the Peace for the ſaid County, to be holden by Adjournment or otherwiſe, within the Diviſion of the ſame County where the ſaid Low Lands lie, within ſix Calendar Months next after Application ſhall have been made to ſuch Perſon or Perſons, by the ſaid Commiſſioners, or any three or more of them, touching ſuch Damages (Notice thereof in Writing being given by ſuch Perſon or Perſons ſo intending to appeal, to the Clerk to the ſaid Commiſſioners, at leaſt fourteen Days before ſuch Quarter Seſſions); and the Juſtices at ſuch Quarter Seſſions or Adjournment, or the major Part of them, not intereſted in the ſaid Low Lands (upon Proof of ſuch Notice), are hereby authoriſed and required, by Examination of Witneſſes upon Oath (which Oath the ſaid Juſtices are hereby authoriſed to adminiſter), and by other proper and ſufficient Enquiry, Evidence, and Satisfaction, to hear and determine the Matter thereof, and to give Relief therein; and alſo to give ſuch Coſts to either Party as they ſhall think reaſonable, and by their Order or Warrant, to levy ſuch Coſts by Diſtreſs and Sale of the Goods and Chattels of the Party or Parties liable to pay the ſame, rendering the Overplus (if any) to the Owner or Owners of ſuch Goods and Chattels, after deducting the reaſonable Charges of ſuch Diſtreſs and Sale; and the Determination of the ſaid Juſtices ſhall be final and concluſive upon all Parties.

*Incapacitated Perſons impowered to agree for Damages done to Lands.*

*If they cannot agree, then to be bound by Adjudication and Aſſeſſment of Damages;*

*or, at the Election of the Party ſuſtaining Damage by the Quarter Seſſions;*

IX. Provided nevertheleſs, That in caſe the Owner or Owners of ſuch Lands ſhall deſire that ſuch Damages ſhould be aſſeſſed, aſcertained, and determined by a Jury, inſtead of by the ſaid Juſtices, and ſhall, by Writing under his or their Hand or Hands, within fourteen Days after Application ſhall have been made to them as aforeſaid, ſignify ſuch Deſire to any one of the ſaid Commiſſioners, or to their Clerk, that then the ſaid Commiſſioners, or any three or more of them, ſhall and may, and they are hereby impowered and required, from Time to Time, to iſſue out their Warrant or Warrants, under their Hands and Seals, to be directed to the Sheriff of the ſaid County Palatine of *Lancaſter*, or in caſe ſuch Sheriff ſhall happen to be intereſted in the Matter in queſtion, or any Way related to any of the Parties concerned, then to one of the Coroners of the ſaid County not intereſted or related as aforeſaid, for the ſummoning, impannelling, and returning of a Jury; and ſuch Sheriff or Coroner reſpectively to whom ſuch Warrant or Warrants ſhall be directed, is and are hereby required accordingly to ſummon, impannel, and return, a Jury of twenty-four ſufficient and indifferent Men, qualified according to the Laws and Statutes of this Realm to be returned for Trials of Iſſues joined in his Majeſty's Court of Common Pleas at *Lancaſter*, to appear before the ſaid Commiſſioners, or any three or more of them, at ſuch Time or Times, Place or Places, within the ſaid County of *Lancaſter*, as in ſuch Warrant or Warrants ſhall be expreſſed, not being leſs than Ten, nor above twenty-one Days after any ſuch Warrant ſhall be ſerved upon or delivered to ſuch Sheriff, his Deputy, or Coroner reſpectively; and alſo to return Iſſues of every ſuch Perſon impannelled and

*or by a Jury.*

*Commiſſioners to iſſue Warrants to the Sheriff, or a Coroner, for ſummoning the Jury,*

*to appear before the Commiſſioners.*

Sheriff to return Iſſues to 40 s. of every Juryman not appearing.

and returned, and not appearing, the Sum of forty Shillings, which ſhall be duly eſtreated and levied, by the Sheriff of the ſaid County, upon the Goods and Chattels of the Perſon not appearing, to the Uſe of the ſaid Commiſſioners, to be applied for the Purpoſes of this Act, by Warrant or Warrants of the ſaid Commiſſioners, or any three or more of them, attending at ſuch Meeting; and in caſe a ſufficient Number of Jurymen ſhall not appear, ſuch Sheriff, his Deputy, or Coroner, ſhall return other honeſt and indifferent Men of the Standers-by, or that can ſpeedily be procured to attend that Service, ſo qualified as aforeſaid, to make up ſuch Jury to the Number of Twelve; and all Parties concerned ſhall and may have their lawful Challenges againſt any of ſuch Jurymen when they come to be ſworn, but ſhall not challenge the Array; and the ſaid Commiſſioners, or any one or more of them, are hereby impowered, from Time to Time, to ſummon and call before the ſaid Commiſſioners, or any three or more of them, at any of their Meetings, in ſuch Manner as herein-after is mentioned, all and every ſuch Perſon and Perſons whomſoever; who ſhall be thought proper or neceſſary to be examined as a Witneſs or Witneſſes, touching or concerning the Matters in queſtion to be enquired of by the ſaid Jury; and the ſaid Commiſſioners, or any three or more of them, are hereby impowered to examine on Oath any ſuch Witneſs or Witneſſes, as well as any other Witneſs or Witneſſes, before the ſaid Jury; and alſo to order and authoriſe the ſaid Jury, or any ſix or more of them, to view the Place or Places, or Matters in queſtion, if the ſaid Commiſſioners, or any three or more of them, aſſembled at ſuch Meeting as aforeſaid, ſhall think fit; and the ſaid Jurors upon their Oath (which Oath, and alſo the Oaths to be taken by the Perſon or Perſons who ſhall be ſummoned or produced to give Evidence as aforeſaid, the ſaid Commiſſioners, or any one or more of them, aſſembled at any of their Meetings, are and is hereby impowered to adminiſter) ſhall enquire of, aſſeſs, and aſcertain ſuch Damage and Recompence as they ſhall think fit to be awarded to ſuch Perſon or Perſons having Right to ſuch Land as aforeſaid; and their Verdict or Verdicts, Determination or Determinations therein, ſhall be recorded by the ſaid Commiſſioners, or any three or more of them, and kept amongſt their Proceedings in the Execution of this Act, and ſhall be binding and concluſive to all Intents and Purpoſes againſt all and every Party or Parties, his, her, or their Heirs, Executors, Adminiſtrators, and Aſſigns, and all others claiming or who ſhall claim by, through, from, or under them, or any of them; ſo as Notice in Writing ſhall be given to or left at the uſual Place of Abode of the Perſon or Perſons having a Right to ſuch Lands wherein ſuch Damage ſhall have been done as aforeſaid, of an Intention of delivering any ſuch Warrant or Warrants as aforeſaid to ſuch Sheriff, his Deputy, or Coroner, as aforeſaid, for the Purpoſe aforeſaid, ten Days at the leaſt before the Meeting at which ſuch Damage ſhall be aſſeſſed and aſcertained as aforeſaid.

Jury ſworn to conſiſt of 12 Men.

Commiſſioners impowered to ſummon Witneſſes,

and to examine them on Oath;

and may order Jurors to view the Premiſes.

Jury to aſſeſs Damage:

Their Verdict to be concluſive;

If 10 Days Notice be given of delivering the Warrant.

X. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners, or any three or more of them, ſhall and will, in caſe they cannot agree with any ſuch Perſon or Perſons for any ſuch Damage or Damages as aforeſaid (ſave and except the ſaid Lands and Damages of the ſaid *Richard Formby*, his Heirs and Aſſigns, or his or their Truſtee or Truſtees, which are provided for as herein-after is mentioned), on Notice in Writing given to or left for ſuch three or more Commiſſioners, with the Collector or Receiver for the Time being, to be appointed under this Act, by or on the Behalf of any ſuch Perſon or Perſons requiring ſuch Warrant or Warrants as aforeſaid, iſſue ſuch Warrant or Warrants within the Space of twenty-one Days next after ſuch Notice given or left as aforeſaid, and proceed to aſſeſs ſuch Damage or Damages by ſuch Jury or Juries in ſuch Manner as herein-before is mentioned; and all ſuch Damages, which the ſaid Commiſſioners, or any three or more of them, ſhall agree to pay to any ſuch Perſon or Perſons, or which ſhall be aſſeſſed either by the ſaid Juſtices, or by any ſuch Jury or Juries as aforeſaid, ſhall be paid by the ſaid Commiſſioners, or any three or more of them, by and out of the Monies to be raiſed and received by and under this Act; and the ſaid Money agreed to be paid, or which ſhall have been aſſeſſed for ſuch Damages, ſhall be paid according to their reſpective Priorities as to the Time of Contract or Aſſeſſment; and the Collector or Receiver for the Time being ſhall, from Time to Time, at all ſeaſonable Times (on Demand made to him in Writing by or on the Behalf of any ſuch Perſon or Perſons, to whom any Sum or Sums of Money agreed to be paid or aſſeſſed for Damages as aforeſaid, ſhall be then remaining due and unpaid), produce and ſhew to ſuch Perſon or Perſons making ſuch Demand, the Book or Books of Accounts of all Monies which ſhall then have been had and received by or under this Act, and of the Application thereof, and permit ſuch Perſon or Perſons to make any Extract or Extracts of ſuch Accounts, or any of them; and the Monies to be had or received under this Act (after Payment of the Intereſt of the Monies that ſhall then have been borrowed by the ſaid Commiſſioners, or any three or more of them, under the Power for that Purpoſe herein-after mentioned and given) ſhall, in the firſt Place, be paid and applied in Satisfaction and Diſcharge of ſuch Damages which ſhall have been ſo agreed to be paid, or ſhall have been aſſeſſed as aforeſaid, according to their reſpective Priorities in Point of Time, with Intereſt for the ſame, at the Rate of five Pounds by the Hundred, by the Year, from the reſpective Times at which ſuch Sum or Sums of Money were agreed to be paid or aſſeſſed reſpectively.

The Damages to be paid according to the Priority of Agreement with the Parties.

XI. And be it further enacted by the Authority aforeſaid, That from and after twelve Calendar Months next after the ſaid River *Alt* ſhall have been opened, deepened, cleared, enlarged, diverted, and embanked as aforeſaid, and from and after the ſaid Commiſſioners, or any three or more of them, ſhall have certified in Writing under their Hands, that the ſaid River *Alt*, when ſo opened, deepened, cleared, enlarged, diverted, and embanked as aforeſaid, is inſufficient to drain, improve, and preſerve the ſaid Low Lands, it ſhall and may be lawful to and for the ſaid Commiſſioners, or any three or more of them, or any Perſon or Perſons, by their Order or Appointment, to enter into and upon the Lands of the ſaid *Richard Formby*, through which the ſaid new Channel is intended to be cut, and there to ſet out and aſcertain the Lands to be uſed for ſuch new Channel, and the Locks, Weirs, Bridges, and other Communications, to be made in and over ſuch new Channel, firſt giving to the ſaid *Richard Formby*, or his Truſtee or Truſtees, or his or their known Agent or Agents, ten Days Notice of ſuch their Intention; and from and after aſcertaining the Lands ſo to be cut, and the Locks, Weirs, Bridges, and other Communications, ſo to be made

The Commiſſioners impowered to make the new Channel through Mr. Formby's Lands, and to ſettle Damages.

made as aforesaid, then the said Commissioners, or any three of them, are hereby enabled to agree with the said *Richard Formby*, his Trustee or Trustees, or any other Person or Persons properly authorised, for the Lands so to be cut, and for the Damages to be occasioned thereby, either to the said Lands, or the Rabbit Warren thereon, and to pay, out of the Monies to be raised by virtue of this Act, such Sum or Sums of Money, at such Times and in such Manner as shall be agreed upon between the said Parties, for such Lands and Damages: But in case the said *Richard Formby*, his Trustee or Trustees, Agent or Agents, shall, for the Space of ten Days after Notice to be given to him or them as aforesaid, neglect or refuse to agree with the said Commissioners for such Lands and Damages as aforesaid, then it shall and may be lawful to and for the said Commissioners, or any three or more of them, to cause a like Jury as herein-before mentioned, to be in like Manner, and under the same Restrictions, summoned, impannelled, returned, and sworn, and also, in like Manner to direct a View of six or more of them, if required; and the said Jurors, when so impannelled and sworn, shall upon their Oath (which Oath, and also the Oaths to be taken by the Person or Persons who shall be produced to give Evidence before them, the said Commissioners, or any one or more of them, are and is hereby impowered to administer) enquire of, assess, and ascertain, the Value of such Lands, and the immediate Damages to be done to the said Rabbit Warren, and to award such Sum or Sums of Money to be paid for the same as they shall think fit; and their Verdict or Determination therein shall be recorded and kept by the said Commissioners among their Proceedings in the Execution of this Act, and shall be binding and conclusive on all Parties concerned; and upon Payment or legal Tender of such Sum or Sums of Money so to be awarded by the said Jurors as aforesaid, to the said *Richard Formby*, his Trustee or Trustees, or any other Person authorised to receive the same, it shall and may be lawful to and for the said Commissioners, their Workmen, or others, to enter into and upon the said Lands of the said *Richard Formby*, there to cut and make such new Channel, and to erect such Weirs, Locks, Bridges, and other Communications as shall be so ascertained and set out as aforesaid: And in case any subsequent or consequential Damages shall happen to arise to the Property of the said *Richard Formby*, his Heirs or Assigns, by any of the Works to be done under this Act, and the same cannot be settled by Agreement as aforesaid, the same shall in like Manner, upon ten Days Notice to be given by the Party requiring the same, be settled by a like Jury, and their Verdict or Determination shall in like Manner be final; and the Money so to be awarded, as last-mentioned, shall be by the said Commissioners, or any three or more of them, paid out of the Monies to arise by virtue of this Act, to the said *Richard Formby*, his Heirs and Assigns, within two Calendar Months next after such last-mentioned Verdict shall be found as aforesaid.

If Parties cannot agree, a Jury to be summoned,

whose Verdict shall be final.

XII. And be it further enacted by the Authority aforesaid, That in all Cases where a Verdict or Assessment shall be given or made for a greater Sum of Money, as a Recompence or Satisfaction for any such Damage as aforesaid, than had been offered to be paid or given by the said Commissioners, or any three or more of them, then all the Expences of summoning such Jury, and of taking such Inquest, shall be settled by the said Commissioners, or any three or more of them, and shall be defrayed and paid by them out of the Monies to be raised under this Act; but if any Verdict or Assessment shall be given or made for the same, or a less Sum of Money than had been previously offered to be paid or given by the said Commissioners, or any three or more of them, as aforesaid, then and in every such Case the Costs and Expences of summoning such Jury, and taking such Inquest, shall be settled in like Manner by the said Commissioners, or any three or more of them, and shall be paid by the Person or Persons with whom the said Commissioners shall have such Controversy or Dispute; and that all and every Person or Persons making Complaint, and requesting such Jury, shall, before the said Commissioners shall be obliged to issue out their Warrant or Warrants for the summoning such Jury as aforesaid, first enter into a Bond to the said Commissioners, or any three or more of them, in the Penalty of fifty Pounds, conditioned to prosecute such his, her, or their Complaint, and to bear and pay the Costs and Expences of summoning such Jury, and taking such Inquest, in case a Verdict shall be given for the same, or a less Sum of Money than had been offered to be paid or given as a Recompence or Satisfaction for such Damage as aforesaid by the said Commissioners, before the summoning and returning of the said Jury or Juries.

Expences of the Jury by whom to be borne.

Persons requesting a Jury, to enter into a Bond to prosecute their Complaint, &c.

XIII. And be it further enacted, That the said Commissioners shall not be obliged to receive or take Notice of any Complaint or Complaints, to be made by any Person or Persons whomsoever, for any Injury or Damage by him, her, or them sustained by virtue of this Act, unless Application in Writing hath been or shall be made in relation thereto, by or on Behalf of such Person or Persons, to the said Commissioners, or any three or more of them, or to their known Agent or Agents, or to the Collector of the Rates or Assessments under this Act, within the Space of six Calendar Months next after the Time that such Injury or Damage shall have been sustained, or the doing or committing thereof shall have ceased.

Complaint of Damages to be given in Writing within six Calendar Months after done, or Party not entitled to Damage.

XIV. And be it further enacted by the Authority aforesaid, That the said Commissioners herein-before named, or any three or more of them, shall meet in the Parish Church of *Sefton* aforesaid, upon the Eighteenth Day of *May*, one thousand seven hundred and seventy-nine, or within ten Days after, and shall proceed to put this Act in Execution; and the said Commissioners, or the major Part of them then assembled, shall and may adjourn themselves, and meet again pursuant to such Adjournment, and proceed in the Execution of this Act, as often as they shall think proper; and shall, at all such Meetings, make such Rules and Orders as they shall deem necessary to be observed for the ordering, managing, and executing, in the most effectual Manner, the several Powers granted by this Act; and if at the said First or any other of the Meetings of the said Commissioners, a sufficient Number of the Commissioners shall not be present for acting or for adjourning, that then, and as often as the Case shall happen, it shall be lawful for the said Commissioners, or any three or more of them, by Writing under their Hands, to call a Meeting for putting this Act in Execution, by causing public Notice of the Time and Place of such Meeting to be given in the Parish Churches of *Altcar*, *Sefton*, *Halsall*, and *Walton upon the Hill* aforesaid, on some *Sunday* immediately after Divine Service, and such Writing to be affixed on the Doors of such Churches respectively,

First Meeting of Commissioners.

How to proceed on Failure of a sufficient Number to adjourn.

Commissioners to appoint Officers,

respectively, ten Days at least before such Meeting, and to continue such Meeting or Meetings by Adjournment, from Time to Time, as they shall think proper: And the said Commissioners, or any three or more of them, shall, from Time to Time, nominate and appoint one or more Collector or Collectors, Receiver or Receivers, and such other Officer or Officers, as they shall think necessary or proper for collecting the Rates and Assessments to be made or assessed by virtue of this Act, and for the Management and Direction of making the said new Channel, and of the said Banks, Drains, Dams, and Outlets, and of making and erecting the said Bridges, Flood-gates, Engines, Lock or Locks, Weir or Weirs, or other Works, and for repairing and maintaining the same; and the said Commissioners, or any three or more of them, may authorise any such Officers, from Time to Time, to purchase and provide Timber, and all other Materials and Things necessary for those Purposes; and to contract and agree with any Person or Persons for the doing and performing any of the Works before mentioned; and the said Commissioners, or any three or more of them, shall cause to be drawn up and entered, such Rules or Orders, and other Proceedings of the said Commissioners, as shall be made or had under or by virtue of this Act, in a Book or Books to be kept for that Purpose; and the said Commissioners, or any three or more of them, may allow their said Collectors, Receivers, and other Officers, such Salaries as they the said Commissioners, or any three or more of them, shall judge reasonable; which said Collector or Collectors, Receiver or Receivers, and such other Officer or Officers, may and shall, from Time to Time, be displaced or removed at the Will and Pleasure of the Commissioners, or any three or more of them, who shall and may nominate and appoint other or others in the Place and Stead of the Person or Persons so displaced or removed, as they the said Commissioners, or any three or more of them, shall see Occasion; and such Collector or Collectors, Receiver or Receivers, so to be nominated and appointed, before he or they shall act in the Execution of their several Offices, shall give such Security for the due and faithful Execution of such their respective Offices, and for performing the several Trusts committed to them, as the said Commissioners, or any three or more of them, shall in their Discretion require.

and allow them Salaries.

Officers to give Security for Performance of their Duty.

Allowance to Commissioners.

'XV. And, in order to defray the Expences of the said Commissioners, upon Account of their Attendance, and to satisfy and pay them for such Attendance, at any of the Meetings to be held as aforesaid for putting this Act in Execution;' be it further enacted, That a Sum not exceeding thirty Shillings shall be paid by the Collector or Receiver of the Rates and Taxes herein-after mentioned, to each of the said Commissioners, for each Day's Attendance and Expences at any such Meeting or Meetings, and shall be allowed in the Accounts of such Collector or Receiver as so much Money paid for the Purposes of this Act; any Thing herein contained to the contrary hereof notwithstanding.

The Lands to be annually taxed by the Commissioners, according to the Improvement they will receive from the Drainage.

'XVI. And whereas it will be necessary to raise Money, for defraying the Expences of carrying this Act into Execution, by Rates or Taxes to be laid upon the said Low Lands: And whereas the said Low Lands will, upon the draining thereof, receive Improvement in different Degrees and Proportions; and it is reasonable that they should be taxed towards the Expences aforesaid, in Proportion to the Improvement they will so respectively receive from the said Drainage;' be it therefore enacted, That in case no Survey, Map, or Plan, of the said Low Lands shall have been produced, and delivered to, and approved of by, the said Commissioners, or any five or more of them, then the said Commissioners, or any five or more of them, shall, and they are hereby required, as soon as conveniently may be after the passing of this Act, to survey, or cause to be surveyed, the said Low Lands, and also to cause a Map or Plan to be made and taken thereof, with proper References thereto (such References specifying and distinguishing the State of the said Low Lands, as the same are more or less liable to be overflowed, and injured or benefited by such Overflowing, and also specifying and setting forth the Quantity, in Statute Measure, of Acres, Roods, and Perches, contained in each Close, Field, or Parcel of such Low Lands, and the then yearly Value of such Lands); and the said Commissioners, or any five or more of them, shall at any of their Meetings, yearly and every Year, the first Year to be computed from the thirteenth Day of *February*, one thousand seven hundred and seventy-nine (and so from the thirteenth Day of *February* yearly), assess, rate, tax, and charge, all and every the several and respective Owners and Occupiers of the said Low Lands, according to their several Estates and Interests therein, at such annual Acre Rate, or Tax as the said Commissioners, or any five or more of them, shall think proper (not exceeding ten Shillings for a Statute Acre), the first of such annual Rates or Taxes to commence from the thirteenth Day of *February*, one thousand seven hundred and seventy-nine, the said Commissioners, or any five or more of them, having due Regard to the State of the said Low Lands, as the same are more or less liable to be overflowed, and injured or benefited by such Overflowings; and also having Regard to the probable Improvements the said Low Lands will respectively receive under this Act, until they shall receive any Improvements; and after the said Low Lands shall have received any such Improvements, then having Regard to the Improvements such Lands shall, from Time to Time, have received (it being intended that all the said Low Lands shall be assessed, rated, taxed, and charged, from Time to Time, according to the different Degrees and Proportions of Improvement, which they shall respectively receive from the Drainage thereof); and the said Commissioners, or any five or more of them, shall annually cause an Estimate of such State of the said Low Lands, and of the then yearly Value of the different Parts thereof, to be from Time to Time reduced into Writing, with proper References to the said Map or Plan; which said several Rates or Taxes to be laid in pursuance of this Act, shall, from Time to Time, be paid to the said Commissioners, or any five or more of them, or to such Person or Persons as they shall appoint to receive the same, at or upon such Day or Days in each Year as the said Commissioners, or any five or more of them, shall at any of their Meetings direct or appoint; but no Assessment, Rate, or Tax, shall be made, collected, or levied, upon or in respect of any Lands within the Boundaries aforesaid, which have not been subject to be overflowed or damaged by Water.

Commissioners to give public

XVII. Provided nevertheless, That the said Commissioners, or any five or more of them, shall, and are hereby required to cause public Notice in Writing to be given of all their Meetings for making or laying such

ſuch Rates and Taxes as aforeſaid, by affixing ſuch Notice upon the Doors of the ſaid Pariſh Churches, at leaſt ten Days before every ſuch Meeting; and the Clerk to the ſaid Commiſſioners is hereby required to cauſe Notice in Writing to be given to each of the ſaid Commiſſioners, who ſhall then be reſident within the ſaid County of *Lancaſter*, or left at their reſpective uſual Places of Abode, being within the ſaid County, at leaſt ten Days before every ſuch Meeting.

Notice of Meetings for making Rates.

'XVIII. And the better to enable the ſaid Commiſſioners to aſcertain the different Intereſts of the ſaid Owners and Occupiers in the ſaid Low Lands;' be it further enacted, That all and every the Owners and Occupiers of the ſaid Low Lands, ſhall, and are hereby required to make out, or cauſe to be made out, a true, juſt, and particular Account in Writing, ſigned by or by the Order of them reſpectively, of all ſuch Eſtates and Intereſts as they reſpectively have in the ſaid Low Lands, under or by virtue of any Leaſe, Contract, or Agreement, and to deliver ſuch Account to the ſaid Commiſſioners, or any five or more of them, at ſuch Time and Place as they, or any five or more of them, ſhall order or appoint, public Notice thereof being given, by affixing the ſame upon the Doors of the Pariſh Churches of *Altcar*, *Sefton*, *Halſall*, and *Walton upon the Hill* aforeſaid, reſpectively, ten Days at leaſt before the Time of giving and delivering of the ſame; but in caſe ſuch Account ſhall not be ſo made and delivered as aforeſaid, the ſaid Commiſſioners, or any five or more of them, ſhall nevertheleſs cauſe ſuch Survey, Map, or Plan, and Eſtimates and References, to be made, and to make ſuch Rates or Taxes, as aforeſaid.

The Owners and Occupiers to give an Account to the Commiſſioners of their different Eſtates and Intereſts.

XIX. Provided always, and be it further enacted, That the ſaid Commiſſioners, or any five or more of them, ſhall, and are hereby required, from Time to Time, as ſoon as conveniently may be after making any ſuch Eſtimate, and making and laying any of the ſaid Aſſeſſments, Rates, or Taxes as aforeſaid, to cauſe a Copy of ſuch Eſtimate and Aſſeſſment to be left in the Veſtry of the Pariſh Church of *Sefton* aforeſaid, to be inſpected by all Perſons, at any ſeaſonable Hours, without Fee or Reward, and to cauſe Notice in Writing of the ſame being ſo left, to be affixed, in the Forenoon of ſome *Sunday*, upon the Doors of the ſaid Pariſh Churches, that all Perſons thinking themſelves aggrieved thereby may appeal againſt the ſame; and in caſe any ſuch Perſon or Perſons ſhall ſignify in Writing to the Clerk to the ſaid Commiſſioners, within fourteen Days after the giving ſuch Notice, that he, ſhe, or they will appeal to the ſaid Commiſſioners againſt the ſaid Rates or Taxes, the ſaid Commiſſioners, or any five or more of them, ſhall, and are hereby required to meet for that Purpoſe, within fourteen Days then next following, and alter ſuch Eſtimate or Aſſeſſment, if they ſhall ſee Cauſe for ſo doing, or otherwiſe ratify the ſame; and their Determination therein ſhall be final, unleſs the Perſon ſo appealing ſhall be diſſatisfied therewith, and ſhall by Writing, within fourteen Days then next following, give Notice to ſuch Clerk, that he, ſhe, or they, deſire to have the ſame referred to and determined, either by the Juſtices of the Peace at their Quarter Seſſions, or by a Jury to be impannelled as herein-after mentioned: And in caſe any ſuch Perſon or Perſons ſhall deſire to have the Matter of ſuch Appeal determined by ſuch Juſtices, and ſhall refer the ſame to them at ſuch Quarter Seſſions of the Peace for the ſaid County, to be holden by Adjournment or otherwiſe, within the Diviſion of the ſame County where the ſaid Low Lands lie, as ſhall be mentioned in ſuch Notice (being within ſix Calendar Months next after the Determination of the ſaid Commiſſioners, as aforeſaid), then the Juſtices at ſuch Seſſions, or the major Part of them, not intereſted in the ſaid Low Lands, are hereby authoriſed and required, by Examination of Witneſſes upon Oath (which Oath the ſaid Juſtices are hereby impowered to adminiſter), and by other proper and ſufficient Enquiry, Evidence, and Satisfaction, to hear and determine the Matter thereof, and to give Relief therein, and to give ſuch Coſts to either Party as they ſhall think reaſonable; and by their Order or Warrant to levy the Coſts by Diſtreſs and Sale of the Goods and Chattels of the Party or Parties liable to pay the ſame, rendering the Overplus (if any) to the Owner or Owners of ſuch Goods and Chattels, after deducting the reaſonable Charges of ſuch Diſtreſs and Sale; and the Determination of the ſaid Juſtices therein ſhall be final and concluſive upon all Parties: But in caſe any ſuch Perſon ſhall, by ſuch Notice, deſire to have the Matter of the ſaid Appeal referred to and determined by a Jury inſtead of by the ſaid Juſtices, that then the ſaid Commiſſioners, or any three or more of them, ſhall and may, and are hereby impowered to iſſue out their Warrant or Warrants under their Hands and Seals, to be directed to the Sheriff of the ſaid County Palatine of *Lancaſter*; or in caſe ſuch Sheriff ſhall happen to be intereſted in the Matter in queſtion, or any Way related to any of the Parties concerned, then to one of the Coroners of the ſaid County not intereſted or related as aforeſaid, for the ſummoning, impannelling, and returning of a Jury; and ſuch Sheriff or Coroner reſpectively, to whom ſuch Warrant or Warrants ſhall be directed, is and are hereby required accordingly to ſummon, impannel, and return a Jury of twenty-four ſufficient and indifferent Men of the ſaid County, qualified according to the Laws and Statutes of this Realm to be returned for Trials of Iſſues joined in his Majeſty's Court of Common Pleas at *Lancaſter*, to appear before the ſaid Commiſſioners, or any three or more of them, at ſuch Time or Times, Place or Places, within the ſaid County of *Lancaſter*, as in ſuch Warrant or Warrants ſhall be expreſſed, not being leſs than ten nor above twenty-one Days after any ſuch Warrant ſhall be ſerved upon or delivered to ſuch Sheriff, his Deputy, or Coroner reſpectively; and alſo to return Iſſues of every ſuch Perſon impannelled and returned, and not appearing, the Sum of forty Shillings, which ſhall be duly eſtreated and levied by the Sheriff of the ſaid County, upon the Goods and Chattels of the Perſon not appearing, to the Uſe of the ſaid Commiſſioners, to be applied for the Purpoſes of this Act, by Warrant or Warrants of the ſaid Commiſſioners, or any three or more of them, attending at ſuch Meeting; and in caſe a ſufficient Number of Jurymen ſhall not appear, ſuch Sheriff, his Deputy, or Coroner, ſhall return other honeſt and indifferent Men of the Standers-by, or that can ſpeedily be procured to attend this Service, ſo qualified as aforeſaid, to make up ſuch Jury to the Number of twelve Men, and all Parties concerned ſhall and may have their lawful Challenges againſt any of ſuch Jurymen when they come to be ſworn, but ſhall not challenge the Array; and the ſaid Commiſſioners, or any one or more of them, are hereby impowered, from Time to Time, to ſummon and call before the ſaid Commiſſioners, or any three or more of them, at any of their Meetings,

A Copy of the Eſtimates and Aſſeſſments to be left in the Veſtry of Sefton, for the Inſpection of the Parties, who may appeal to Commiſſioners,

and to the Quarter Seſſions, or a Jury:

And if to a Jury, the Commiſſioners to iſſue Warrants to the Sheriff or Coroner,

for ſummoning a Jury of 24 Men.

Sheriff to return Iſſues of 40 s. of every Juryman not appearing.

Jury ſworn to conſiſt of 12 Men.

Commiſſioners impowered to call Witneſſes

before them, and examine them on Oath;

and may order Jurors to view the Premiſes.

in ſuch Manner as herein-after is mentioned, all and every Perſon and Perſons whomſoever, who ſhall be thought proper or neceſſary to be examined as a Witneſs or Witneſſes touching or concerning the Matters in queſtion, to be enquired of by the ſaid Jury; and the ſaid Commiſſioners, or any three or more of them, are hereby impowered to examine on Oath any ſuch Witneſs or Witneſſes, as well as any other Witneſs or Witneſſes before the ſaid Jury; and alſo to order and authoriſe the ſaid Jury, or any ſix or more of them, to view the Place or Places, or Matters in queſtion, if the ſaid Commiſſioners, or any three or more of them, aſſembled at ſuch Meeting as aforeſaid, ſhall think fit; and the ſaid Jurors upon their Oath (which Oath, and alſo the Oaths to be taken by the Perſons who ſhall be ſummoned to give Evidence as aforeſaid, the ſaid Commiſſioners, or any one or more of them, aſſembled at any of their Meetings, are and is hereby impowered to adminiſter) ſhall enquire of, and finally ſettle and aſcertain ſuch Parts of the ſaid Schedule, and alſo of the ſaid Taxes, with which ſuch Perſon or Perſons ſhall have been ſo diſſatisfied as aforeſaid, and ſhall have ſo referred to the Determination of ſuch Jury; and the Verdict or Verdicts, Determination or Determinations of ſuch Jury, ſhall be recorded by the ſaid Commiſſioners, or any three or more of them, and kept amongſt their Proceedings in Execution of this Act, and ſhall be binding and concluſive to all Intents and Purpoſes, againſt all and every Party or Parties, his, her, or their Heirs, Executors, Adminiſtrators, and Aſſigns, and all others claiming, or who ſhall claim, by, through, from, or under them, or any of them; ſo as Notice in Writing ſhall be given to the Perſon or Perſons who ſhall have been diſſatisfied with ſuch Schedule or Taxes, of an Intention of delivering any ſuch Warrant or Warrants to the ſaid Sheriff, his Deputy, or Coroner, for the Purpoſe aforeſaid, ten Days at the leaſt before the Meeting at which ſuch Schedule or Taxes is or are intended to be ſettled and aſcertained as aforeſaid.

Verdict of the Jury to be final,

if ten Days Notice be given of delivering the Warrant.

Coſts of Jury to be paid by the Party complaining, if the Complaint be adjudged frivolous or vexatious;

but if otherwiſe, by the Commiſſioners.

XX. Provided always, That in all Caſes where the ſaid Commiſſioners, or any three or more of them, aſſembled at any of their Meetings after ſuch Verdict or Verdicts, Determination or Determinations, ſhall be given as aforeſaid, ſhall adjudge ſuch Reference or References to be frivolous or vexatious, then and in every ſuch Caſe, the Coſts and Expences of ſummoning ſuch Jury, and of taking ſuch Inqueſt, or ſuch Part or Parts thereof as the ſaid Commiſſioners, or any three or more of them, ſhall think fit to aſſeſs, ſhall be ſettled by the ſaid Commiſſioners, or any three or more of them, and ſhall be paid by the Perſon or Perſons whoſe Reference or References ſhall be ſo as aforeſaid adjudged frivolous or vexatious; but if the ſaid Commiſſioners, or any three or more of them, ſhall not adjudge any ſuch Reference or References frivolous or vexatious, then the whole Coſts and Expences of ſummoning ſuch Jury, and taking ſuch Inqueſt, ſhall be ſettled by the ſaid Commiſſioners, or any three or more of them, and be paid out of the Monies to be received under this Act.

Bond to be given to pay Coſts of Jury if the Complaint ſhall be adjudged frivolous or vexatious.

XXI. And be it further enacted, That all and every Perſon or Perſons making Complaint, and requeſting ſuch Jury, ſhall, before the ſaid Commiſſioners, or any three or more of them, ſhall be obliged to iſſue out their Warrant or Warrants for the ſummoning ſuch Jury as aforeſaid, firſt enter into a Bond to the Collector or Collectors for the Time being of the Rates and Aſſeſſments under this Act, or ſuch other Perſon or Perſons as the ſaid Commiſſioners, or any three or more of them, ſhall appoint, in the Penalty of fifty Pounds, conditioned to bear and pay the Coſts and Expences of ſummoning ſuch Jury, and taking ſuch Inqueſt, in caſe the Reference or Complaint, References or Complaints, of ſuch Perſon or Perſons ſhall be deemed by the ſaid Commiſſioners, or any three or more of them, frivolous or vexatious.

Commiſſioners may ſummon Witneſſes, and examine them on Oath.

Penalty for not appearing.

XXII. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners, or any one or more of them, at his or their own Will, or at the Requeſt of any Perſon or Perſons, Party or Parties, intereſted in any Matter or Thing to be done or determined under this Act, by or before the ſaid Commiſſioners, or any three or more of them, or to be enquired into or determined by the ſaid Juſtices, or by any ſuch Jury or Juries, as aforeſaid, ſhall and may ſummon, by Writing under the Hands or Hand of ſuch Commiſſioners, or any one or more of them, ſuch Witneſs or Witneſſes as ſhall be thought neceſſary to appear and give Evidence before the ſaid Commiſſioners, or any three or more of them, at any of their Meetings to be held in purſuance of this Act, or before the ſaid Juſtices, or before any ſuch Jury or Juries, as aforeſaid, at ſuch Time and Place, as ſhall by ſuch Summons be appointed; and if any ſuch Witneſs being duly ſerved with ſuch Summons, and having been paid, or had tendered, a Sum of Money ſufficient to bear his or her Charges of Attendance, ſhall neglect or refuſe to appear, or give Evidence, then the ſaid Commiſſioners, or any three or more of them, on due Proof thereof made before them, are hereby impowered and required, by Warrant under their Hands and Seals, to levy, by Diſtreſs and Sale of the Goods and Chattels of every Perſon ſo neglecting or refuſing to appear, or give Evidence, a Sum of Money not exceeding ten Pounds, nor leſs than five Pounds, to the Uſe of ſuch Perſon or Perſons who cauſed any ſuch Perſon to be ſummoned as a Witneſs, as aforeſaid, rendering the Overplus (if any) upon Demand, after deducting the reaſonable Charges of ſuch Summons, Diſtreſs, and Sale, to the Perſon whoſe Goods and Chattels ſhall be ſo diſtrained and ſold as aforeſaid.

When Rates are neglected to be paid, they may be levied by Diſtreſs.

XXIII. And be it further enacted, That if any Perſon or Perſons ſo rated or taxed as aforeſaid, ſhall refuſe or neglect to pay the Rate or Tax charged upon him, her, or them reſpectively, or any Part thereof, for the Space of ſix Days after the reſpective Times of Payment to be appointed by the ſaid Commiſſioners, or any five or more of them (public Notice thereof being affixed upon the Doors of the Pariſh Churches of *Altcar*, *Sefton*, *Halſall*, and *Walton upon the Hill* aforeſaid, by or by the Order of the Collector or Receiver for the Time being to the ſaid Commiſſioners), it ſhall and may be lawful for ſuch Collector or Receiver, or for any other Perſon or Perſons, by virtue of any Warrant or Precept under the Hands and Seals of the ſaid Commiſſioners, or any three or more of them (which ſaid Warrant or Precept the ſaid Commiſſioners, or any three or more of them, are hereby impowered and required, from Time to Time, to make and grant, as Occaſion ſhall require), to levy the Sum or Sums of Money ſo aſſeſſed or rated, or ſuch Part thereof as ſhall be unpaid, by Diſtreſs and Sale of any Goods and Chattels of the Perſon or Perſons ſo aſſeſſed and rated as aforeſaid, which ſhall be found in the ſaid County of *Lancaſter* or elſewhere,

elſewhere, and the Goods and Chattels ſo diſtrained to keep for the Space of five Days, at the Coſts and Charges of the Owner or Owners thereof; and if ſuch Owner or Owners ſhall not, within the Space of five Days, pay the Sum or Sums of Money ſo aſſeſſed or rated, that then the Goods and Chattels ſo diſtrained ſhall be appraiſed by two or more of the Inhabitants of the Pariſh where the ſame ſhall be taken, or other proper Perſons, and ſhall be ſold by the ſaid Collector or Collectors, Receiver or Receivers, for Payment of the ſaid Money; and the Overplus (if any be) coming by ſuch Sale, after the Sum or Sums ſo aſſeſſed or rated, and the Charges of taking, keeping, and ſelling the ſaid Diſtreſs, are deducted, ſhall be returned to the Owner or Owners thereof, upon reaſonable Demand; and the ſeveral and reſpective Tenants of all and ſingular the ſaid Low Lands who ſhall be aſſeſſed or rated by virtue of this Act, are hereby required and authoriſed to pay all or ſo much of the Sum and Sums of Money which ſhall be ſo aſſeſſed or rated, and charged, upon the Owner or Owners of ſuch Low Lands in reſpect thereof, as the Rent of ſuch reſpective Tenants ſhall amount unto, and to deduct out of the Rent ſo much of the ſaid Aſſeſſments or Rates as the Owner or Owners of the ſaid Low Lands, in reſpect thereof, are or ſhall be aſſeſſed or rated at, or as ſuch Rent ſhall amount unto, or be ſufficient to pay or ſatisfy; and the Landlords of ſuch reſpective Premiſes, according to their reſpective Intereſts, are hereby required to allow ſuch Deduction and Payment, upon Receipt of the Reſidue of their Rent (if any ſuch there be); and every Tenant paying ſuch Aſſeſſment or Rate, or ſo much thereof as his or her Rent ſhall amount to and be ſufficient to pay, ſhall be acquitted and diſcharged for ſo much Money as he or ſhe ſhall ſo pay, as if the ſame had been actually paid to the Perſon or Perſons entitled to the Rents of ſuch Lands; except where there is a Leaſe or Contract for leſs than three Years to come from the paſſing of this Act, in which Caſe the Proportion of the Aſſeſſment or Rate which the Tenant ought to bear and pay, in Conſideration of the Benefit he receives, ſhall be adjudged or awarded by any five or more of the ſaid Commiſſioners, having no Intereſt in the Premiſes ſo in Leaſe or Contract.

Tenants to deduct Taxes out of their Rents.

XXIV. And be it further enacted, That if any Perſon or Perſons ſhall refuſe or neglect to pay, or cauſe to be paid, to the Collector or Collectors for the Time being of the ſaid Aſſeſſments or Rates, the Sum or Sums of Money which ſhall be reſpectively aſſeſſed or rated, and charged, on ſuch Perſon or Perſons, for the Space of ſix Days after perſonal Demand ſhall have been made, or Notice thereof in Writing left at the Dwelling-houſe or laſt Place of Reſidence of ſuch Perſon or Perſons ſo aſſeſſed or rated, and charged or taxed as aforeſaid, by the ſaid Collector or Collectors, every ſuch Perſon ſo refuſing or neglecting ſhall, over and above the Aſſeſſments or Rates ſo in Arrear, forfeit and pay the Sum of two Shillings for every twenty Shillings which ſhall be ſo in Arrear and unpaid, and ſo in Proportion for any leſſer Sum in Arrear, to be levied by Diſtreſs and Sale of the Goods and Chattels of ſuch Perſon or Perſons, and in ſuch Manner as the aforeſaid Aſſeſſments, Rates, or Taxes, are herein and hereby directed to be levied; and the Money ſo forfeited and levied ſhall be applied towards carrying on the ſaid Works of draining, and other the Purpoſes of this Act.

For the better recovering Payment of the Taxes.

XXV. And be it further enacted by the Authority aforeſaid, That in caſe any of the ſaid Low Lands ſhall at any Time hereafter be untenanted or unoccupied, ſo that no ſufficient Diſtreſs can be found for levying the ſaid Aſſeſſments, Rates, or Taxes, then the Lands chargeable therewith ſhall always remain a Security for Payment thereof; and all Goods and Chattels which ſhall at any Time thereafter be found thereon, ſhall and may be diſtrained, kept, appraiſed, and ſold, in Manner as aforeſaid, until all Arrears of the ſaid Aſſeſſments, Rates, or Taxes, and the Charges attending ſuch Diſtreſs or Diſtreſſes, ſhall be fully paid and ſatisfied; and alſo that it ſhall and may be lawful to and for the ſaid Collector or Collectors, Receiver or Receivers for the Time being, to enter upon and let the ſame Lands, to be mowed or depaſtured from Year to Year only, for the beſt Rent that can be gotten for the ſame, and to receive and take the Rents and Profits thereof for the Uſe of the ſaid Commiſſioners, to be applied for the Purpoſes of this Act, until all Arrears of the ſaid Aſſeſſments, Rates, or Taxes, and Charges, ſhall be fully ſatisfied and paid, rendering the Overplus of the Rents and Profits (if any), after diſcharging ſuch Arrears and Charges, to the Owner or Owners of ſuch Lands.

How Taxes may be levied on untenanted Premiſes.

XXVI. And be it further enacted, That if the ſaid Commiſſioners, or any three or more of them, ſhall cauſe Notice or Notices in Writing, ſigned by them, to be given to or left at the uſual Place or Places of Abode or Dwelling of any Collector or Collectors, Receiver or Receivers, ſo to be nominated and appointed as aforeſaid, thereby requiring him or them to pay all or any Sum or Sums of Money which ſhall have been collected and received by him or them by virtue of or in conſequence of his or their ſaid Office or Offices, and then remaining unpaid by him or them, over and above his or their Salary or Salaries, to the Perſon or Perſons, and at the Time and Place therein for that Purpoſe mentioned, and the Collector or Collectors, Receiver or Receivers to or for whom any ſuch Notice or Notices ſhall be ſo given or left as aforeſaid, ſhall, for the Space of ſix Days, refuſe or neglect to pay the Sum or Sums of Money mentioned in ſuch Notice or Notices, to the Perſon or Perſons therein named, then, and in every ſuch Caſe and as often as it ſhall ſo happen, it may and ſhall be lawful for any Perſon or Perſons, by virtue of any Warrant or Precept under the Hands and Seals of any three or more of the ſaid Commiſſioners (which Warrant or Precept the ſaid Commiſſioners, or any three or more of them, are hereby impowered, from Time to Time, to make and grant (as they ſhall think fit), to diſtrain all or any of the Goods and Chattels of ſuch Collector or Collectors, Receiver or Receivers, for the Sum or Sums of Money mentioned in ſuch Notice or Notices, and to appraiſe, ſell, and diſpoſe of, the Goods and Chattels ſo diſtrained, for Payment of the Sum or Sums of Money mentioned in the ſaid Notice or Notices, rendering and paying the Overplus of the Money raiſed by ſuch Sale or Sales (if any) as ſhall remain after paying all the Sum or Sums of Money mentioned in ſuch Notice or Notices, and all the Coſts and Expences of or relating to ſuch Diſtreſſes and Sales as aforeſaid, to the ſaid Collector or Collectors, Receiver or Receivers, upon reaſonable Demand.

How to recover Payment of the Money from the Collectors.

XXVII. And

Commiſſioners impowered to borrow Money,

'XXVII. And for as much as the Money ſo to be aſſeſſed, rated, levied, collected, and gathered, as 'aforeſaid, will not be ſufficient to defray the immediate Expences of making ſuch new Channel, Banks, 'Bridges, Cuts, Drains, Dams, Tunnels, Cloughs, Sluices, and Outlets, and of erecting and making 'ſuch Flood-gates, Engines, Locks, Weirs, and other Works, as will be neceſſary for the Draining and 'ſpeedy Improvement of the ſaid Low Lands;' be it further enacted, That the ſaid Commiſſioners, or any three or more of them, aſſembled at any Meeting to be held as aforeſaid, ſhall and may, and are hereby impowered, from Time to Time, to borrow and take up at Intereſt any Sum or Sums of Money which they ſhall think neceſſary for the making, carrying on, repairing and preſerving the ſaid Works, and other the Purpoſes of this Act; and by Writing under their Hands and Seals (without Stamps) to aſſign over the ſaid yearly Rates and Taxes hereby charged or to be charged upon the Owners and Occupiers of the ſaid Low Lands, and every or any Part thereof (the Coſts and Charges of the Aſſignments to be paid out of the ſaid Rates or Taxes), as a Security for the Repayment of ſuch Sum or Sums, with Intereſt, to the Perſon or Perſons who ſhall advance or lend ſuch Sum or Sums, his, her, or their Truſtee or Truſtees, Executors, Adminiſtrators, or Aſſigns; which Money ſo to be borrowed ſhall be applied and diſpoſed of in making ſuch new Channel, Banks, Bridges, Cuts, Drains, Dams, Tunnels, Cloughs, Sluices, and Outlets, and erecting and making ſuch Flood-gates, Engines, Locks, Weirs, and other Works, as will be neceſſary for draining and improving the ſaid Low Lands, and for other the Purpoſes of this Act, and to no other Uſe or Purpoſe whatſoever.

and to aſſign the Rates as a Security.

Further Security to the Lenders.

XXVIII. And be it further enacted, That the Rates, Taxes, and Sums of Money to be aſſeſſed or charged by virtue of this Act, upon the Owners or Occupiers of the ſaid Low Lands, ſhall be charged and chargeable, in the firſt place, with the Payment of the Principal Money ſo to be borrowed, and the Intereſt of ſuch Money from Time to Time, and ſhall veſt in the reſpective Creditors upon Default of Payment of ſuch principal Money and Intereſt, until the ſame ſhall be duly ſatisfied and paid, together with the Coſts and Charges occaſioned by the Non-payment thereof; but ſubject nevertheleſs to the Payment of ſuch Sum or Sums of Money, with Intereſt, as ſhall be agreed to be paid, or ſhall be aſſeſſed for Damages, as herein-before is mentioned; and the ſaid Creditors, their Executors, Adminiſtrators, and Aſſigns reſpectively, ſhall have the ſame Power, Rights, and Privileges, of raiſing and recovering the ſeveral Rates, Taxes, and Sums of Money, payable by the ſeveral Owners and Occupiers of the ſaid Low Lands, for and in reſpect of ſuch Principal Money and Intereſt, in caſe of Default of Payment thereof, as the ſaid Commiſſioners, or their Collector or Collectors, Receiver or Receivers, could have had in caſe the ſaid Principal and Intereſt Money had been regularly and duly ſatisfied and paid.

Aſſignments of the Rates may be transferred.

XXIX. And be it further enacted, That every Perſon to whom any Aſſignment of the ſaid Rates and Taxes ſhall be made, for ſecuring any ſuch Sum or Sums of Money lent as aforeſaid, or who ſhall be entitled to the Money thereby ſecured, ſhall have full Power, from Time to Time, by Indorſement on the original Grant, Aſſignment, or Security, or otherwiſe, by any Writing or Writings, without Stamps, to aſſign or transfer the ſame to any Perſon or Perſons whomſoever; and ſuch Transfer or Aſſignment, from and after the Time that a Copy of the ſame ſhall be entered in a Book to be kept by the ſaid Commiſſioners for that Purpoſe (which Entry their Clerk or Treaſurer is hereby required to make, upon producing ſuch Aſſignment, and Payment of five Shillings for making the ſame), ſhall entitle ſuch Aſſignee or Aſſignees, his, her, or their Executors, Adminiſtrators, or Aſſigns, to the principal Sum, and all Intereſt due or to grow due thereupon; and ſuch Aſſignee or Aſſignees, and his, her, or their Executors, Adminiſtrators, or Aſſigns, may in like Manner aſſign the ſame again, and ſo *toties quoties*, as Occaſion ſhall require, every ſuch Aſſignment being entered as aforeſaid.

The Occupiers only to be taxed for Repairs after the Money borrowed ſhall be paid and the Works completed.

XXX. Provided always, and be it further enacted, That from and after the Principal Money which ſhall be borrowed for the Purpoſes of this Act as aforeſaid, and the Intereſt thereof, ſhall have been fully paid and ſatisfied, and the ſaid Commiſſioners, or any three or more of them, ſhall have certified in Writing, ſigned by them, that the ſaid Works for draining and preſerving of the ſaid Low Lands have been completed and finiſhed, the reſpective Occupiers only of the ſaid Low Lands ſhall from thenceforth be aſſeſſed, rated, and taxed, yearly and every Year, for and towards the repairing, maintaining, and preſerving of ſuch Works, at and after ſuch annual Acre Rate or Tax, as aforeſaid; and the ſame ſhall be paid by ſuch Occupiers without having any Abatement or Allowance out of their or any of their Rent, from the reſpective Owners of the ſaid Low Lands, or of any Part thereof, or otherwiſe howſoever; any Thing herein contained to the contrary hereof notwithſtanding.

Puniſhment for deſtroying the Works.

XXXI. And be it further enacted, That if any Perſon or Perſons ſhall at any Time or Times wilfully, maliciouſly, and wantonly, burn, cut, throw down, or otherwiſe deſtroy, or cauſe, or procure, or hire any Perſon or Perſons to burn, cut, throw down, or otherwiſe deſtroy, any Bridge, Baulk, Mill, Clough, Engine, Flood-gate, Lock, Weir, or Sluice, which now is or are, or at any Time or Times hereafter ſhall be making or erecting, or made or erected, for draining and improving the ſaid Low Lands, and ſhall be thereof lawfully convicted, every ſuch Perſon ſhall be ſubject and liable to the like Pains and Penalties as in Caſes of Felony; and the Court by and before whom ſuch Perſon or Perſons ſhall be tried, ſhall and have hereby Power and Authority to cauſe ſuch Perſon or Perſons to be puniſhed, in like Manner as Felons are directed to be puniſhed by the Laws and Statutes of this Realm; or, in Mitigation of ſuch Puniſhment, ſuch Court may, if they think fit, award ſuch Sentence as the Law directs in Caſes of Petit Larceny.

Penalty for opening Flood-gates, &c.

XXXII. And be it further enacted, That if any Perſon or Perſons ſhall at any Time or Times hereafter wilfully, maliciouſly, or wantonly open, or cauſe to be opened, any of the ſaid Flood-gates, Cloughs, or Tunnels, or other Paſſage for Water, to the Prejudice of the ſaid Low Lands, or any Part thereof, or ſtop, dam up, ſpoil, or damage, or cauſe, procure, or hire any Perſon to ſtop, ſpoil, or damage, any Drain, Water-courſe, Tunnel, Bridge, or other Work or Works which now is or are, or at any Time or Times

hereafter ſhall be making or erecting, or made or erected for the Purpoſes aforeſaid, or ſhall wilfully or maliciouſly lay, throw, or place, any Rubbiſh or any other Obſtruction therein, or cauſe, procure, or hire, any Perſon to lay, throw, or place, any Rubbiſh therein, in order to obſtruct or prevent the free Current and Paſſage of the Water, every Perſon offending in any of the ſaid Caſes, who ſhall be convicted thereof on the Oath or Oaths of one or more credible Perſon or Perſons, before two Juſtices of the Peace for the ſaid County of *Lancaſter*, ſhall forfeit, for every ſuch Offence, the Sum of fifty Pounds, to be levied by Diſtreſs and Sale of the Goods and Chattels of every ſuch Offender, by Warrant under the Hands and Seals of the Juſtices by whom ſuch Conviction ſhall be made, to be applied and laid out for the Purpoſes of this Act; and for Want of ſufficient Diſtreſs, ſuch Offender or Offenders ſhall be committed to the Houſe of Correction or Common Gaol of the ſaid County of *Lancaſter*, by virtue of any Warrant under the Hands and Seals of any two of the ſaid Juſtices, there to remain for any Time not exceeding twelve Calendar Months, at the Diſcretion of the ſaid Juſtices by whom ſuch Commitment ſhall be made; and if ſuch Perſon or Perſons ſhall offend again in like Manner, and be thereof lawfully convicted, every ſuch Perſon ſhall be ſubject and liable to the like Pains and Penalties, as in Caſes of Felony; and the Court by and before whom ſuch Perſon or Perſons ſhall be tried, ſhall, and have hereby Power and Authority to cauſe ſuch Perſon or Perſons to be puniſhed, in like Manner as Felons are directed to be puniſhed by the Laws and Statutes of this Realm; or in Mitigation of ſuch Puniſhment, ſuch Court may, if they think fit, award ſuch Sentence as the Law directs, in Caſes of Petit Larceny.

Offenders, for ſecond Offence, to be puniſhed as Felons.

XXXIII. And be it further enacted, That if any Perſon or Perſons ſhall at any Time make, or cauſe to be made, any Watering-place or Places of Acceſs for any Cattle to drink, in any of the Dams or Drains within the ſaid Low Lands, or ſhall continue to uſe any Watering-place after Notice in Writing to the contrary ſhall be given to him, her, or them, by any Officer appointed by any two or more of the ſaid Commiſſioners; or if any Perſon or Perſons ſhall drive, or cauſe to be driven, any Waggon, Cart, or other Carriage, upon or acroſs any Bank which ſhall be made or maintained by virtue of this Act (unleſs ſuch Bank hath been of Right uſed as a Cart-way, or be made upon any common Drove-way, and a ſufficient Paſſage ſhall not be left along the Side of the ſaid Bank); or if any Perſon or Perſons ſhall ſtack any Sedge or Fodder upon any of the ſaid Banks, or ſhall drive, or cauſe to be driven, any Horſes, Cattle, Sheep, or Lambs, upon any Bank which ſhall be raiſed or maintained by virtue of this Act, every Perſon ſo offending in any of the ſaid Caſes, being thereof convicted before one Juſtice of the Peace for the ſaid County of *Lancaſter*, on the Oath of one or more credible Witneſs or Witneſſes, or on Confeſſion of the Party or Parties offending, ſhall forfeit, for every ſuch Offence, the Sum of ten Shillings to the ſaid Commiſſioners, to be levied by Diſtreſs and Sale of the Goods and Chattels of every ſuch Offender or Offenders, by Warrant under the Hand and Seal of the ſaid Juſtice before whom ſuch Conviction ſhall be made, and applied for the Purpoſes of this Act.

Penalty on making Watering-Places

or driving Carriages or Cattle on the Bank,

XXXIV. Provided always, That where there is no Drove-way leading to the Lands or Grounds of any Owner or Occupier in the ſaid Low Lands, it ſhall and may be lawful to and for every Owner or Occupier of ſuch Lands or Grounds, and his, her, and their Servants and Workmen, to drive any Cattle upon and acroſs the ſaid Banks to and from ſuch Low Lands or Grounds; any Thing herein contained to the contrary notwithſtanding.

Exception, relating to driving Cattle.

XXXV. And be it further enacted, That if any Perſon or Perſons ſhall permit or ſuffer his, her, or their Horſes, Cattle, Sheep, or Lambs, to depaſture or feed, or if any Horſes, Cattle, Sheep, or Lambs ſhall be found depaſturing or feeding upon any of the Banks or Drove-ways which ſhall be made or maintained by virtue of this Act; then and in either of the ſaid Caſes, when and as often as it ſhall ſo happen, it ſhall and may be lawful to and for any ſuch Collector or Receiver as aforeſaid, or any other Perſon employed by him, to ſeize and impound ſuch Horſes, Cattle, Sheep, or Lambs, then depaſturing or feeding upon ſuch Banks or Drove-ways, and to detain and keep ſuch Horſes, Cattle, Sheep, or Lambs, until the Owner or Owners thereof ſhall have paid, to the Perſon or Perſons impounding the ſame, the Sum of one Shilling for every Horſe, and for every Ox, Cow, or other Neat Cattle, and the Sum of Three-pence for every Sheep or Lamb, which ſhall be ſo impounded; and in caſe the ſame ſhall not be paid, together with the reaſonable Charges of detaining and keeping the ſame, before the next Meeting of the ſaid Commiſſioners, that then the ſaid Commiſſioners, or any three or more of them, ſhall and may cauſe the Horſes, Cattle, Sheep, and Lambs, ſo impounded, to be ſold, returning the Overplus of the Money ariſing thereby (if any be) to the Owner or Owners of ſuch Horſes, Cattle, Sheep, and Lambs, on reaſonable Demand, after the reaſonable Charges of ſuch detaining, keeping, and ſelling the ſame, be fully paid and ſatisfied.

To prevent feeding Cattle on the Banks or Drove-ways.

XXXVI. And be it further enacted, That no Perſon ſhall mow, or cauſe to be mown, any of the Banks or Drove-ways to be made or maintained by virtue of this Act, unleſs the ſame ſhall be done by the Order or Direction of the ſaid Commiſſioners, or any three or more of them; and the Produce of the Banks of the ſaid new Channel ſhall be ſold and diſpoſed of, and the Money ariſing thereby applied for the Preſervation of the ſaid Banks or Drove-ways, and other the Purpoſes of this Act; and that no Perſon or Perſons ſhall plough, dig, delve, or break up, or cauſe to be ploughed, dug, delved, or broken up, any of the Banks or Drove-ways made or to be made and maintained by virtue of this Act, unleſs the ſame ſhall be done by the Order or Direction of the ſaid Commiſſioners, or any three or more of them.

The Banks not to be mowed, ploughed, or dug, but by Direction of Commiſſioners.

XXXVII. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners, or any three or more of them, ſhall and may, and they are hereby authoriſed and impowered, to cauſe any Star to be planted in and upon ſuch of the Sand-hills, or other Places near or contiguous to the ſaid old Channel of the River *Alt*, or the ſaid new Channel when made, or any of the Inlets or Outlets of Water of either of them, and to remove any Hill or Hills which may cauſe any Obſtruction or Impediment to either of the ſaid Channels, or any of the Inlets or Outlets of Water thereto or therefrom, as they the ſaid Com-

Commiſſioners impowered to plant Star in the Low Lands,

Commiſſioners, or any three or more of them, ſhall from Time to Time think proper or neceſſary for the Preſervation as well of the Courſe of the ſaid old Channel, as of the Courſe of the ſaid new Channel when made, or any of the ſaid Inlets or Outlets of Water thereto or therefrom.

Penalty on Occupiers of Low Lands who ſhall neglect to open Watercourſes, and repair Cloughs and Tunnels.

XXXVIII. And be it further enacted by the Authority aforeſaid, That if the Occupier or Occupiers of any of the ſaid Low Lands ſhall at any Time or Times refuſe or neglect well and ſufficiently to widen, deepen, ſcour, or cleanſe, his, her, or their Ditches, Drains, or Watercourſes, or to put into good and ſufficient Repair, Order, and Condition, his, her, or their Cloughs and Tunnels, in or upon any of the ſaid Low Lands, after ten Days Notice given to him, her, or them, for any of thoſe Purpoſes, by any Officer appointed by any two or more of the ſaid Commiſſioners; then and ſo often it ſhall be lawful for the ſaid Commiſſioners, or any two or more of them, to employ ſome Perſon or Perſons, well and ſufficiently to widen, deepen, ſcour, or cleanſe, ſuch Ditches, Drains, or Watercourſes, or any of them, and to put into good and ſufficient Repair, Order, and Condition, ſuch Cloughs and Tunnels, or any of them, and by Warrant or Precept under their Hands and Seals (which Warrant or Precept the ſaid Commiſſioners, or any two or more of them, are hereby impowered and required from Time to Time to make and grant, as Occaſion ſhall require) to levy the uſual or reaſonable Charges and Expences of ſuch widening, deepening, ſcouring, or cleanſing, of ſuch Ditches, Drains, or Watercourſes, and of putting into ſuch Repair, Order, and Condition, ſuch Cloughs and Tunnels reſpectively, by Diſtreſs and Sale of the Goods, Chattels, or Cattle, of ſuch Occupier or Occupiers ſo refuſing or neglecting, which ſhall be found upon any Part of the ſaid Low Lands occupied by him, her, or them reſpectively, in the ſame Manner as the ſaid Rates and Taxes are herein-before directed to be levied, together with the Charges of making, keeping, and ſelling ſuch Diſtreſs, rendering the Overplus (if any) to ſuch Occupier or Occupiers reſpectively (after all Charges paid) upon reaſonable Demand.

The Tenure of Lands not to be altered by any Forfeiture incurred by this Act.

XXXIX. Provided always, and be it further enacted and declared, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to defeat, alter, or change the Nature or Tenure of the ſaid Low Lands, or any of them, by reaſon of the Nonpayment of Taxes, or on any other Account mentioned in this Act; but the ſame ſhall remain, continue, and be under the ſeveral Tenures they were holden before the paſſing of this Act; any Thing herein contained to the contrary hereof in anywiſe notwithſtanding.

Works done by virtue of this Act not to be ſubject to Commiſſioners of Sewers.

XL. Provided alſo, and be it further enacted by the Authority aforeſaid, That the ſaid new Channel, and the Cuts, Drains, Dams, Banks, Cloughs, Tunnels, Bridges, Flood-gates, Engines, Locks, Weirs, and other Works, made and to be made, and altered, in, upon, and about the ſaid Low Lands, and the ſaid River, Rivulets, Brooks, or Streams, by virtue of this Act, ſhall not be ſubject to the Controul, Direction, Survey, or Order of any Commiſſion of Sewers, or Law or Statute relating to Sewers; and that the Power of the Commiſſion of Sewers ſhall not extend or be deemed to extend to any of the Premiſes compriſed in this Act, any Law or Statute to the contrary hereof notwithſtanding.

In caſe the new Channel be made through Mr. Formby's Lands, the Commiſſioners ſhall cauſe a Carriage Bridge to be made in his Lands, and ſuch other Bridges as they ſhall think proper.

XLI. And be it further enacted by the Authority aforeſaid, That in caſe the ſaid new Channel ſhall be made as aforeſaid, the ſaid Commiſſioners, or any three or more of them, ſhall and are hereby required to cauſe to be made a good and ſubſtantial Carriage Bridge over the ſaid new Channel, at ſuch Place within the Eſtate of the ſaid *Richard Formby*, as the ſaid Commiſſioners, or any three or more of them, ſhall think moſt convenient and proper; and ſhall alſo make ſuch other Bridge or Bridges over the ſaid River *Alt*, and alſo over the ſaid new Channel, as to them ſhall appear neceſſary; and the ſaid Commiſſioners, or any three or more of them, ſhall from Time to Time maintain and ſupport the ſaid Carriage Bridge, and ſuch other Bridge or Bridges as aforeſaid; and the Expence of building, making, maintaining and ſupporting the ſaid Bridge or Bridges, ſhall be defrayed out of any Money to be raiſed or received by virtue of this Act.

Election of new Commiſſioners.

'XLII. And, for continuing a ſufficient Number of Commiſſioners for putting this Act in Execution;' be it further enacted by the Authority aforeſaid, That upon the Death, Reſignation, or Refuſal to act, of any of the Commiſſioners herein-before named, or to be appointed in Manner herein-after mentioned, (ſuch Reſignation or Refuſal to be ſignified in Writing to the Clerk to the ſaid Commiſſioners), or of their or any of their becoming incapable to act as herein-after is mentioned, it ſhall and may be lawful to and for the ſurviving Commiſſioners, or any three or more of them, aſſembled at a Meeting to be held as aforeſaid, to chuſe, from Time to Time, a proper Perſon, not intereſted in the ſaid Low Lands, to be a Commiſſioner in the Place of each Commiſſioner who ſhall die, or reſign, or refuſe to act, or become incapable of acting as aforeſaid; and every ſuch new Commiſſioner ſo to be from Time to Time choſen as aforeſaid, ſhall have the like Power and Authority to act, in all Things relating to the Execution of this Act, as the Commiſſioners before named are by this Act inveſted with; and every ſuch Election of a new Commiſſioner ſhall be from Time to Time entered in the Book or Books of the Proceedings of the ſaid Commiſſioners in Execution of this Act.

Perſons intereſted in the Lands incapable of being Commiſſioners.
No Buſineſs valid unleſs done at Meetings.

XLIII. Provided always, That no Perſon or Perſons intereſted in the ſaid Low Lands, or any of them, ſhall be enabled to meet, ſit, or act as a Commiſſioner or Commiſſioners for any of the Purpoſes herein-before mentioned, or to elect any new Commiſſioner or Commiſſioners in the Room of other or others, or to put any of the Powers or Authorities of this Act in Execution; and that no Order, Adjudication, or Determination, made by any of the Commiſſioners, ſhall be binding, unleſs the ſame ſhall be made at their firſt General Meeting, or at ſome or one of their General Meetings, or Meetings by Adjournment, to be held in purſuance of this Act, or in conſequence of or by Order at ſuch Meetings or Meeting reſpectively.

Commiſſioners becoming intereſted incapable of acting.

XLIV. Provided alſo, That in caſe any Perſon or Perſons appointed, or to be appointed a Commiſſioner or Commiſſioners in or by virtue of this Act, ſhall at any Time after ſuch Appointment become ſeiſed or poſſeſſed of any of the ſaid Low Lands by Deſcent or Purchaſe, or otherwiſe intereſted therein, ſuch Perſon and Perſons ſhall immediately after his or their becoming ſo ſeiſed, poſſeſſed, or intereſted, be incapable of

of being or acting as a Commiſſioner or Commiſſioners under this Act, or in carrying the Purpoſes thereof into Execution; and all Acts to be afterwards done by ſuch Perſon and Perſons as a Commiſſioner or Commiſſioners as aforeſaid, ſhall and are hereby declared to be reſpectively null and void.

Commiſſioners to be ſworn.

XLV. Provided alſo, That no Perſon ſhall be capable of acting as a Commiſſioner in the Execution of any of the Powers or Authorities hereby given (other than adminiſtering the Oath following to one another) until he ſhall have taken and ſubſcribed an Oath to the Effect following; (that is to ſay)

The Oath.

'I *A. B.* do ſwear, That I will, without Favour or Affection, Hatred or Malice, truly and impartially, according to the beſt of my Skill and Knowledge, execute and perform all and every the Powers and Authorities given unto me as a Commiſſioner appointed in purſuance of an Act of Parliament *for draining, improving, and preſerving, the Low Lands in the Pariſhes of* Altcar, Sefton, Halfall, *and* Walton upon the Hill, *in the County Palatine of* Lancaſter.'

Which Oath the ſaid Commiſſioners, or any one or more of them, is or are hereby authoriſed and impowered to adminiſter to any other of the ſaid Commiſſioners, at their firſt or any ſubſequent Meeting or Meetings, to be holden in purſuance of this Act.

Commiſſioners not to be perſonally, or their Eſtates, ſubject to any Coſts or Charges by Means of their acting in the Execution of this Act.

XLVI. Provided always, and be it further enacted and declared by the Authority aforeſaid, That nothing in this Act contained ſhall be conſtrued to charge or ſubject the ſaid Commiſſioners, or any of them, with any Coſts or Charges, perſonally, or out of their or any of their own private Eſtates, but that all Coſts and Charges which ſhall be awarded againſt the ſaid Commiſſioners, or any of them, under this Act, ſhall be borne and paid from and out of the Monies to be had and received by virtue of or under this Act; any Thing herein contained to the contrary thereof, in anywiſe notwithſtanding.

Diſtreſs not unlawful for Want of Form.

Perſons may recover, in caſe of Irregularity in Diſtreſs, for Special Damage; but not after Amends tendered.

XLVII. And be it further enacted, That where any Diſtreſs ſhall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Diſtreſs itſelf ſhall not be deemed unlawful, nor the Perſon or Perſons making the ſame be deemed a Treſpaſſer or Treſpaſſers, on Account of any Defect or Want of Form in the Summons, Conviction, Warrant of Diſtreſs, or other Proceedings relating thereto, nor ſhall the Perſon or Perſons diſtraining be deemed a Treſpaſſer or Treſpaſſers *ab initio*, on Account of any Irregularity which ſhall be afterwards committed by the Perſon or Perſons diſtraining; but the Perſon or Perſons aggrieved by ſuch Irregularity ſhall and may recover full Satisfaction for the ſpecial Damage in an Action upon the Caſe; but no Plaintiff or Plaintiffs in any ſuch Action ſhall recover for any ſuch Irregularity, if Tender of good and ſufficient Amends ſhall have been made by or on Behalf of the Defendant or Defendants, before ſuch Action brought; nor if ſuch Tender of Amends ſhall be made at any Time after ſuch Action brought, and before the Trial thereof, together with Coſts of Suit to the Time of ſuch laſt-mentioned Tender; but on Proof made of ſuch Tender on the Trial of ſuch Action, the Plaintiff or Plaintiffs therein ſhall ſuffer Judgment, as in Caſes of Nonſuit, to be entered againſt ſuch Plaintiff or Plaintiffs, with Treble Coſts, to be recovered in the ſame Manner as any Defendant or Defendants may recover Coſts at Law.

Books of Account to be kept.

'XLVIII. And, to the End that it may appear clearly what Money has been raiſed from Time to Time by virtue of this Act, and that the Owners and Proprietors of the ſaid Low Lands may be ſatisfied, that the Money collected and raiſed hath been duly applied;' be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners, or any three or more of them, ſhall cauſe Books of Aſſeſſments, Receipts, and Diſburſements, to be provided and kept, and the Accounts of every Collector or Receiver ſhall be entered therein after the ſame ſhall have been paſſed and allowed as herein-after mentioned; and that once or oftener in every Year, on one of the Days of Meeting of the ſaid Commiſſioners, Inſpection ſhall be had by the ſaid Commiſſioners, or any three or more of them, of the Receipts and Diſburſements of all Money which ſhall be collected by virtue of this Act; and all Accounts relating to the ſame ſhall be then, or within twenty Days after, made up and ſettled by any three or more of the ſaid Commiſſioners, aſſembled at ſuch Meeting; at which Time the reſpective Collector or Collectors, Receiver or Receivers, of the ſaid Rates and Sums of Money to be raiſed as aforeſaid, is and are hereby required to attend, with proper Books of Accounts of his or their Receipts and Diſburſements, and all Vouchers for the ſame; and upon Conſideration and Examination thereof upon Oath (which Oath any one of the ſaid Commiſſioners at ſuch Meeting is hereby impowered to adminiſter) the ſaid Commiſſioners, or any three or more of them, are hereby impowered to allow, paſs, and ſign the ſaid Accounts, or ſuch Part or Parts of the ſame as they ſhall ſee juſt and reaſonable; and ſuch Accounts, or ſuch Part or Parts of them as ſhall be ſo allowed, paſſed, and ſigned, ſhall be fairly entered in ſuch Book or Books to be kept for that Purpoſe as aforeſaid, by the ſaid Commiſſioners, or any one of them, or by their Clerk; and the ſaid Book or Books ſhall and may at all Times be inſpected and peruſed at ſeaſonable Hours, without Fee or Reward, by any Owner or Owners, Occupier or Occupiers, of any of the ſaid Low Lands hereby directed to be drained and preſerved.

Accounts to be paſſed yearly, or oftener.

Rules and Orders to be entered in Books, and ſigned;

and may be given in Evidence.

XLIX. And be it further enacted, That all Rules, Orders, and Proceedings of the ſaid Commiſſioners, or any of them, in the Execution of this Act, ſhall be entered in a Book or Books to be kept for that Purpoſe; and ſuch Rules, Orders, and Proceedings, when entered, ſhall be ſigned by the ſaid Commiſſioners, or any three or more of them, and the Clerk to the ſaid Commiſſioners is hereby required to ſet his Name as a Witneſs thereto: And the ſaid Rules, Orders, and Proceedings, ſo ſigned and atteſted, ſhall be deemed and taken to be original Rules, Orders, and Proceedings; and ſhall and may be produced and read in Evidence in all Cauſes of Appeal, Suits, Actions, or other Proceedings, touching any Thing done in purſuance of this Act: And ſuch Book or Books ſhall and may be inſpected and peruſed at all ſeaſonable Hours, without Fee or Reward; and Copies thereof, or of any Part thereof, may be taken by any Perſon or Perſons, paying the ſaid Clerk after the Rate of Three-pence for every one hundred Words.

No Order to be reverſed, unleſs by Conſent of five Commiſſioners.

L. Provided always, and be it further enacted, That no Order which ſhall be made by the ſaid Commiſſioners, or any three or more of them, by virtue and under the Authority of this Act, at any of their Meetings, ſhall be altered, reverſed, annulled, or made void, at any ſubſequent Meeting, unleſs five or more of the ſaid Commiſſioners ſhall be preſent at ſuch Meeting, and ſhall conſent thereto, nor unleſs ten Days Notice in Writing, ſigned by the Clerk to the ſaid Commiſſioners, be affixed upon the Church Doors of *Altcar*, *Sefton*, *Halſall*, and *Walton upon the Hill* aforeſaid reſpectively, on ſome *Sunday*; in which ſaid Notice it ſhall be expreſſed what Order or Orders are intended to be reverſed, altered, or made void

Saving the Rights of Lords of Manors.

LI. Provided always, and it is hereby declared, That nothing in this Act contained ſhall prejudice, leſſen, or defeat, the Right, Title, or Intereſt, of the Lord or Lords, Lady or Ladies, of any Manor or Manors within the Juriſdiction or Limits whereof the ſaid Low Lands, by this Act directed to be drained, embanked and preſerved, do lie, of, in, or to any Seigniories, Royalties, and Rights, incident and belonging to the ſaid Manor or Manors, but that ſuch Lord or Lords, Lady or Ladies, ſhall at all Times hereafter have, hold, exerciſe, and enjoy, all Rights, Royalties, Juriſdictions, and Privileges (except ſuch as may be prejudicial to the draining of the ſaid Lands hereby directed to be drained and preſerved), in as full, ample, and beneficial Manner, to all Intents and Purpoſes, as he, ſhe, or they might have had, held, exerciſed, and enjoyed the ſame, in caſe this Act had not been made; nor ſhall any Thing in this Act prejudice, leſſen, or defeat the Right or Intereſt of any of the Owners and Proprietors of the ſaid Low Lands, of, in, or to the Liberty of Fiſhing and Fowling in or upon the ſaid new intended Channel, and the ſaid River *Alt*, and the Rivulets, Brooks, or Streams, running, or which ſhall run therein.

Fiſhing and Fowling reſerved to Owners.

Juſtices may adminiſter Oaths.

False Evidence to be puniſhed as Perjury.

LII. And be it further enacted, That in all Caſes wherein Juriſdiction is given to any Juſtice or Juſtices of the Peace by this Act, it ſhall and may be lawful for ſuch Juſtice or Juſtices to adminiſter an Oath to any Witneſs or Witneſſes; and that all and every Perſon and Perſons, who, in any Examination to be taken by virtue of this Act, ſhall wilfully give falſe Evidence or Information before the ſaid Commiſſioners, or any three or more of them, or before any Juſtice or Juſtices of the Peace, and being convicted thereof, ſhall be ſubject and liable to ſuch Pains and Penalties as, by any Law now in being, Perſons convicted of wilful and corrupt Perjury are ſubject and liable to.

Perſons aggrieved by Order of Juſtices, may appeal to the Quarter Seſſions;

LIII. And be it further enacted, That all Perſons who ſhall think themſelves aggrieved by the Order or Judgment of any Juſtice or Juſtices of the Peace, upon Account of any Offence committed againſt this Act, may appeal to the Juſtices of the Peace at their next General Quarter Seſſions of the Peace, to be holden by Adjournment, or otherwiſe, for the Diſtrict of the ſaid County Palatine of *Lancaſter*, wherein the ſaid Low Lands directed by this Act to be drained and preſerved, do lie; the Perſon or Perſons ſo appealing, firſt entering into a Recognizance, with two ſufficient Sureties, in a ſufficient Penalty, to proſecute ſuch Appeal with Effect, and to pay the Coſts which ſhall be aſcertained by the ſaid Juſtices in their ſaid General Quarter Seſſions, in caſe ſuch Order or Judgment ſhall be affirmed; and the Juſtices, in their ſaid General Quarter Seſſions, are hereby authoriſed and required to hear and determine ſuch Appeal, and to give ſuch Coſts to either Party as they ſhall think reaſonable, and to make ſuch Order therein as to them ſhall appear juſt; which Order ſhall be final and concluſive to all Parties, and ſhall not be removed or removable by *Certiorari*, or any other Writ or Proceſs whatſoever, into any of his Majeſty's Courts of Record at *Weſtminſter*, or for the ſaid County Palatine of *Lancaſter*, or elſewhere.

whoſe Order ſhall be final.

Proceedings not to be quaſhed for want of Form.

LIV. And be it further enacted, That no Order or other Proceedings to be made or had by or before any Juſtice or Juſtices of the Peace, by virtue of the Powers by this Act granted, ſhall be quaſhed or vacated for want of Form only.

How Juſtices to proceed for Conviction of Offenders.

LV. And be it further enacted, That all and every Juſtice or Juſtices of the Peace, before whom any Perſon or Perſons ſhall be convicted of any Offence againſt this Act, ſhall and may cauſe the Conviction to be drawn up in the following Form of Words, as the Caſe ſhall happen, or in any other Form of Words to the ſame Effect:

Form of Conviction.

*County Palatine of* Lancaſter *(to wit)* } ‘ BE it remembered, That on the Day of in the Year of our Lord *A. B* is convicted before
‘ of his Majeſty's Juſtices [*or* Juſtice] of the Peace for the County of *Lancaſter*, by virtue of an Act made
‘ in the nineteenth Year of the Reign of his Majeſty King *George* the Third, *for draining, improving, and*
‘ *preſerving the Low Lands in the Pariſhes of* Altcar, Sefton, Halſall, *and* Walton upon the Hill, *in the*
‘ *County Palatine of* Lancaſter, [*ſpecifying the Offence, and the Time and Place when and where the ſame was*
‘ *committed, as the Caſe ſhall be.*]
‘ Given under our Hands and Seals [*or* Hand and Seal], the Day and Year aforeſaid.’

Limitation of Actions.

LVI. And be it further enacted by the Authority aforeſaid, That if any Action, Suit, or Information, ſhall be commenced or proſecuted againſt any Perſon or Perſons, for any Thing done or to be done in purſuance of this Act, or in the Execution of any of the Powers or Authorities hereby given, every ſuch Action, Suit or Information, ſhall be commenced within ſix Calendar Months next after the Fact committed, and not afterwards, and ſhall be brought and laid in one of his Majeſty's Courts of Record in the County Palatine of *Lancaſter*, and not elſewhere; and the Defendant or Defendants in ſuch Action, Suit, or Information, ſhall and may plead the General Iſſue, and if in Replevin, may juſtify and avow, by virtue of this Act, as Perſons acting by Authority of Commiſſioners of Sewers are enabled to do, and may give this Act and the Special Matter in Evidence, without ſpecially pleading the ſame, otherwiſe than as aforeſaid, at any Trial to be had thereupon, and that the Fact or Facts alleged in ſuch Action, Suit, or Information, to have been done, was or were done in purſuance and by the Authority of this Act: And if the ſame ſhall appear to have been ſo done, or if any ſuch Action, Suit, or Information ſhall be brought after the Time before limited for bringing the ſame, or ſhall be brought in any other County or Place than as

General Iſſue.

aforeſaid, then the Jury ſhall find for the Defendant or Defendants, Avowant or Avowants; or if the Plaintiff or Plaintiffs ſhall become nonſuited, or forbear Proſecution, or diſcontinue his, her, or their Action, Suit, or Information, or if any Judgment or Verdict ſhall paſs againſt him, her, or them, upon a Demurrer, or otherwiſe, then, and in any of the ſaid Caſes, the Defendant or Defendants, Avowant or Avowants, ſhall recover Treble Coſts; for which he, ſhe, or they ſhall have like Remedy as where Coſts are by Law awarded. Treble Coſts.

LVII. And be it further enacted, That this Act ſhall be deemed and allowed to be a Public Act; and all Judges, Juſtices, and other Perſons, are hereby required to take Notice thereof as ſuch, without ſpecially pleading the ſame. Public Act.

## CAP. XXXIV.

An Act to explain, amend, and render more effectual, an Act paſſed in the ſeventh Year of his preſent Majeſty's Reign, intituled, *An Act for draining and preſerving certain Fen Lands and Low Grounds, lying in the South Level, Part of the Great Level of the Fens commonly called* Bedford Level, *and in the County of* Cambridge, *between the River* Cam, *otherwiſe* Grant, *Weſt, and the Hard Lands of* Bottiſham, Swaffham Bulbeck, *and* Swaffham Prior, *Eaſt; and for impowering the Governor, Bailiffs, and Commonalty, of the Company of Conſervators of the Great Level of the Fens, commonly called* Bedford Level, *to ſell certain Fen Lands, lying within the Limits aforeſaid, commonly called* Inveſted Lands.

'WHEREAS the Commiſſioners appointed by and choſen in purſuance of an Act, paſſed in the ſeventh Year of the Reign of his preſent Majeſty King *George* the Third, intituled, *An Act for draining and preſerving certain Fen Lands and Low Grounds lying in the South Level, Part of the Great Level of the Fens commonly called* Bedford Level, *and in the County of* Cambridge, *between the River* Cam, *otherwiſe* Grant, *Weſt, and the Hard Lands of* Bottiſham, Swaffham, Bulbeck, *and* Swaffham Prior, *Eaſt; and for impowering the Governor, Bailiffs, and Commonalty, of the Company of Conſervators of the Great Level of the Fens, commonly called* Bedford Level, *to ſell certain Fen Lands, lying within the Limits aforeſaid, commonly called* Inveſted Lands, have, in purſuance of the Powers and Authorities thereby granted, and for the due Execution of the ſaid Act, from Time to Time borrowed conſiderable Sums of Money upon the Credit of the Tolls and Taxes charged and to be charged by virtue of the ſaid Act, and have expended Part thereof, amounting to the Sum of two thouſand eight hundred Pounds and upwards, in repairing the Eaſt Bank of the River *Grant*, lying between *Clay Hythe Ferry* and the Sluice commonly called *Reach* or *Upwere Sluice*, and in making a croſs Bank from the Town of *Reach* to the Eaſt Bank of the River *Grant*, and the Reſidue thereof in ſcouring out and deepening the Loads mentioned in the ſaid Act, and in making Banks by the Sides thereof, and in amending, to the great Benefit of the Navigation, ſuch Banks, after they have been damaged by Horſes haling thereon, and alſo in erecting Engines and doing other Works of draining, which have been of conſiderable Uſe to many of the Lands in the ſaid Diſtrict: And whereas it is found by Experience, that the Boundary of the ſaid Diſtrict by the former Act, may in ſome Parts of it, for the better Security of the Draining, be enlarged, without Prejudice or Injury to any private Owner or Occupier of Lands within the ſame: And whereas the Tolls granted by the ſaid Act for repairing the ſaid Eaſt Bank of the River *Grant*, and ſcowering out and deepening the ſeveral Loads, and repairing, maintaining, and ſupporting, the ſeveral Banks of the ſeveral Loads within the ſaid Diſtrict, are inſufficient for and unequal to the Expence thereof, ſo that the Land-owners in the ſaid Diſtrict are not able to ſupport the ſaid Works, or to complete ſuch other Works as are neceſſary for draining their Lands, and paying the Intereſt of the Monies already borrowed, and laid out in the erecting, making, and Maintenance thereof, inſomuch that the Banks, ſo neceſſary both for the Navigation and Draining, as well as the other Works now made, muſt ſoon fall into Decay, and the ſaid Diſtrict be again reduced to a drowned Condition, and ſo remain, without ſuch reaſonable Contribution from the Navigators, and others uſing the ſaid Banks, as ſhall be in ſome Sort adequate to the Expences the ſaid Commiſſioners have and ſhall hereafter be put to for maintaining the ſame: And whereas neither the Tolls or Taxes granted by the ſaid Act have been regularly and duly paid, the Tolls having been evaded, and ſome of the Taxes left in Arrear, for want of ſufficient Powers to enforce the regular Payment thereof; which if ſuffered ſo to continue, will defeat the Purpoſes of the ſaid Act:' May it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Boundary, inſtead of going, as under the former Act, from *Common Hardridge Gate* to a certain Place called *Barr Hill*, ſhall go from the ſaid Gate along the Outring Ditch of *North Hill Cloſes*, next *Hardridge Common* (including all the ſaid Common) to the Ground of *Thomas Panton* Eſquire, lying in *Bottiſham Lead*, in the Occupation of *Thomas Grain*, and along the Ditch on the South-weſt Side thereof, to *Sheep North Hill Grounds*, and along the upper and lower Parts thereof, and of the incloſed Graſs Grounds, called *The Rough*, to the *Rough Common Gate*, and acroſs from thence to the Outring Ditch of *Hardwalk Common*, and round the ſaid Common, including the ſame, to *Hardwalk Gate*, near a Place called *Grubble Hole*, and from thence along by the Run of Water at the End of *The Ruſh Grounds*, next *Hog Green*, and along by the Outring Ditch, on the Weſt and South-weſt Sides thereof, and the Ground called *The Parſons upper Lot*, and round by the Outring Ditch, on the South Side of the ſaid Lot and Lug Ground, including the ſame, to a Ground of *Sname Jenyns* Eſquire, and up the Outring Ditch on the Weſt Side thereof, to *Black Ditch Drove*, Preamble. Recital of an Act 7 Geo. III. The Boundary inconvenient, and Tolls inſufficient, &c. Deſcription of the new Boundary.

*Drove*, and from thence along by the Line as deſcribed in the former Act, to the Ferry Place at *Clayhithe*, as aforeſaid.

What Lands ſhall be taxed.

II. Provided nevertheleſs, and be it enacted, That the ſaid Commiſſioners ſhall not at any Time aſſeſs, rate, or tax, any other Lands, taken into the Limits by the aforeſaid Alteration of the Boundary, than the Grounds called *The Hardwalk Common*, in the Pariſh of *Horningſea*; nor ſhall they at any Time aſſeſs, rate, or tax, the ſaid Common, until a Mill ſhall have been erected on the *Hardridge Common*, or a Clough or other Engine, that may anſwer the End of a Mill, ſhall elſewhere be made for carrying the Waters from off the *Ditton*, *Horningſea*, and *Quoi* Fens directly into the River, or the *Bottiſham* Load; but ſo ſoon as ſuch Mill or other Engine ſhall have been erected or made, it ſhall and may be lawful to and for the ſaid Commiſſioners, at any of their quarterly Meetings, to aſſeſs, rate, or tax the ſame with any Sum that ſhall ſeem to them expedient or adviſeable, not exceeding one Shilling *per* Acre; and ſhall exerciſe and make uſe of all ſuch and the ſame Powers, Remedies, and Means, for collecting, receiving, recovering, and compelling Payment of the ſaid Taxes, Rates, or Aſſeſſments, hereby directed to be charged upon the ſaid Lands called *Hardwalk Common*, in all Reſpects whatſoever, as the Commiſſioners have for the collecting and recovering Payment of other Taxes rated and charged upon other Lands, by virtue of this Act or of the Act hereby intended to be amended and rendered more effectual.

Tolls on the Eaſt Bank of the River Grant.

'III. And, the better to ſecure the Tolls granted by the former Act,' be it enacted, That, from and after the paſſing of this Act, there ſhall be paid to the ſaid Commiſſioners, and their Succeſſors, or their Toll-gatherer for the Time being, at any Place or Places they ſhall appoint on the Eaſt Bank of the River *Grant*, between *Clayhithe* and *Upware Sluice*, the Sum of Two-pence for every Horſe or Gelding, Mare, Mule, Aſs, or other Beaſt, attending upon, or going in or with any Boat or Boats, Lighter or Lighters, whether ſuch Horſe, or other Beaſt, ſhall at the Time of paſſing by or through the Toll-gate, or Place fixed on by the ſaid Commiſſioners for collecting the ſame, be actually haling or not; and for every other Horſe, Mare, Gelding, Mule, Aſs, or other Beaſt, travelling on the ſaid Bank, one Penny: for every Drove of Neat Cattle Ten-pence *per* Score; and for every Drove of Calves, Sheep, or Lambs, Hogs or Pigs, Five-pence *per* Score; and ſo in Proportion for any greater or leſſer Number; the ſaid Toll ſo paid, to be applied to the Maintenance and Support of the ſaid Bank, and for no other Purpoſe whatſoever: And in caſe of Neglect or Refuſal of Payment of the ſaid Tolls on Demand, the Collector or Collectors thereof, to be appointed by the ſaid Commiſſioners, are hereby authoriſed and required to ſeize and detain any Horſe or Horſes, Beaſt or Beaſts, or Boat, Lighter, or Veſſel, wherein the ſame are carried, on which ſuch Toll is hereby impoſed, and them or any of them from thence to remove, take, ſeize, and diſtrain, as alſo to take, ſeize, and diſtrain, any Horſe or Horſes, Beaſt or Beaſts, haling or paſſing on the ſaid Bank; and in caſe the ſaid Toll or Tolls, for Nonpayment of which ſuch Horſe or Horſes, Beaſt or Beaſts, Boat, Lighter, or Veſſel, are taken, ſhall not be paid within three Days after ſuch Seizure, it ſhall and may be lawful to and for the ſaid Collector or Collectors to ſell ſuch Horſe or Horſes, Beaſt or Beaſts, or Boat, Lighter, or Veſſel, ſo ſeized and diſtrained as aforeſaid, and out of the Monies ariſing from ſuch Sale to deduct and retain the ſaid Toll or Tolls ſo neglected or refuſed to be paid, and the reaſonable Coſts and Charges attending the Seizure, Detention, and Sale thereof as aforeſaid, rendering the Overplus, if any there be, on Demand, to the Owner or Owners of ſuch Horſe or Horſes, Beaſt or Beaſts, or Boat, Lighter, or Veſſel, reſpectively.

Penalty on evading the Tolls.

IV. And be it further enacted by the Authority aforeſaid, That if any Waterman, or other Perſon haling any Boat or Boats, Lighter or Lighters, with one or more Horſe or Horſes, or other Beaſt or Beaſts, ſhall take off, or cauſe to be taken off, or removed from or out of the ſaid Boat or Boats, Lighter or Lighters, any ſuch Horſe or other Beaſt, with Intent to avoid the ſaid Tolls, or any Part thereof; or, after having paſſed by any Tollgate or Turnpike to be erected by virtue of this Act, ſhall put on, add to, or uſe any other Horſe or Horſes, Beaſt or Beaſts, for haling ſuch Boat or Boats, Lighter or Lighters, than he ſhall have paid the Toll for; or ſhall forcibly paſs through or over ſuch Toll-gate or Turnpike, with any Horſe or Horſes, Beaſt or Beaſts, without paying the Tolls hereby directed to be paid; every Perſon ſo offending ſhall, for every ſuch Horſe or other Beaſt, forfeit and pay to the ſaid Commiſſioners the Sum of forty Shillings for every Offence, to be levied and recovered by Warrant of Diſtreſs, in like Manner as the Forfeiture is herein-after directed to be recovered from Watermen, or any other Perſon, giving in a falſe Account of their Lading; the Monies ſo raiſed by ſuch Diſtreſs and Sale to be applied to the ſame Purpoſes as the Tolls hereby granted.

New Tolls at the ſeveral Sluices.

V. And be it further enacted by the Authority aforeſaid, That inſtead of the Tolls granted by the former Act, to be paid at each of the Sluices called *Bottiſham* and *Swaffham* Sluices, and alſo *Reach Lead*, there ſhall be paid to the ſaid Commiſſioners, their Collector or Collectors by them appointed, at any Place or Places which they ſhall at any of their Meetings fix on and approve, by or near the reſpective Loads of *Bottiſham*, *Swaffham*, and *Reach*;

For every Chaldron of Coals; for every Chaldron of Cinders; for every two Chaldron of Lime; for every Ton Weight of Clunch Stone; for every Hundred of Battens; for every Quarter of a hundred of three or four Inch Deals; for every Half hundred of other Deals; for every Half hundred of Fir Spars, not exceeding eighteen Feet in Length; for every Ton of Timber; for every five hundred of Bricks; for every thouſand of common Tiles; for every five hundred of Pan or other Tiles; for every five hundred of Pamments; for every four thouſand of Turf; for every five hundred of Sedge; for every thouſand of Reed; for every ten Coomb of Wheat, Rye, Meſledine, Beans, Peaſe, or Seeds; for every twenty Coomb of Oats, Barley, or Malt; for every Ton of Iron or Lead; for every Hogſhead of Wine or Cyder; for every two Barrels of Beer, Pitch, or Tar; for every eight Gallons of Rum, Brandy, Gin, and other ſpirituous Liquors; for every four Crates of Glaſs; for every eight Groſs of Bottles; for every four Boxes of Glaſs; for every two Packs, or twenty Tod of Wool; for every two Pockets, or two hundred Weight

of Hops; for every ſixty Bunches of Fir Lath; for every forty Bunches of Oak Lath; for every ſixteen thouſand of Spits; for every ſixteen hundred of Splints; for every eight dozen of Hurdles; for every eight hundred of Poles; and for every Ton Weight of Salt, Sand, or other Goods, Wares, or Merchandizes whatſoever, not herein-before mentioned, the Sum of Four-pence; and ſo in Proportion for every greater or leſſer Quantity or Weight of the ſaid Goods paſſing on, or being navigated through, the ſaid Sluices or Loads:

Which ſaid Sum and Sums ſhall and may be demanded and taken in the Name of and as a Toll or Duty, for the Repairs of the reſpective Banks and Loads only, and ſhall be paid by every Perſon who ſhall carry or convey any of the Articles herein-before particulariſed, or any other Goods, Wares, and Merchandizes whatſoever: And in caſe of Neglect or Refuſal of Payment of the ſaid Toll or Duty on Demand, the Collector or Collectors thereof to be appointed by the ſaid Commiſſioners is and are hereby authoriſed and impowered to enter into any Boat, Barge, Lighter, or Veſſel, being in any of the ſaid Loads, taking with him or them ſuch Aſſiſtance as he or they may think proper, and to ſeize and detain any of the ſaid Goods or Commodities, or the Veſſels carrying the ſame, with their Tackle, until Payment of the ſaid Toll or Duty; and if the ſaid Toll ſhall not be paid within three Days next after ſuch Seizure, it ſhall and may be lawful to and for the ſaid Collector or Collectors to ſell all or any of the ſaid Goods, Wares, Merchandizes, Commodities, and Veſſels, with their Tackle, ſo ſeized and detained as aforeſaid, and out of the Money ariſing from ſuch Sale to deduct and retain the ſaid Toll or Duty ſo neglected to be paid, and the reaſonable Coſts and Charges attending ſuch Seizure, Detention, and Sale, as aforeſaid, rendering the Overplus, if any, on Demand, to the Owner or Owners of ſuch Veſſel or Veſſels reſpectively; and if the ſaid Collector or Collectors ſhall be at any Time oppoſed or reſiſted in the Execution of his or their Office, by any Perſon or Perſons whomſoever, whether intruſted with the Navigation of ſuch Boat, Barge, or Lighter, or not, every ſuch Perſon ſhall forfeit and pay to the ſaid Commiſſioners the Sum of five Pounds for every ſuch Offence, to be levied and recovered in the like Manner as any other Penalties and Forfeitures are herein directed to be recovered; which ſaid Penalty and Penalties, when recovered, are to be applied for the Repairs of the reſpective Banks and Loads only.

On Neglect of Payment of Tolls, Collectors may ſeize Veſſels and Goods, and ſell the ſame.

VI. Provided nevertheleſs, That all ſuch Corn, Hay, Sedge, Fodder, Reed, or other Produce, growing upon any Part of the Fen Lands and Low Grounds within the Limits of this Act, which ſhall be brought, conveyed, or carried up or down any of the Loads from off the ſaid Fen Lands and Low Grounds, to the Home or Homes of the reſpective Owner or Owners of ſuch Corn, Hay, Sedge, Reed, Fodder, or other Produce, ſhall be, and are hereby diſcharged and exempt of and from the Payment of the ſeveral Tolls and Duties herein-before laſt mentioned.

Exemptions from Tolls.

'VII. And to the Intent that the Quantity and Quality of ſuch Goods and Commodities which ſhall at 'any Time or Times be carried up or down any Part of the ſaid Loads called *Reach Load*, *Bottiſham Load*, '*Swaffham Load*, or *Burwell New Load*, or any of them, may be diſcovered and known, and that the 'Tolls by this Act granted may be juſtly and truly paid;' be it enacted by the Authority aforeſaid, That every Waterman, or other Perſon, who ſhall at any Time navigate, carry, or convey through any of the ſaid Sluices, or up or down any Part of the ſaid Loads, any Goods, Wares, Merchandizes, or Commodities whatſoever, ſhall, upon Demand made by the ſaid Collector or Collectors of the Tolls, give a juſt and true Account of the Quantity and Quality of all ſuch Goods, Wares, Merchandizes, and Commodities, as he ſhall have on board, and of the Name or Names of the Owner or reſpective Owners thereof; which Account being reduced and put into Writing by the ſaid Collector or Collectors, the ſaid Waterman or other Perſon is and are hereby required to ſubſcribe his Name or Mark thereto; and if he ſhall refuſe ſo to do, or ſhall deliver in a falſe or untrue Account, he ſhall, for every ſuch Refuſal or falſe Account ſo by him given or declared, forfeit the Sum of forty Shillings, over and above the Tolls and Duties payable for ſuch Goods, Wares, Merchandizes, or Commodities, by virtue of this Act, and to be applied to the like Uſes with ſuch Tolls; and in ſuch Caſe the ſaid Collector or Collectors, or any other Perſon or Perſons, ſhall, and he and they are hereby authoriſed, by virtue of a Warrant or Precept under the Hand and Seal of any Juſtice of the Peace for the County, Liberty, or Place, where ſuch Offence ſhall be committed, or where the Offender lives, to levy and recover the ſaid Forfeiture by Diſtreſs of any of the Goods and Chattels of the Perſon or Perſons where found; and if the Owner and Owners of the ſaid Goods and Chattels ſhall not pay the Sum or Sums ſo forfeited, within the Space of five Days, that then the ſaid Goods and Chattels ſhall be appraiſed by proper Perſons, and be ſold by the ſaid Collector or Collectors, or other Perſon or Perſons duly authoriſed, for the Payment of the ſaid Forfeiture; and the Overplus, if any, ariſing from ſuch Sale, after the Sum or Sums ſo forfeited, and the reaſonable Charges of taking, keeping, and ſelling the ſaid Goods and Chattels, are deducted, ſhall be returned to the Owner or Owners thereof, upon Demand; and in caſe the Perſon ſo offending ſhall not have ſufficient Goods and Chattels, whereupon the ſaid Forfeiture can be levied, it ſhall be lawful for the ſaid Juſtice, or any other Juſtice of the Peace for the ſaid County, Liberty, or Place where the Offender lives, to commit the Perſon ſo offending to the Houſe of Correction, there to remain without Bail or Mainprize for the Space of one Month, unleſs the ſaid Forfeiture ſhall be ſooner paid and ſatisfied.

In order to aſcertain the Quality and Quantity of Goods, Watermen ſhall give Accounts thereof.

Penalty on Refuſal, or giving a falſe Account,

which may be levied by Diſtreſs.

On Failure of Diſtreſs, Offender to be committed.

VIII. Provided always, and be it further enacted, That no more than one Half of the ſaid Tolls ſhall be demanded or taken by the ſaid Commiſſioners on either of the ſaid Loads, till after the reſpective Sums hereafter mentioned ſhall firſt have been expended in ſcouring and deepening the reſpective Loads, and making good Towing paths, for the better Security and Improvement of Navigation therein, viz. the Sum of one hundred Pounds for the Benefit of the *Bottiſham* Navigation; one hundred and fifty Pounds for the Benefit of the *Swaffham* Navigation; and the Sum of three hundred Pounds for the Benefit of the *Reach* Navigation: But, immediately from and after the ſaid reſpective Sum or Sums ſhall have been expended for the Improvement of the ſaid Navigations, in all or any of the ſaid Loads, or in making good the Towing-

Half Tolls only to be paid till certain Sums ſhall be laid out.

Towing-paths thereof, it shall and may be lawful to and for the said Commissioners to demand and take the full Tolls hereby imposed on all Goods, Wares, Merchandizes, or Commodities, that shall be carried or conveyed up or down such Load or Loads, about or upon which such Sum or Sums hath or have been respectively expended; and which said Tolls shall be demanded, taken, and applied, in like Manner, and under the like Powers, Penalties, and Forfeitures, as the Tolls and Duties are in anywise directed to be taken, levied, and applied, by virtue of this and the Act hereby intended to be amended and rendered more effectual.

Toll at Burwell New Load.

IX. Provided always, and be it further enacted, That all and all Manner of Persons navigating and carrying Goods up or down that Part of the Load commonly called *Burwell New Load*, from *Upwere Sluice* to *Powt Hall*, within the Limits aforesaid, shall pay one Moiety or Half Part of the Tolls herein-before directed to be paid on the Goods carried up or down any of the said Loads, which said Tolls shall be levied and recovered in the same Manner herein-before last mentioned; and shall also forfeit and pay the like Forfeiture or Penalty of forty Shillings on refusing to give an Account in Manner herein-before directed, or for giving an untrue Account to the Collector or Collectors, on Demand, of all or any Goods by him or them respectively carried, to be levied and recovered by Warrant of Distress, in like Manner as in such Case is herein-before directed; and shall also forfeit and pay the like Penalty and Penalties in case of Misbehaviour, to be recovered and applied in the same Manner, and for the same Purposes, except in such Cases where the Commissioners, at one of their quarterly Meetings, shall have compounded with any such Navigator, so navigating up or down that Part of *Burwell New Load* aforesaid, for a less Sum; which Composition the said Commissioners, or any five or more of them, at such Meeting, are hereby authorised and impowered to make.

Trustees impowered to reduce the Tolls.

X. Provided also, and be it further enacted by the Authority aforesaid, That the said Commissioners, or any seven or more of them, at any of their quarterly Meetings aforesaid, shall have full Power and Authority, with the Consent of such Person or Persons who shall be then entitled to two Thirds of the Money borrowed on the Credit of the former and this present Act, from Time to Time to lessen and reduce the said Tolls, or any Part thereof, for such Time as the said Commissioners, or any seven of them, shall think proper; and such Tolls lessened or reduced shall be collected, recovered, and applied, in the same Manner as the Tolls and Taxes hereby granted are directed to be collected, recovered, and applied; and also to raise the same again, as Occasion shall require, so as no greater Tolls be at any Time demanded or taken than herein-before directed and appointed to be taken.

Lands dug into Turf Pools,

unable to pay the whole Tax,

to pay one Half for seven Years.

'And whereas, at the Time of passing the said Act hereby intended to be amended, many of the Lands 'had been dug into Hods or Turf Pools; and it was thought necessary for encouraging the Owners of such 'Lands to improve the same, that they should be charged with one Half of the Tax only wherewith the 'other Lands of the same Sort and Degree, not dug, should be charged, for the first seven Years: And 'whereas it appears that the said Term of seven Years, which is now expired, has not been sufficient to 'bring them into such a State as to enable the Owners thereof to pay the whole Tax, and it is therefore 'necessary a Power should be vested in the Commissioners to apportion the Taxes to be charged on such 'broken or dug Lands at different Times, in Proportion to the Improvements made therein;' be it therefore enacted, That no Lands or Grounds that are now dug out into any Hod or Turf Pools, except such as were levelled before the passing of this Act, shall, for the first seven Years next ensuing the Commencement thereof, be assessed or charged with more than one Half of the Tax wherewith the whole Lands of the same Sort or Degree are assessed and charged; but that at the End of the said seven Years it shall and may be lawful for the said Commissioners, or any five of them, at any Quarterly Meeting, if they shall then be fully satisfied that all or any such broken or dug out Ground, from the Improvements made therein by the Drainage, ought to pay a higher Tax, to increase the Tax on all or any of such broken or dug out Lands so improved, as they shall judge just and reasonable, but so that the Rate or Tax set upon one Acre of such Land shall not exceed the Tax wherewith the whole Lands of the same Sort or Degree are assessed and charged.

Owners may appeal.

XI. Provided always, That if any Owner or Occupier of such broken or dug out Lands shall think himself aggrieved or injured by such increased Assessment so made by the said Commissioners, such Owners or Occupiers may appeal unto the Justices of the Peace, at one of the two next General Quarter Sessions to be held for the said County of *Cambridge*, after such Assessment shall have been made, and not afterwards, giving twenty-one Days Notice of such Appeal to the Clerk to the said Commissioners; which said Justices are hereby authorised and required to hear and finally determine such Complaints, and give Relief therein as they shall see Cause, as also to award such Costs, to the Appellants or Respondents, as to them shall seem just and reasonable.

Power to appeal from former Assessments.

'XII. And whereas some Appeals, under the Assortment of the Act hereby intended to be amended, 'were not settled by the said Commissioners to the general Satisfaction of all the Parties then complaining, 'and some have thought themselves aggrieved by the Determination then made by the said Commissioners;' be it therefore enacted, That all and every of the said Appellants are and shall be at Liberty to make a further Appeal to the said Commissioners, first giving Notice thereof in Writing to the Clerk of the said Commissioners, within one Month after the passing of this Act, signifying their Intention of appealing to the said Commissioners; and in such Notice they the said Appellants shall specify and particularly set out such Lands, under the Assortment against which they before appealed, that seem to be rated too low, in Proportion to their own; and the said Appellants shall be confined to their former Appeal, and not be at Liberty to complain of any others being under-rated than those they then mentioned; and within twenty Days next after such Notice of Appeal so given in Writing, and in Manner as aforesaid, the said Commissioners, or five of them, are hereby required to meet for the Purpose of hearing and determining the said Appeals, either by making such Alterations, or not, in the Rates, or by taking so much Tax from the one, and adding it, or not, to the other, or in any other Manner, as to them shall seem most equal and just; and

and in case the said Commissioners shall not, within forty Days after such Appeal, determine the same, or if any of the Parties shall not be satisfied with the Determination of the said Commissioners, that then he, she, or they may appeal unto the Justices of the Peace at one of the two next General Quarter Sessions to be held for the said County of *Cambridge*, and not afterwards, giving at least ten Days Notice thereof in Writing to the said Clerk of the said Commissioners; which said Justices are hereby authorised and required to hear and finally determine such Complaints, and give Relief therein as they shall see Cause, as also to adjudge and order such Costs to the Appellants or Respondents as to them shall seem reasonable; but if no such Notice of Appeal, and in Manner as before directed, shall be given to the said Commissioners within one Month after the passing of this Act, the Determination before made by the said Commissioners in the Case of Appeals, shall stand good, and be binding and conclusive, to all Intents and Purposes whatsoever.

Justices not to act where interested.

XIV. Provided always, That no Justice of the Peace shall have a Voice in the Determination of such Appeal, who has any Interest in any of the Fen Lands and Low Grounds within the Limits as before described.

Satisfaction for Injury done to the Rush Ground.

'XV. And whereas under the former Act, and Powers therein given, the said Commissioners, in order 'to the Support, Reparation, and Maintenance of the Banks, and other Works, erected and done for the 'Preservation and general Service of the whole Level, have injured a Ground called *The Rush Ground*, in 'the Parish of *Ditton*, now or late in the Occupation of *James Priest*, insomuch that the Arrears of Tax 'now due thereon cannot justly be demanded;' be it therefore enacted, That the said Commissioners shall be, and they are hereby authorised and impowered to appoint two disinterested Persons, of competent Skill, Knowledge, and Judgment, to view the said Ground so injured; and in pursuance of the Report of the said two Persons, it shall be lawful for the said Commissioners to release, acquit, and discharge the said *James Priest*, or the Proprietor of the said Ground, from the Payment of all or any Part of the Tax that is now in Arrear and due thereon.

Power to relieve the Proprietors of Adventure Lands.

'XVI. And whereas the Lands called *Adventure Lands*, lying within the Limits of the District 'herein described, are, besides the Tax assessed on them by the Commissioners (which Tax is as much 'as many of them, from their Value, are able to bear), yet charged with, and always liable to be 'charged with, a Tax by the Governor, Bailiffs, and Commonalty, of the Company of Conservators of 'the Great Level of the Fens: And whereas it will be for the general Benefit of the draining the said 'District, that the several and respective Owners and Occupiers of such Adventure Lands should continue 'in the Possession and Cultivation of the said Adventure Lands, and not forfeit or abandon the same for 'Nonpayment of either of the said Taxes;' be it enacted by the Authority aforesaid, That the said Commissioners, or any five of them, having once after the passing of this Act obtained the Consent in Writing of Two-thirds of the Creditors, in Value, to whom, or in Trust for whom, any Assignment has been already made of the Taxes raised, or to be raised, by virtue of the Act hereby intended to be rendered more effectual, may, and are hereby impowered, from Time to Time, at any of their quarterly Meetings, to abate or remit so much of the Tax which shall have been assessed on any of the said Adventure Lands annually, by virtue of this or the former Act, as shall appear to them necessary to prevent their being forfeited and abandoned for Non-payment of Taxes; any Thing herein-before contained to the contrary notwithstanding.

Proviso.

XVII. Provided nevertheless, That they the said Commissioners shall at no Time, in any one Year, abate or remit more than the Amount of the Tax which now is, or may hereafter be charged on the said Lands for that Year, by the said Governor, Bailiffs, and Commonalty, of the Company of Conservators of the Great Level of the Fens.

Persons refusing to pay Taxes, one Month after Notice,

'XVIII. And whereas many of the Taxes laid on the Fen Lands and Low Grounds granted by the 'former Act are now in Arrear, for want of sufficient Powers to enforce the regular Payment thereof;' be it enacted by the Authority aforesaid, That if any Person or Persons so rated or taxed as aforesaid, shall refuse or neglect to pay the Rate or Tax charged upon him, her, or them respectively, within the Space of one Month after the respective Notices of the Times and Places of Payment appointed by the said Commissioners shall have been affixed upon the Door of the Parish Church in which such Lands shall lie, signed by the Collector or Receiver to the said Commissioners for the Time being, every such Person shall forfeit and pay the further Sum of Two-pence for every Shilling, and so in Proportion for every greater or lesser Sum, which shall be so in Arrear and unpaid: and it shall be lawful for such Collector or Receiver, or for any other Person or Persons, by virtue of a Warrant or Precept under the Hands and Seals of three or more of the Commissioners (which said Warrant or Precept such Commissioners, or any three or more of them, are hereby impowered from Time to Time to make, as Occasion shall require), to levy the Sum or Sums so assessed, rated, and forfeited, by Distress and Sale of such Goods and Chattels which shall be found upon all or any of the Grounds and Premises so charged with any such Sum or Sums of Money, if any Distress can be found thereon; and in case no sufficient Distress can be found on the Premises, it shall and may be lawful to and for such Collector or Receiver, or other Person or Persons, by virtue of such Warrant or Precept as aforesaid, to levy the Sum or Sums so rated and in Arrear, by Distress and Sale of any Goods and Chattels, belonging to such Person or Persons, which shall be found upon any other Lands or Tenements lying within the Limits above described, and the Goods and Chattels so distrained to keep by the Space of five Days, at the Costs and Charges of the Owner or Owners thereof; and if such Owner or Owners shall not, within the Space of five Days, pay the Sum or Sums so forfeited, assessed, or rated, that then the Goods and Chattels so distrained shall be appraised by two or more of the Inhabitants of the Parish where the same shall be taken, or by any other two or more proper Persons, and be sold by the said Collector or Collectors, Receiver or Receivers, for the Payment of the said Money; and the Overplus (if any be) arising from such Sale, after the Sum or Sums so forfeited, rated, and assessed, and the reasonable Charges of taking, keeping, and selling the said Distress, are deducted, shall be returned

to forfeit Two-pence for every Shilling in Arrear.

Taxes and Forfeitures may be levied by Distress.

Tenants to pay the Taxes, and deduct the ſame out of their Rents.

to the Owner or Owners thereof, upon Demand; and the ſeveral and reſpective Tenants of all and ſingular the ſaid Fen Lands and Low Grounds, bounded and deſcribed as aforeſaid, which are or ſhall be aſſeſſed or rated by virtue of this or the former Act, are hereby required and authoriſed to pay the Sum or Sums of Money which ſhall be ſo aſſeſſed and charged upon ſuch Fen Lands and Low Grounds, and to deduct out of the Rent ſo much of the ſaid Aſſeſſment or Rate, as the ſaid Fen Lands or Low Grounds, or the Tenant or Tenants in reſpect thereof, is, are, or ſhall be aſſeſſed or rated at; and the Landlords, both mediate and immediate, according to their reſpective Intereſts, are hereby required to allow ſuch Deductions and Payments, upon Receipt of the Reſidue or their Rent; and every Tenant paying ſuch Aſſeſſment or Rate ſhall be acquitted and diſcharged for ſo much Money as the ſaid Aſſeſſment or Rate ſhall amount to, as if the ſame had been actually paid to the Perſon or Perſons entitled to the Rents of ſuch Lands or Grounds, except where there is a Leaſe for three or more Years to come from the Commencement of this Act, in which Caſe the Proportion of the Aſſeſſment or Rate, which the Tenant ought to bear and pay in Conſideration of the Benefit he receives, ſhall be adjudged and awarded by five or more of the Commiſſioners for putting this Act in Execution, who have no Intereſt in the Premiſes ſo in Leaſe.

Grounds to remain a Security for Taxes,

XIX. Provided always, and be it hereby enacted and declared, That in caſe any of the ſaid Fen Lands and Low Grounds ſhall at any Time hereafter be untenanted or unoccupied, and that no ſufficient Diſtreſs can be found for levying the ſaid Rates and Taxes, then the ſaid Lands and Grounds chargeable therewith ſhall always remain a Security for Payment thereof, and all Goods and Chattels which ſhall at any Time thereafter be found thereon (except of ſuch Perſon or Perſons who ſhall occupy the ſame under or by virtue of a Hiring from the Commiſſioners) ſhall and may be diſtrained, kept, appraiſed, and ſold in Manner aforeſaid, until all Arrears of the ſaid Rates and Taxes, and the Charges of ſuch Diſtreſs, ſhall be fully paid and ſatisfied; and alſo that it ſhall and may be lawful to and for the Collector or Collectors, Receiver or Receivers, for the Time being, to let the ſame Lands and Grounds to be mown and fed, from Year to Year only, for the beſt Rent that can be gotten for the ſame, and to take and receive the Rents and Profits thereof for the Uſe of the ſaid Commiſſioners, to be applied for the Purpoſes of this Act, until all Arrears of the ſaid Taxes, Rates, Penalties, and Charges, ſhall be fully ſatisfied and paid, rendering the Overplus of ſuch Rents and Profits (if any), after diſcharging ſuch Arrears, upon Demand, to the Owner and Owners of ſuch Lands and Grounds.

and may be ſold.

XX. And be it further enacted, That where any of the ſaid Rates and Taxes hereafter to be impoſed and ſet by virtue of this Act, or which have been aſſeſſed or impoſed by virtue of the ſaid Act hereby intended to be amended and rendered more effectual, ſhall hereafter be, or heretofore have been, in Arrear and unpaid by the Space of two whole Years together, then the ſaid Commiſſioners, or any five or more of them, at any of their Quarterly Meetings, ſhall have full Power and Authority to ſell to the beſt Bidder, at a public Auction, ſo much of the ſaid Lands and Grounds, in reſpect of which any Tax ſhall be ſo in Arrear, as ſhall be ſufficient to raiſe ſuch Taxes and Arrears of Taxes, and alſo the Penalties incurred for Nonpayment thereof as aforeſaid, by Writing under the Hands and Seals of five or more of the ſaid Commiſſioners, without Stamps; and alſo, if all or any Part of the ſaid Lands on which the Taxes already ſet and impoſed, or hereafter to be ſet and impoſed, cannot be ſold at ſuch Auction for the Amount of the Rates, Taxes, and Penalties, due thereon, then to ſell the ſame for the beſt Price that can be gotten for them, freed and diſcharged from ſuch Rates, Taxes, and Penalties, which at any Time before ſuch Sale they ſhall have been rated and charged with by virtue of this preſent Act, or the Act hereby intended to be amended and rendered more effectual; and every ſuch Grant or Conveyance ſo made ſhall be valid and effectual, and the Perſon or Perſons to whom ſuch Sale ſhall be made ſhall be a lawful Purchaſer of ſo much of the ſaid Lands or Grounds as ſhall be ſo ſold, to all Intents and Purpoſes whatſoever.

When Taxes ſhall be in Arrear for Commons,

'XXI. And whereas many Difficulties have ariſen with regard to the Taxes due on certain Lands 'called Commons, within the Limits aforeſaid, many of which ſaid Taxes are ſtill unpaid and in Arrear, on 'Account of the Commiſſioners not being able to aſcertain or particularly ſet out the exact Limits or Bounds 'of the ſame, the ſaid Commons having never been held in Severalty, but lying intermixed, and being fed 'and depaſtured in common with other Grounds, by Means whereof the diſtraining on ſuch Lands, for 'Nonpayment of the Taxes due thereon, becomes very unſafe and hazardous, and the general Drainage of 'the Level, by reaſon of the ſaid Taxes being unpaid and in Arrear, is greatly impeded; to remedy which 'Evils,' be it enacted by the Authority aforeſaid, That where any Tax or Taxes, Rate or Rates, is, are, or ſhall be in Arrear and due, for or in reſpect of any ſuch Common or Commons, Part or Parts of Common, within the Limits aforeſaid, it ſhall and may be lawful for the Collector or Collectors, Receiver or Receivers, for the Time being, to let ſuch Common or Commons, Part or Parts of Common, without identifying or ſetting out the ſame by Metes, or any other Bounds or Deſcription, than ſpecifying the Owner or Owners Name, from Year to Year, only, for the beſt Rent that can be gotten for the ſame, and to take the Rents and Profits thereof, for the Uſe of the ſaid Commiſſioners, to be applied for the Purpoſes of this Act, until all Arrears of the ſaid Taxes, Rates, Penalties, and Charges, ſhall be fully paid and ſatisfied, rendering the Overplus of ſuch Rents and Profits, if any, after diſcharging ſuch Arrears, upon Demand, to the Owner or Owners of ſuch Common or Commons, Part or Parts of Common.

the ſaid Commons may be let,

or ſold to the beſt Bidder.

XXII. And be it further enacted, That when any of the ſaid Rates and Taxes on the ſaid Common or Commons, or Part or Parts of Common, hereafter to be impoſed and ſet by virtue of this Act, or which have been aſſeſſed or impoſed by virtue of the Act hereby intended to be amended and rendered more effectual, ſhall hereafter be, or heretofore have been, in Arrear and unpaid by the Space of two whole Years together, then the ſaid Commiſſioners, or any five or more of them, at any of their quarterly Meetings, ſhall have full Power and Authority to ſell to the beſt Bidder, at a public Auction, for the beſt Price that can be gotten, all and every the ſaid Common and Commons, Part or Parts of Common, in reſpect of which any Tax ſhall be ſo in Arrear, to raiſe ſuch Taxes, Penalties, and Expences, or any or either of them, incurred by Nonpayment and Sale thereof as aforeſaid, by Writing under the Hands and Seals of five

five or more of the ſaid Commiſſioners, without Stamps, freed and diſcharged from all and every of the Rates, Taxes, and Penalties, charged or rated upon the ſame, by the ſaid Commiſſioners before ſuch Sale thereof; and every Grant or Conveyance ſo made ſhall be valid and effectual, and the Perſon or Perſons to whom ſuch Sale ſhall be made ſhall be a lawful Purchaſer of the ſaid Common or Commons, or Part or Parts of Common, as ſhall be ſo ſold, to all Intents and Purpoſes whatſoever.

Public Notice to be given of Sales.

XXIII. Provided alſo, That the ſaid Commiſſioners ſhall give public Notice, from Time to Time, of the Sale of the Lands and Commons for which any Tax or Penalty is or ſhall be in Arrear, by affixing openly on the ſeveral Church Doors of the ſeveral Pariſhes within the Limits of the ſaid Diſtrict, a Schedule on Parchment, under the Hands of the ſaid Commiſſioners, or any five of them, three *Sundays* at the leaſt preceding ſuch Sale, containing ſuch Lands and Commons, or Part or Parts of Common, in the ſaid Diſtrict, for which any Tax or Penalty is or ſhall be in Arrear, with the Name and Names of the reſpective Owner or Owners, Occupier or Occupiers thereof, if the ſame are known to the ſaid Commiſſioners, with the Sum or Sums due thereon for the Tax and Penalty; and if the Owner or Owners of any of the ſaid Lands are not known to the ſaid Commiſſioners, then the ſame ſhall be ſet out and deſcribed in the ſaid Schedule by their Abuttals; and that all Sales of Lands and Commons, or Part or Parts of Common, made in purſuance of ſuch Notice, and in Manner herein-before directed, ſhall be valid and effectual to all Intents and Purpoſes whatſoever, any Thing contained in this, or the Act hereby intended to be amended, to the contrary notwithſtanding.

How Money paid for Adventure Lands ſhall be applied.

XXIV. Provided alſo, That if any of the ſaid Fen Lands or Low Grounds herein-before directed to be ſold for Nonpayment of the Taxes due thereon, ſhall be Adventure Lands, in every ſuch Caſe the Monies ariſing from the Sale thereof ſhall, in the firſt Place, be applied by the Commiſſioners in diſcharging the Taxes due thereon to the Corporation of *Bedford Level*; in the next Place, the reaſonable Charges of the Commiſſioners attending ſuch Sale; and that if any Surplus ſhall remain after the Payment of the Taxes, and alſo the Charges attending ſuch Sale, the ſame ſhall be applied in diſcharging all or ſo much of the Taxes as ſhall be due to the ſaid Commiſſioners on the ſaid Premiſes.

Deeds ſhall be regiſtered.

XXV. Provided alſo, That if any of the ſaid Lands or Grounds ſo ſold for Nonpayment of Taxes be Adventure Lands, in every ſuch Caſe, the Deed, Writing, or Inſtrument, purporting to be a Sale thereof from the ſaid Commiſſioners, ſhall be regiſtered in the like Manner as Conveyances of the ninety-five thouſand Acres of Adventure Land are directed to be regiſtered, by an Act paſſed in the fifteenth Year of the Reign of King *Charles* the Second, intituled, *An Act for ſettling the Great Level of the Fens called* Bedford Level.

Lands, when ſold, to be liable to Taxes by this and the former Act;

XXVI. Provided alſo, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to impower the ſaid Commiſſioners to diſcharge ſuch Lands and Commons, or any Part thereof, from any Rates or Taxes wherewith the ſame ſhall, after Sale thereof as aforeſaid, be liable to be rated or aſſeſſed; but that the ſaid Lands and Commons, or Part or Parts of Common, after they are ſo ſold, ſhall be rated or aſſeſſed in ſuch Manner as other Lands and Grounds of the like Kind and Degree ſhall be aſſeſſed; except, nevertheleſs, with reſpect to the Adventure Lands, or any Part thereof, that the ſaid Commiſſioners ſhall, after ſuch Sale, remain veſted with the Power and Authority given by this Act, of abating and remitting ſo much of the Tax as ſhall appear to them neceſſary for preventing the ſame from being forfeited and abandoned for Nonpayment of the Tax.

and by Act 15 Car. II.

XXVII. Provided alſo, That nothing contained in the Power hereby given to the Commiſſioners to ſell the ſaid Adventure Lands, for the Nonpayment of the Tax impoſed by this preſent Act, or the Act hereby intended to be amended and rendered more effectual, ſhall extend, or be conſtrued to extend, to exonerate or diſcharge ſuch Lands ſo ſold, from any Tax or Taxes that ſhall or may, after the Sale thereof, be impoſed by virtue of an Act, made in the fifteenth Year of the Reign of King *Charles* the Second, intituled, *An Act for ſettling the Draining of the Great Level of the Fens called* Bedford Level; but that all Purchaſers thereof ſhall have and enjoy the ſame, ſubject thereto.

Commiſſioners may borrow Money,

'XXVIII. And, the better to enable the ſaid Commiſſioners to borrow ſuch further Sums of Money as 'will be ſufficient to complete the Works neceſſary for the draining and Improvement of the ſaid Fen 'Lands and Low Grounds, and Navigation through the ſame;' be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners, or the major Part of them, ſuch major Part being not leſs than ſeven, aſſembled at any Public Meeting to be held as aforeſaid, ſhall and may, and are hereby impowered, from Time to Time, to borrow any Sum or Sums of Money which they ſhall think neceſſary, for the making, carrying on, or completing, repairing, and preſerving of ſuch Works; and by Writing under their Hands and Seals, without Stamps, to aſſign over the ſaid yearly Rates, Taxes, and Tolls, hereby charged and to be charged upon the ſaid Fen Lands and Low Grounds, and Navigation, and every or any Part thereof (the Coſts and Charges of the Aſſignments to be paid out of the ſaid Taxes), as a Security for Repayment of ſuch Sum or Sums, with Intereſt, not exceeding five Pounds *per Centum per Annum*, to the Perſon or Perſons who ſhall advance or lend ſuch Sum or Sums, his, her, or their Truſtee or Truſtees; which Money ſo to be borrowed ſhall, in the firſt Place, be applied to defray the Expences of obtaining this preſent Act, and all Proceedings preparatory thereto, and other incidental Charges attending the ſame; and the Reſidue of the Money ſo to be borrowed ſhall be applied and diſpoſed of in making and repairing ſuch Cuts, Drains, Dams, Banks, Funnels, and Outlets, and erecting ſuch Works and Engines, as may be neceſſary for draining and improving the ſaid Fen Lands and Low Grounds, and Navigation, and to and for no other Uſe or Purpoſe whatſoever.

and aſſign the Rates as a Security.

Monies aſſeſſed by this Act, charged with Payment of Principal and Intereſt.

XXIX. And be it further enacted and declared, That the Tolls, Rates, Taxes, and Sums of Money to be aſſeſſed by virtue of this Act upon the ſaid Fen Lands and Low Grounds, and Navigation, ſhall be charged and chargeable, in the firſt Place, with the Payment of the Principal Money already borrowed by virtue of the Act hereby intended to be amended and rendered more effectual, and in the next Place with the Money which ſhall be hereafter borrowed by virtue of the ſame, or of this Act, and the Intereſt of

ſuch Money from Time to Time, and the ſame ſhall veſt in the reſpective Creditors, upon the Default of Payment of ſuch Principal and Intereſt, until the ſame ſhall be fully paid and ſatisfied, together with the Intereſt thereof; and the ſaid Creditors, their Executors, Adminiſtrators, and Aſſigns, reſpectively, ſhall have the ſame Power, Rights, and Privileges of raiſing and recovering the ſeveral Tolls, Taxes, and Sums of Money, payable by the ſeveral Owners and Occupiers of the ſaid Fen Lands and Low Grounds, and Navigations, for and in reſpect of ſuch Principal Money and Intereſt, in caſe of Default of Payment thereof, as the ſaid Commiſſioners, or their Collectors, would have had in caſe the ſaid Principal and Intereſt had been regularly and fully ſatisfied and paid; any Thing before contained to the contrary notwithſtanding.

Aſſignments may be transferred.

XXX. And be it further enacted, That every Perſon to whom any Aſſignment of the ſaid Tolls, Rates, and Taxes, ſhall be made, for ſecuring any ſuch Sum or Sums of Money lent as aforeſaid, and who ſhall be entitled to the Money thereby ſecured, ſhall have full Power, from Time to Time, by Indorſement on the original Grant or Security, without Stamps, under his or her Hand and Seal, atteſted in the Preſence of two credible Witneſſes, to aſſign or transfer the ſame to any Perſon or Perſons whomſoever; and ſuch Transfer or Aſſignment, from and after the Time that the ſame is entered in a Book to be kept by the ſaid Commiſſioners for that Purpoſe (which Entry their Clerk or Treaſurer is hereby required to make, upon producing ſuch Aſſignment, and Payment of one Shilling for the ſaid Entry), ſhall entitle ſuch Aſſignee or Aſſignees, his, her, or their Executors, Adminiſtrators, or Aſſigns, to the ſaid Principal Sum, and all the Intereſt due or to grow due thereupon; and ſuch Aſſignee or Aſſignees may in like Manner aſſign again, and ſo *toties quoties*, as Occaſion ſhall require, every ſuch Aſſignment being entered as aforeſaid.

Transfers to be entered in a Book.

When Cattle are driven away, and Goods removed, to prevent Recovery of Taxes,

'XXXI. And whereas it happens that Owners and Occupiers of Lands within the ſaid Diſtrict, to 'avoid the Payment of the Taxes charged thereon, as alſo the Charges of making, ſcouring, and cleanſing, the Ditches belonging to their reſpective Grounds within the Limits of the ſaid Act, do drive their 'Cattle, and remove their other Property from off the Lands and Premiſes charged therewith, ſo that no 'Diſtreſs can be found thereon, or upon any other Lands or Tenements in the Occupation of the Perſon 'or Perſons charged with ſuch Rates, Taxes, and Sums of Money, lying within the Limits of the ſaid 'Diſtrict, whereupon to levy the ſaid Rates, Taxes, or Sums of Money, whereby the ſame often remain 'a long Time in Arrear, to the great Prejudice and Delay of the ſaid Undertaking; for Remedy whereof,' be it enacted by the Authority aforeſaid, That in all Caſes where any Taxes, or Money laid out by the Officer, with the Direction of the Commiſſioners, in making, ſcowering, and cleanſing any Ditch belonging to any Ground or Premiſes within the Limits of the ſaid Act, and which ſhall have been neglected to have been done by the Owner or Occupier thereof, upon Notice given for that Purpoſe, as in and by the Act hereby intended to be amended and rendered more effectual is directed, and no ſufficient Diſtreſs ſhall be found whereon to levy the ſame, within the Limits of the ſaid Act, then and in every ſuch Caſe, where the Owner or Occupier of ſuch Grounds or Ditches have removed, or cauſed to be removed, his or her Cattle or Goods from off the ſame, it ſhall and may be lawful for the ſaid Collector or Collectors of the ſaid Taxes, appointed and to be appointed in purſuance of the ſaid former Act, and they are hereby impowered, after a Demand being firſt made, and a Refuſal or Neglect of Payment thereof, by a Precept or Warrant under the Hands of any two or more of the ſaid Commiſſioners, to levy the ſame, or any Part, by Diſtreſs and Sale (made in the like Manner as any other Diſtreſs and Sale herein directed) of any the Goods and Chattels of the Perſon or Perſons ſo charged with ſuch Rates, Taxes, and Sums of Money as aforeſaid, whereſoever and whenſoever any ſuch Goods and Chattels ſhall be found, together with the reaſonable Charges of ſuch Seizure and Sale, rendering the Overplus (if any), upon Demand, to the Perſon or Perſons ſo charged reſpectively.

they may be diſtrained elſewhere.

Perſons digging Turf-pits improperly,

XXXII. And be it further enacted, That no Perſon or Perſons ſhall dig or cauſe to be dug any Hods, Culpins, or Turfs, or any Thing in the Nature of Turf, in any of the Fen Lands or Low Grounds taxed by virtue of this Act, except it be in Partition Dykes already made, or which hereafter may be made with the Approbation and Conſent of any five or more of the Commiſſioners, in Writing under their Hands, for dividing any Grounds into Pieces, ſuch Pieces not to conſiſt of leſs than five Acres; or in any ſmall Dyke which may hereafter be made with the like Approbation of the Commiſſioners, round any Ground containing not leſs than four Acres at leaſt, for the Preſervation of Oſier Holts, Quicks, and Wood Plantations only, and which ſmall Dykes ſhall at no Time exceed eight Feet in Width; or in Commonable Places where Turf has been uſually dug; ſuch Hods, Culpins, or Turfs, ſo dug out of the Fen called *Poor's Fen*, to be ſpent and conſumed only in the Townſhip or Pariſh within the Diſtrict where the ſame ſhall be reſpectively dug, and ſuch Hods, Culpins, and Turf ſo dug out of any other Place than the *Poor's Fen*, to be ſpent and conſumed any where elſe within the Diſtrict aforeſaid, but not out of the Bounds and Precincts of the ſame, under the Penalty of twenty Shillings for every thouſand of Turf otherwiſe ſold, given, or ſpent, to be levied by Diſtreſs and Sale of the Goods and Chattels of the Seller, Giver, or Perſon who carries the ſame away, by Warrant under the Hand and Seal of any Juſtice of the Peace for the ſaid County of *Cambridge*, in the like Manner as any other Penalty is herein directed to be levied; which ſaid Penalty is hereby directed to be given to the Informer: And if any Hods, Culpins, or Turf, ſhall be dug within the ſaid Diſtrict otherwiſe than as aforeſaid, every ſuch Digger, Owner, or Occupier of the Ground from whence ſuch Hods, Culpins, or Turf were dug, ſhall forfeit the Sum of twenty Shillings for every thouſand of Turf ſo dug, to be levied in the like Manner before directed; and it ſhall and may be lawful for any Perſon or Perſons who ſhall be appointed for that Purpoſe, by Writing under the Hands of any two or more of the Commiſſioners, to go upon the Premiſes, and to throw the ſaid Hods, Culpins, or Turfs ſo cut, into the Pits or Places from whence the ſame were dug and taken, and to fill the ſaid Pools or Pits with the ſaid Turf, or other Earth which ſhall have been taken thereout; the Expences attending the filling up and levelling the Pits or Places ſo dug, to be borne and paid by the Perſon or Perſons who hath or have dug or cut the ſame reſpectively, and in Default of Payment to be levied in like

to forfeit 20s. for every thouſand of Turfs,

Manner

Manner as any Penalty or Penalties herein-before mentioned are directed to be levied, together with the reaſonable Coſts and Charges attending ſuch Levy and Seizure.

'XXXIII. And whereas the ſaid Commiſſioners have been obliged, for the better Preſervation and Security of the ſaid Diſtrict, at a very great Expence, to erect and ſupport a Croſs Bank from the Point of *Reach* Dock, on the South Side of *Reach* Load, to the River Bank near the Sluice at *Upwere*, which Bank, and alſo the Banks on the Sides of *Swaffham* and *Bottiſham* Loads, though intended only for the Preſervation and Security of the ſaid Diſtricts, are nevertheleſs made of public Utility to Travellers and others, who frequently paſs and repaſs thereon, without making any Compenſation for the Damage they do to the ſame;' be it therefore enacted by the Authority aforeſaid, That in order to provide a proper Fund effectually to raiſe, ſtrengthen and maintain the ſaid Banks, which the ſaid Commiſſioners and their Succeſſors are hereby authoriſed and impowered from Time to Time to do, the ſaid Commiſſioners, or any five or more of them, ſhall be, and are hereby authoriſed to erect a Turnpike or Toll-houſe at ſuch Place or Places on each of the ſaid Banks as they ſhall judge moſt convenient, and thereat to demand and take as a Toll, before any Cattle whatſoever ſhall be permitted to paſs through any ſuch Gate or Gates, the Sums following; (that is to ſay)

The new Banks of great Uſe to Travellers.

Power to erect Turnpikes thereon.

For every Horſe, Mare, Gelding, Mule, Aſs, or other Beaſt, the Sum of One Penny.
For every Drove of Oxen, Cows, or Neat Cattle, the Sum of Ten-pence *per* Score:
For every Drove of Calves, Hogs, Sheep, or Lambs, the Sum of Five-pence *per* Score; and ſo in Proportion for any greater or leſs Number:

The Tolls.

Which reſpective Sum or Sums of Money ſhall be demanded and taken in the Name of, and as a Toll, and ſhall be paid to ſuch Perſon or Perſons as the ſaid Commiſſioners, or any five or more of them, ſhall appoint to collect the ſame; and the Money ſo to be raiſed is hereby veſted in the ſaid Commiſſioners, and ſhall be applied in ſuch Manner as is before directed; and if any Perſon or Perſons ſubject to the Payment of any of the ſaid Tolls, ſhall, after Demand thereof, neglect or refuſe to pay the ſame, it ſhall be lawful for the Perſon or Perſons appointed as aforeſaid to collect the ſaid Tolls, to ſeize and detain any Horſe or other Beaſt, upon which ſuch Toll is by this Act impoſed, or any of the Goods or Chattels of ſuch Perſon or Perſons ſo neglecting or refuſing; and if ſuch Toll, and reaſonable Charges of ſuch ſeizing and detaining, ſhall not be paid within the Space of five Days, it ſhall be lawful for the Perſon or Perſons ſo ſeizing and diſtraining, to ſell the Horſes, Beaſts, or Goods, or any of them, ſo ſeized and diſtrained, returning the Overplus (if any) to the Owner thereof, upon Demand, after ſuch Toll, and all reaſonable Charges, ſhall be deducted; and if any Perſon or Perſons ſubject to any of the ſaid Tolls as aforeſaid, ſhall evade the Payment thereof, by violently riding or forcing through the ſaid Turnpike or Gate, or otherwiſe howſoever, and thereby prevent the Perſon or Perſons appointed to receive the Tolls from diſtraining or ſecuring the Horſe, Beaſt, Goods, or Chattels, of ſuch Perſon, that then it ſhall be lawful for any Juſtice of the Peace for the County of *Cambridge*, or any Juſtice of the Peace for the Liberty or Place where the Offender lives, on Complaint made on Oath, to iſſue his Warrant, and cauſe the ſaid Offender to be brought before him, or any other Juſtice of the Peace for the County of *Cambridge*, or County, Liberty, or Place where the Offender lives, and on Proof of the ſaid Offence, by the Oath of the ſaid Perſon or Perſons appointed to receive the ſaid Tolls, or any other credible Witneſs, and on full Conviction of the Offence, by Writing under his Hand and Seal, to order the ſaid Offender to be impriſoned for any Time not exceeding ſeven Days, unleſs ſuch Offender ſhall in the mean Time have made full Satisfaction and Amends to the ſaid Commiſſioners; and before ſuch Offender ſhall be diſcharged, a Certificate of the ſame, under the Hands of five or more of the ſaid Commiſſioners, verified on Oath by a credible Witneſs, ſhall be produced to any Juſtice of the Peace for the County, Liberty, or Place, where ſuch Offender ſhall be committed; and on producing the ſame, ſuch Juſtice is hereby impowered, by Writing under his Hand, to diſcharge the ſaid Offender.

XXXIV. And be it further enacted, That it ſhall and may be lawful for the ſaid Commiſſioners, or any five or more of them, to cauſe to be made and erected ſuch Fences as they ſhall think proper, and of ſuch Length as they ſhall think neceſſary, on the Side of ſuch Gate or Gates as ſhall be erected by virtue of this Act, to prevent Perſons evading the Payment of the Tolls hereby granted; and if any Perſon or Perſons ſhall damage or deſtroy any ſuch Fence, every ſuch Perſon ſhall pay the Expence of repairing and reſtoring ſuch Fence, to be aſcertained by the ſaid Commiſſioners, or any five or more of them, in Writing under their Hands, a Duplicate of which ſhall be ſerved on the Perſon or Perſons ſo offending, by leaving the ſame at his, her, or their laſt Place of Abode; and if ſuch Perſon or Perſons ſhall not, within three Days after Service thereof, pay, or cauſe to be paid, the Sum ſo aſcertained as aforeſaid, he, ſhe, or they ſhall forfeit and pay for every ſuch Offence the Sum of five Pounds, over and above the Sum ſo aſcertained; which ſaid Expences and Penalty ſhall and may, upon Oath made of the Facts by one Witneſs, be levied and recovered, in the ſame Manner as any other Penalty or Forfeiture is by this Act directed to be levied and recovered; which Penalty ſhall be applied towards carrying on the Expence of heightening and ſtrengthening the ſaid Banks.

Power to erect Fences to prevent evading Tolls.

Penalty on deſtroying Fences.

XXXV. Provided always, That no Toll ſhall be taken for any Horſe haling Boats in the ſaid Loads, or from any Paſſenger on Horſeback going to, or returning from, any of the ſaid Grounds lying in the ſaid Diſtrict, or for any Beaſt or Beaſts, Sheep, or other Cattle, going to, or returning from, Paſture therein.

Exemptions from Tolls.

XXXVI. Provided nevertheleſs, and be it enacted, That if any Perſon ſhall claim and take Benefit of any of the Exemptions aforeſaid, not being entitled thereto, ſuch Perſon ſhall, for every ſuch Offence, forfeit and pay the Sum of five Pounds, to be recovered in the like Manner as any other Penalty is herein directed to be recovered, to be applied towards the Expence of heightening and ſtrengthening the ſaid Banks.

Penalty on claiming Exemptions unjuſtly.

" XXXVII. And

The Clerk may adjourn Meetings.

'XXXVII. And whereas, by the Provisions of the Act hereby intended to be amended and rendered 'more effectual, no Adjournment can be made but by Order of five Commissioners assembled as therein 'directed; which has frequently been attended with great Inconveniences in the Execution of the said Act, 'five Commissioners having not been able at all Times to attend;' be it therefore enacted, That if it shall happen there shall not appear at any such Meeting five of the said Commissioners to act, or adjourn the said Meeting to any other Time or Place, it shall and may be lawful for any one of the said Commissioners, or, if no Commissioner attends, for the Clerk to the said Commissioners, or any Person acting for and in his Name, to adjourn the said Meeting to, and appoint the Commissioners to meet at the Place where the last Meeting was appointed to be held, on that Day Sevennight, and so from Time to Time till a sufficient Number of Commissioners shall attend.

Four public Meetings to be held in each Year,

'XXXVIII. And whereas, in pursuance of the former Act, only two public Meetings were held in 'every Year, which have been found inadequate to the Purposes of the said Act;' be it therefore enacted by the Authority aforesaid, That for the better putting this present Act in Execution, the said Commissioners, or any five or more of them, shall meet four Times in every Year, *videlicet*, the second *Wednesday* in *January*, the second *Wednesday* in *April*, the second *Wednesday* in *July*, and the second *Wednesday* in *October*, at the *Swan*, or principal Inn or Public House in *Bottisham*, unless Notice in Writing, signed by any five or more of them, be affixed upon the Church Door, or Church-yard Gate, of every the respective Towns or Parishes, six Days at least before such intended Meeting, and be also read in the respective Churches, on some Lord's Day immediately after Divine Service ended, appointing some other Place for such Quarterly Meetings as aforesaid; the first Meeting to be at the *Swan* in *Bottisham*, upon the third *Wednesday* after passing this Act; but the said Commissioners, or any two or one of them (in case two do not attend) or their Clerk, may adjourn, and meet again pursuant to such Adjournment, as often as shall be thought necessary, without giving such Notice as aforesaid.

In case of Non-attendance, new Commissioners may be appointed,

'XXXIX. And whereas, on account of the Nonattendance of a sufficient Number of Commissioners, 'many Inconveniencies have arisen;' be it enacted by the Authority aforesaid, That if it shall happen any Commissioner shall absent himself from all the Meetings during the Space of twelve Months together, or shall refuse or neglect to act during the Space of twelve Months together; or if any Commissioner, desirous to resign his Office, shall give ten Days Notice thereof in Writing to the Commissioners, or any five of them, before any of their Meetings, in every such Case the said Commissioners, or any five or more of them, may, and are impowered to give Notice in Writing of such Nonattendance, or Refusal or Neglect to act, or Desire of Resignation, to the Parish or Township for which such Person is a Commissioner, by causing the same to be publicly read in the Church belonging to such Parish or Town, at least ten Days before the next Quarterly Meeting; and then it shall be lawful to and for the several Persons qualified to elect Commissioners for such Parish or Township, to meet and elect another Commissioner, pursuant to the Regulations and Directions in the Act hereby intended to be rendered more effectual; and if the said Persons shall not choose a new Commissioner before the next Quarterly Meeting, after Notice received from the Commissioners, then it shall be lawful for the rest of the Commissioners, or the major Part of them present at their next or any future Quarterly Meeting, to elect a new Commissioner, out of such Parish or Town; which said Commissioner, so chosen and appointed by the said Commissioners, shall be and is hereby vested with the like Powers, Privileges, and Authorities, and shall and may act in the Execution of this Act as fully as any Commissioner under the Act hereby intended to be amended is impowered to do; but if no such Notice in Manner aforesaid be given by the Commissioners, to the Parish or Township in respect of which the Person so desirous to resign, or who has neglected or refused to act, or who has absented himself from the Meetings for twelve Months together, is a Commissioner, then every such Commissioner, notwithstanding his Nonattendance, Neglect or Refusal, or Notice of Resignation, shall still continue to be and act as a Commissioner, in the same Manner as before; any Thing herein contained to the contrary notwithstanding.

There being only three Commissioners for Bottisham,

another shall be appointed,

'XL. And whereas at present there are only three Commissioners appointed for the Parish of *Bottisham*, 'which not being altogether in Proportion to the Quantity of Land lying within the said Parish,' be it therefore enacted by the Authority aforesaid, That, from and immediately after the passing of this Act, there shall be appointed four Commissioners for the Parish of *Bottisham*; and that it shall be lawful for the several and respective Persons qualified by this Act to elect Commissioners, and they are hereby required, at the next and every succeeding General Election of Commissioners, to elect and chuse four Commissioners for the said Parish; and that until such next General Election, *John Farlow*, Esquire, the present Mayor of the Town of *Cambridge*, shall, and is hereby appointed to act as the fourth Commissioner for the said Parish, and is hereby vested with the same Powers and Authorities as any other Commissioner, for putting this Act in Execution.

For improving the Commonable Parts of the Lands, Fen Reeves may direct the Management thereof.

'XLI. And, for the better Improvement and more orderly Management of the Commonable Parts of 'the said Fen Lands and Low Grounds, and also of that Part of the Fen lying between *Swan's Lake* and '*Head Lake*, called *The Low Fen*, *The Little Fen*, *The Sedge Fen*, and *The Turf Bars*, belonging to the 'Township of *Swaffham Prior*;' be it enacted by the Authority aforesaid, That the Fen Reeves chosen, as directed by the Act hereby intended to be amended and rendered more effectual, for such Parish or Parishes which have Commonable Parts belonging to them, shall be, and are hereby impowered, with the Consent of the Owners of the major Part of such Commonable Rights, assembled in Vestry, or at the usual Place of Meeting in each Parish for the transacting of public Business, on or before the last Day of *March* in every Year (Notice of such Meeting being first given in Church, on some *Sunday* immediately after Divine Service is ended, ten Days at least before such Meeting), to set out by Metes and Bounds, or otherways, what Part or Parts of the several and respective Commons in such Parish or Parishes shall be fed, and what Part or Parts thereof shall be kept for mowing for that Year, and what Quantity of Ground each Commoner shall mow, according to his Number of Common Rights; and also to limit a Time for getting off

the Crop, not later than the first Day of *August*; and to order what Stock each Commoner shall keep less on the Common, for the Acre or Acres so agreed to be mown for that Year; and also it shall and may be lawful for the Fen Reeves for the Town of *Swaffham Prior*, chosen as aforesaid, and assembled in the School-house or usual Place of Meeting in the said Town, upon like Notice given as before directed, by and with the Consent of the Owners of the major Part of the Lots or Dolvars in the said Fens called *The Low Fen*, *The Little Fen*, *The Sedge Fen*, and *The Turf Bars*, there and then assembled, to direct and appoint the said Fens, or such Part or Parts thereof, to be fed, as to the said Fen Reeves, and such Owners as aforesaid so assembled, shall seem most for the Benefit of all the Owners or Occupiers thereof in general; and it shall and may be lawful also for the said Fen Reeves, and such Owners as aforesaid so assembled, to fix and direct the Time and Manner of feeding the said Fens, and proportion the Quantity of Stock each Person shall keep, according to the Number of his Lots or Dolvars, and the Goodness thereof.

The Commissioners may determine Differences.

XLII. Provided always, That if the said respective Fen Reeves and Owners of all or any of the said Parishes or Townships cannot agree, at any such Meeting or Meetings so to be held as aforesaid, about the Manner of feeding or mowing the said Commons, or Parts of the said Fens, or touching any other Matters relative to the Regulation thereof, the said Fen Reeves or Owners shall apply to the Commissioners; and it shall and may be lawful to and for the said Commissioners, or any five of them, at any of their Meetings, to enquire into the Differences that have arisen, and after hearing the several Matters in Dispute, and examining a Witness or Witnesses thereon on Oath (which said Oath the said Commissioners are hereby impowered to administer), finally at such Meeting to adjudge and determine the same, by Writing under their Hands.

Cattle feeding contrary to Agreements may be impounded, &c.

XLIII. And be it further enacted by the Authority aforesaid, That the Fen Reeves of every respective Parish or Town shall be, and they are hereby impowered and required, from Time to Time, to impound all Sheep, Horses, Mules, Asses, Beasts, and Cattle of every Kind, that, contrary to such Agreement or Agreements, or Adjudication of the said Fen Reeves and Owners, so made or settled as aforesaid, shall be fed and depastured, or found in or upon any of the Drove-ways within the Limits aforesaid, or upon such Commons or Parts of the said Fens so agreed to be mown or fed, except such Cattle as shall be driving directly to or from any the several Grounds in the said Fens, in the Occupation of the Owner or Owners of such Cattle, and to take for every Sheep so feeding or depasturing Three-pence *per* Head, and for every Horse or other Beast one Shilling; and if the Owner or Owners of such Sheep or other Beast shall not, within three Days after the same shall be impounded, pay to the said Fen Reeves the Sum so charged on such Cattle, it may and shall be lawful for the said Fen Reeves to sell any such Sheep or other Beast, and return the Overplus (if any) upon Demand, to the Owner thereof, after such Penalty, and all reasonable Charges, shall be deducted.

Cattle shall not stop to depasture on the Grounds, &c.

XLIV. Provided nevertheless, That if any Person, under Pretence of driving his Sheep, or any other Cattle, to his several Grounds, shall stop or stay the same to feed or depasture on any of the said Drove-ways, or other Grounds, so agreed to be mown or fed; or if any Sheep or Cattle shall be found without a Driver or Keeper, in or upon any of the said Drove-ways, or such other Grounds; or if any Person shall claim and take Benefit of the Exemption aforesaid, not entitled thereto, every such Person, or Owner of such Sheep or other Cattle, shall, over and above the Penalty before directed to be levied, pay and forfeit the Sum of forty Shillings; which said Penalty and Forfeiture shall and may be levied and recovered in the same Manner as any other Penalty or Forfeiture is by this Act directed to be levied and recovered; and one Moiety of such Penalty shall be paid to the Informer, and the other Moiety shall be applied towards carrying on the said Works of Draining, and other Purposes of this Act.

under the Penalty of 40 s.

Sedge, &c. not to be cut in certain Places without Leave.

'XLV. And, for the better preserving of all the said Drove-ways, and the said *Low Fen*, *Little Fen*, '*Sedge Fen*, and *Turf Bars*;' be it enacted, That no Person or Persons shall at any Time cut any Sedge, Reed, Fodder, Litter, or Produce whatsoever, growing or being thereon, under the Penalty of ten Shillings for every hundred of Sedge or Reed, and the like Sum of ten Shillings for every Half Load of Fodder, Litter, or other Produce so cut, without Leave first obtained from, and also under the Direction of the said Fen Reeve, in Writing, to be levied by Distress and Sale (made in the like Manner as any other Distress and Sale herein directed) of the Goods and Chattels of such Owner or Person who shall cut or carry away the same, by Warrant under the Hand and Seal of any Justice of the Peace for the said County of *Cambridge*, or the County, Liberty, or Place, where the Offender lives, such Penalty to be paid to the Informer; and in case the Person so offending shall not have sufficient Goods and Chattels whereupon the said Penalty can be levied, it shall be lawful for the said Justice, or any other Justice of the Peace for the County, Liberty, or Place, where the Offender lives, to commit the Person so offending to the House of Correction, there to remain without Bail for the Space of one Calendar Month, unless the said Penalty shall be sooner paid: And it shall and may be lawful for the Fen Reeves, and they are hereby required to cause all and every the said Drove-ways to be amended, and the common Ditches belonging thereto, and also those belonging to *Low Fen*, *Little Fen*, *Sedge Fen*, and *Turf Bars*, to be cleaned and scoured out; and also to make new Cuts, and do all other Works that may be necessary for carrying off the Waters, and improving the said Fens; and the said several Fen Reeves, who have served the Office of Fen Reeve, shall, on public Notice given in their respective Churches ten Days at least before the Expiration of their Office, give a full, true, and perfect Account of all such Monies as have been received and disbursed by them in the Execution of their Office, to such Owners and Occupiers of Commonable Rights and Dolvars as shall then be assembled; who are hereby authorised and required to grant the said Fen Reeves a Rate on all and every of the several and respective Owners and Occupiers in each Parish or Township, according to the Number or Parts of such Commonable Rights in each Parish, or of Dolvars in the Township of *Swaffham Prior* (not less than two whereof, with the Sedge and Turf Fen Parts belonging to the same, or at least ten Acres of Ground in the said Fens of *Swaffham Prior*, shall be deemed a whole Right), that every such Person shall be possessed of or occupy; which said Rate being allowed by one Justice of the County of *Cambridge*,

Fen Reeves to cause Drove-ways to be mended, and Ditches to be scoured.

*bridge*, may, in caſe of Refuſal or Neglect of Payment, be levied by Diſtreſs and Sale of any Goods or Chattels of the Perſon or Perſons charged therewith, made in the like Manner as any other Diſtreſs and Sale herein-before directed.

Charge on a Commonable Right not to exceed 3 s.

XLVI. Provided always, and be it enacted, That no Fen Reeve, in any of the ſaid Pariſhes or Townſhips, ſhall bring a Charge, upon any Right deemed or to be deemed a Commonable Right, that ſhall exceed three Shillings in any one Year.

Commiſſioners may appoint Fen Reeves, if Pariſhes neglect it.

XLVII. Provided always, and be it enacted, That if the Inhabitants of all or any of the Pariſhes or Townſhips within the Limits aforeſaid, ſhall refuſe or neglect to chuſe the Fen Reeves at the Time appointed by this Act, it ſhall and may be lawful in ſuch Caſe for the ſaid Commiſſioners, or any five of them, at any of their quarterly Meetings, to appoint ſuch Perſon or Perſons as to them ſhall ſeem proper for the Office, in every ſuch Pariſh or Town where ſuch Fen Reeve or Fen Reeves had not been choſen under the Direction of the Act hereby intended to be amended and rendered more effectual; and the Fen Reeve or Fen Reeves ſo choſen and appointed by the ſaid Commiſſioners, for all or any of the ſaid Pariſhes or Towns, ſhall have the ſame Powers, and may act in the Office of Fen Reeve as fully, to all Intents and Purpoſes, as the Fen Reeves choſen and appointed by the Inhabitants of the other Pariſhes or Towns are empowered under the ſaid Act to do.

Commiſſioners may take Earth from Boutes or Waſhes, making Satisfaction to the Owners.

XLVIII. Provided alſo, and be it further enacted, That for the better procuring Earth proper for the repairing the Banks within the ſaid Diſtrict, it ſhall and may be lawful to and for the ſaid Commiſſioners, or any five of them, or for their Officers and Workmen, to take and uſe any Earth from the Grounds called *The Boutes* or *Waſhes*, ſo that they do not take the ſame at a leſs Diſtance than five Yards from the Weſt or Eaſt Bank of the River *Grant*; the Commiſſioners ſetting a Value upon the Lands ſo taken, and giving Notice in Writing of the Value thereof; and if the Owner of the Land ſhall not approve of the Value fixed by the Commiſſioners, it ſhall be lawful for him or her to apply to the next General Quarter Seſſion of the Peace to be held for the County of *Cambridge*, giving fourteen Days Notice at the leaſt of ſuch Appeal to the Clerk to the ſaid Commiſſioners, or, if ſufficient Time ſhall not intervene between the Notice given by the Commiſſioners, and the Quarter Seſſion immediately enſuing, in ſuch Caſe the Application may be made to the next ſubſequent Quarter Seſſion of the Peace, but not afterwards, giving the like Notice of ſuch Application; and the Juſtices at the ſaid Seſſions are hereby authoriſed and required to hear and finally determine all and ſingular the Matters in Difference, and give ſuch Relief in the Premiſes as they ſhall think juſt, and adjudge ſuch Coſts to ſuch of the Parties as they ſhall deem reaſonable and proper.

Puniſhment for deſtroying Works.

XLIX. And be it further enacted, That if any Perſon or Perſons ſhall at any Time or Times hereafter wilfully or maliciouſly deſtroy, ſtop, dam up, ſpoil, or damage, any Drain, Watercourſe, Tunnel, or Bridge, made, or to be made; or ſhall lay, or throw, or place any Rubbiſh, or any other Obſtruction therein, or cauſe, procure, or hire any Perſon to lay, throw, or place any Rubbiſh therein; or ſhall wilfully ſpoil, damage, obſtruct, or impede any Work or Works made or done, or which may hereafter be made, done, or ſet about, under the Direction of the ſaid Commiſſioners, for the better Security of the Draining, within the Limits aforeſaid, it ſhall be lawful for any Juſtice of the Peace for the County of *Cambridge*, or any Juſtice of the Peace for the County, Liberty, or Place, where the Offender lives, on Complaint on Oath, by his Warrant, to cauſe the ſaid Offender to be brought before him, and on Conviction of the Facts, on the Oath of one Witneſs, to direct and order ſuch Offender to the Houſe of Correction, for any Time not exceeding one Month, and before his or her Diſcharge to be publicly whipped through the Pariſh or Town where the Offence was committed.

The laſt Clauſe not to invalidate the former Act.

L. Provided nevertheleſs, That nothing contained in the laſt Clauſe ſhall extend to invalidate or repeal the Clauſe contained in the ſaid Act hereby intended to be amended and rendered more effectual, with reſpect to the cutting, throwing down, or deſtroying, any Bank, Mill, Engine, Floodgate, or Sluice, as in the ſaid Act is mentioned; but the ſaid Clauſe ſhall ſtand in Force and Effect, any Thing herein contained to the contrary notwithſtanding.

Proceedings not to be quaſhed for want of Form, nor removed into any Court of Record.

LI. And be it further enacted, That no Order made touching or concerning any of the Matters aforeſaid, or any other Proceedings to be had touching the Conviction or Convictions of any Offender or Offenders againſt this Act, ſhall be quaſhed or bad for Want of Form, or be removed or removable by *Certiorari*, or any other Writ or Proceſs whatſoever, into any of his Majeſty's Courts of Record at *Weſtminſter*; and that where any Diſtreſs ſhall be made, for any Sum or Sums of Money to be levied by virtue of this Act, the Diſtreſs itſelf ſhall not be deemed to be unlawful, nor the Party or Parties making the ſame be deemed a Treſpaſſer or Treſpaſſers, on Account of any Defect or Want of Form in the Summons, Conviction, Warrant of Diſtreſs, or other Proceeding relating thereto, nor ſhall the Party or Parties diſtraining be deemed a Treſpaſſer or Treſpaſſers *ab initio*, on Account of any Irregularity which ſhall be afterwards done by the Party or Parties diſtraining, but the Perſon or Perſons aggrieved by ſuch Irregularity ſhall and may recover full Satisfaction for the Special Damage in an Action on the Caſe.

Saving the Rights of Conſervators.

LII. Provided always, and it is hereby further enacted, That this Act, or any Thing herein contained, ſhall not extend, or be conſtrued to extend, to invalidate, leſſen, diminiſh, alter, or take away, any of the Rights, Powers, and Authorities, veſted in the Governor, Bailiffs, and Commonalty, of the Company of Conſervators of the Great Level of the Fens called *Bedford Level*, by virtue of the ſaid Act of the fifteenth Year of the Reign of King *Charles* the Second, or by virtue of any other Act or Statute whatſoever; but that all Rights, Powers, and Authorities whatſoever, which, by virtue of the ſaid Act of the fifteenth of King *Charles* the Second, or of any other Act or Statute whatſoever, now are veſted in the ſaid Governor, Bailiffs, and Conſervators, or any of them, ſhall for ever hereafter remain, continue, and be in the ſaid Governor, Bailiffs, and Commonalty, and every of them, as fully and amply, to all Intents and Purpoſes, as if this Act had never been made.



LIII. And

LIII. And be it further enacted, That if any Action, Suit, or Information, shall be commenced or profecuted againſt any Perſon or Perſons for any Thing done in purſuance of this Act, every ſuch Action or Suit ſhall be commenced within ſix Calendar Months next after the Fact committed, and ſhall be laid or brought in the County of *Cambridge*, and not elſewhere; and the Defendant or Defendants in ſuch Action or Suit ſhall and may plead the General Iſſue, and if in Replevin, may juſtify and avow generally, by virtue of this Act, as Perſons acting by Authority of Commiſſioners of Sewers are enabled to do, and may give this Act and the ſpecial Matter in Evidence at any Trial to be had thereupon, and that the Fact alleged in ſuch Action or Suit to have been done, was done in purſuance and by the Authority of this Act: And if the ſame ſhall appear to have been ſo done, or if any Action or Suit ſhall be brought in any other County or Place than as aforeſaid, then the Jury ſhall find for the Defendant or Defendants, Avowant or Avowants; or if the Plaintiff or Plaintiffs ſhall become nonſuited, or forbear Proſecution, or diſcontinue his, her, or their Suit or Suits, or if any Verdict ſhall paſs againſt him, her, or them, upon a Demurrer or otherwiſe, then and in any of the ſaid Caſes the Defendant or Defendants, Avowant or Avowants, ſhall recover Treble Coſts, for which he, ſhe, or they ſhall have a like Remedy as where Coſts by Law are awarded.

Limitation of Actions.

General Iſſue.

Treble Coſts.

LIV. And be it alſo enacted by the Authority aforeſaid, That the ſaid Act, made in the ſeventh Year of the Reign of his preſent Majeſty, intituled, *An Act for draining and preſerving certain Fen Lands and Low Grounds, lying in the South Level, Part of the Great Level of the Fens commonly called* Bedford Level, *and in the County of* Cambridge, *between the River* Cam, *otherwiſe* Grant, *Weſt, and the Hard Lands of* Bottiſham, Swaffham Bulbeck, *and* Swaffham Prior, *Eaſt; and for impowering the Governor, Bailiffs, and Commonalty, of the Company of Conſervators of the Great Level of the Fens, commonly called* Bedford Level, *to ſell certain Fen Lands, lying within the Limits aforeſaid, commonly called* Inveſted Lands; and all the Powers and Authorities, Directions, Penalties, Forfeitures, Puniſhments, Proviſoes, Matters, and Things therein contained, ſhall remain, continue, and be in full Force and Effect, as fully and effectually, to all Intents and Purpoſes, as if the ſame had been herein again repeated and re-enacted, except the Alterations and Amendments which have been made therein by virtue of this preſent Act.

Act 7 Geo. III. to remain in Force,

except where altered.

LV. And be it further enacted and declared, That this Act ſhall be deemed and allowed a public Act; and all Judges, Juſtices, and other Perſons, are hereby required to take Notice thereof as ſuch, without ſpecially pleading the ſame.

Public Act.

## CAP. XXXV.

An Act to repeal ſo much of ſeveral Acts of Parliament, as prohibit the Growth and Produce of Tobacco in *Ireland*; and to permit the Importation of Tobacco of the Growth and Produce of that Kingdom into *Great Britain*, under the like Duties and Regulations as Tobacco of the Growth of the *Britiſh* Colonies in *America* is permitted to be imported.

Preamble.

'WHEREAS it is of the greateſt Importance to the Strength and Security of theſe Kingdoms, that every Attention and Encouragement ſhould be given to ſuch of the Produce and Manufacture of the Kingdom of *Ireland* as do not materially interfere with the commercial Intereſts of *Great Britain*: And whereas by an Act, made in the twelfth Year of the Reign of King *Charles* the Second (intituled, *An Act for prohibiting the planting, ſetting, or ſowing, of Tobacco in* England *or Ireland*), and by divers other Acts ſince paſſed, the Culture of Tobacco within the Kingdom of *Ireland*, and the Exportation of the ſame from thence, is prohibited;' be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That, from and after the twentieth Day of *May*, one thouſand ſeven hundred and ſeventy-nine, ſo much of two ſeveral Acts of Parliament, the one made in the twelfth Year of the Reign of King *Charles* the Second (intituled, *An Act for prohibiting the planting, ſetting, or ſowing, of Tobacco in* England *or* Ireland); and the other made in the fifteenth Year of the Reign of King *Charles* the Second (intituled, *An Act for the Encouragement of Trade*); or of any other Act made in this Kingdom, which prohibits or reſtrains the ſetting, planting, or improving to grow, making, or curing Tobacco, either in Seed, Plant, or otherwiſe, in the Kingdom of *Ireland*, ſhall be, and the ſame is and are hereby repealed and made void.

So much of two Acts of 12 and 15 Car. II. or of any other Acts made in this Kingdom, which prohibits the planting, &c. of Tobacco in Ireland, repealed.

II. And it is hereby further enacted by the Authority aforeſaid, That no Tobacco the Growth, Product, or Manufacture of *Ireland*, ſhall be exported from thence to any Port or Place whatſoever out of the ſaid Kingdom of *Ireland*, except to *Great Britain*; under the like Securities, Penalties, and Forfeitures, as are preſcribed in an Act, made in the twelfth Year of the Reign of King *Charles* the Second (intituled, *An Act for the encouraging and increaſing of Shipping and Navigation*), with reſpect to Tobacco, and other enumerated Goods of the Growth, Product, or Manufacture, of any of the *Engliſh* Plantations therein mentioned.

Iriſh Tobacco to be exported to Great Britain only; under the Securities, &c. preſcribed in the Navigation Act 12 Car. II.

III. And it is hereby further enacted by the Authority aforeſaid, That when any Tobacco the Growth, Product, or Manufacture of *Ireland*, ſhall be laden on board any Ship or Veſſel, at any Port or Place whatſoever within the ſaid Kingdom of *Ireland*, in order to be conveyed from thence into *Great Britain*, the Collector and Comptroller, or other Chief Officer of the Cuſtoms, at ſuch Port or Place where ſuch Tobacco ſhall be laden, ſhall, at and upon the clearing of every ſuch Ship or Veſſel, by the proper Officers of the Cuſtoms appointed for that Purpoſe, deliver to the Maſter, Commander, or other Perſon taking Charge of any ſuch Ship or Veſſel, a Manifeſt or Content in Writing, under his and their Hands and Seal of Office, which ſhall contain a true Account of all the Tobacco laden on board every ſuch Ship or Veſſel, with the

The Duty of Officers of the Cuſtoms in Ireland on the Shipping of Tobacco for Exportation.

Number of Hogſheads, Caſks, Cheſts, or other Package thereof, and the Quantity of the Tobacco contained in each particular Hogſhead, Caſk, Cheſt, or other Package, together with the Marks and Numbers ſet on each and every Hogſhead, Caſk, Cheſt, or other Package, with the Tare thereof; and alſo ſhall, at and upon the clearing of every ſuch Ship or Veſſel, as aforeſaid, immediately tranſmit a Duplicate of ſuch Manifeſt or Content to the reſpective Commiſſioners of the Cuſtoms in *Great Britain:* And any Collector, Comptroller, or other chief Officer of the Cuſtoms, at any Port or Place in *Ireland*, who ſhall neglect or refuſe to deliver to the Maſter, Commander, or Perſon taking Charge of ſuch Ship or Veſſel, ſuch Manifeſt or Content as is herein-before directed, or who ſhall not tranſmit a Duplicate thereof, as hereby required, to the reſpective Commiſſioners of the Cuſtoms in *Great Britain*, ſhall forfeit and loſe the Sum of two hundred Pounds; one Moiety whereof to his Majeſty, his Heirs and Succeſſors, and the other Moiety to ſuch Perſon or Perſons as ſhall ſue or proſecute for the ſame, in any of his Majeſty's Courts of Record at *Weſtminſter* or *Dublin*.

Penalty on Neglect thereof.

IV. And be it further enacted by the Authority aforeſaid, That every Maſter, Commander, or Perſon taking Charge of any Ship or Veſſel having ſuch Tobacco laden on board as aforeſaid, ſhall, upon his Arrival at his Port of Diſcharge in *Great Britain*, and at the Time he makes his Report of his Ship or Veſſel at the Cuſtom-houſe, deliver to the Collector of the Cuſtoms at the ſaid Port (who is hereby required and directed to deliver the ſame to the Land-waiters appointed for the Delivery of ſuch Ship or Veſſel), the Manifeſt or Content of the Lading of his Ship or Veſſel, which he received from the Collector, Comptroller, or other chief Officer of the Cuſtoms, at the Port or Place in *Ireland* where he took in his Lading: And if any Maſter, Commander, or Perſon taking Charge of ſuch Ship or Veſſel, ſhall neglect or refuſe to deliver ſuch Manifeſt or Content to the Collector of the Cuſtoms, at the Time he makes his Report of his Ship or Veſſel at the Cuſtom-houſe at the Port of his Diſcharge, he ſhall forfeit and loſe the Sum of one hundred Pounds; one Moiety thereof to his Majeſty, his Heirs and Succeſſors, and the other Moiety thereof to ſuch Officer or Officers of the Cuſtoms as ſhall ſue and proſecute for the ſame, in any of his Majeſty's Courts of Record at *Weſtminſter*, or in the Court of Exchequer at *Edinburgh*, reſpectively, where the Offence ſhall be committed.

Every Commander of a Veſſel exporting Iriſh Tobacco ſhall, on his Arrival at a Britiſh Port, deliver to the Collector the Manifeſt or Content of his Lading which he received at the Port of Lading in Ireland. Penalty on Neglect thereof.

V. And it is hereby further enacted by the Authority aforeſaid, That ſuch Tobacco ſhall be imported into *Great Britain* in Caſks, Cheſts, or Caſes, each of which ſhall contain four hundred and fifty Pounds Weight of Nett Tobacco at the leaſt, and not otherwiſe; and ſhall be liable to the ſame Duties, and intitled to the ſame Diſcounts, Allowances, and Drawbacks, and in all Reſpects ſubject to the ſame Rules, Regulations, Reſtrictions, Securities, Penalties, and Forfeitures, as Tobacco the Growth, Product, or Manufacture of the *Britiſh* Colonies or Plantations in *America* is liable, ſubject, and intitled to by Law, in as full and ample Manner as if the ſaid Duties, Diſcounts, Allowances, and Drawbacks, Rules, Regulations, Reſtrictions, Securities, Penalties, and Forfeitures, and the ſeveral Clauſes relative thereto, had been particularly repeated and enacted in this preſent Act.

Iriſh Tobacco ſhall not be imported into Great Britain in Caſks, &c. containing leſs than 450 lb.; and ſhall be liable to the ſame Duties, Drawbacks, &c. as Tobacco the Growth of the Britiſh Colonies in America.

## CAP. XXXVI.

An Act for erecting a Market-houſe, and regulating the Markets, within the Borough of *Bridgewater*, in the County of *Somerſet*; and for paving, cleanſing, lighting, and watching, the Streets, Lanes, and other public Paſſages and Places, within the ſaid Borough.

## CAP. XXXVII.

An Act for granting a Bounty upon the Importation into this Kingdom of Hemp, of the Growth of the Kingdom of *Ireland*, for a limited Time.

Preamble.

'WHEREAS the Encouragement of the Cultivation of Hemp in the Kingdom of *Ireland*, and the Importation thereof from thence, will be a Means of furniſhing this Kingdom with Sail-cloth and Cordage (ſo eſſentially neceſſary for the Supply of his Majeſty's Royal Navy, as well as for Ships employed in the Merchants Service) at more reaſonable Rates than at preſent, and will alſo tend to make the Supply of the ſaid Materials cheaper and leſs precarious, and be a Means of introducing Trade, Manufacture, and Induſtry, by employing many of his Majeſty's Subjects within the ſaid Kingdom of *Ireland*;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That, from and after the twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-nine, every Perſon or Perſons who ſhall, within the Time appointed by this Act, import, or cauſe to be imported, into this Kingdom, directly from the ſaid Kingdom of *Ireland*, in any Ship or Ships that may lawfully trade thither, manned as by Law is required, any Hemp water-rotted, bright and clean, of the Growth of *Ireland*, ſhall have and enjoy, as a Reward or Premium for ſuch Importation, the following Sum; (that is to ſay)

After June 24, 1779, the following Premiums to be paid on the Importation of Iriſh Hemp;

videlicet,
For the firſt ſeven Years, 8 l. per Ton;
for the next ſeven Years, 6 l. per Ton;
and for the following ſeven Years, 4 l. per Ton.

For every Ton of ſuch Hemp ſo imported, from the twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-nine, to the twenty-fourth Day of *June*, one thouſand ſeven hundred and eighty-ſix, the Sum of eight Pounds Sterling:

For every Ton of ſuch Hemp ſo imported, from the twenty-fourth Day of *June*, one thouſand ſeven hundred and eighty-ſix, to the twenty-fourth Day of *June*, one thouſand ſeven hundred and ninety-three, the Sum of ſix Pounds Sterling:

And for every Ton of ſuch Hemp ſo imported, from the twenty-fourth Day of *June*, one thouſand ſeven hundred and ninety-three, to the twenty-fourth Day of *June*, one thouſand eight hundred, the Sum of four Pounds Sterling:

To

To be paid upon Demand to the Importer of ſuch Hemp, by the Collector of the Port where the ſame ſhall be imported, out of the Cuſtoms; and in caſe the Collector of the Port where the ſame ſhall be imported ſhall not have Money ſufficient in his Hands, he is hereby required to certify the ſame to the Commiſſioners of the Cuſtoms, who ſhall cauſe the ſame to be paid by the Receiver-general of his Majeſty's Cuſtoms; the Bounty of the Hemp imported into *England* to be paid by the Receiver-general of the Cuſtoms in *England*, and of that imported into *Scotland* to be paid by the Receiver-general there.

Commiſſioners of the Navy to have the Refuſal of all ſuch Hemp.

'II. And, to the End a particular Benefit may accrue hereby to his Majeſty's Royal Navy, and for the 'better Supply of the ſame with naval Stores,' be it further enacted, That, upon the Importation of any ſuch Hemp from *Ireland* for which a Reward or Premium is hereby granted, the Pre-emption or Refuſal of ſuch Hemp ſhall be offered and tendered to the Commiſſioners of his Majeſty's Navy upon landing the ſame; and if, within the Term of twenty Days after ſuch Tender, the ſaid Commiſſioners ſhall not contract or bargain for the ſame, it ſhall and may be lawful for the Importer or Importers, Owner or Owners, of the ſaid Hemp, otherwiſe to diſpoſe of the ſame for his or their beſt Profit and Advantage.

Importers of Hemp to produce, to the chief Officers of the Cuſtoms at the Port of Importation, a Certificate from the Collector, &c. at the Port of Lading in Ireland.

'III. And in order to intitle the Importer of ſuch Hemp to the Premium granted by this Act, and to 'prevent Frauds by importing foreign Hemp,' be it further enacted by the Authority aforeſaid, That all and every Perſon or Perſons importing any ſuch Hemp into *Great Britain*, ſhall produce to the chief Officer or Officers of the Cuſtoms, at the Port of Importation, a Certificate or Certificates, under the Hands and Seal of Office of the Collector and Comptroller, or other chief Officer of the Cuſtoms, at the Port in *Ireland* where ſuch Hemp ſhall be put on board; certifying, that before the Departure of ſuch Ship or Veſſel, Ships or Veſſels, the Perſon or Perſons, Merchant, Trader, or Factor, loading the ſame, had made Oath before them, that the ſaid Hemp, ſo ſhipped on board, was truly and *bona fide* of the Growth and Produce of ſome Place in *Ireland*; expreſſing in the ſaid Certificate the Number, Marks, and Packages, of ſuch Hemp, with the Name or Names, Place or Places of Abode, of the Exporter or Exporters from *Ireland*, and the Name of the Place or Places in *Ireland* where the ſaid Hemp grew and was produced, together with the Name or Names, Place or Places of Abode, of ſuch Perſon or Perſons as ſhall have ſworn the Hemp therein mentioned to be *bona fide* of the Growth and Produce of ſuch Place in *Ireland*, and where and to whom in *Great Britain* the ſame is conſigned; and the Maſter, or Perſon having the Charge or Command of ſuch Ship or Veſſel, Ships or Veſſels, importing ſuch Hemp, ſhall, on his Arrival in this Kingdom, alſo make Oath before the Collector and Comptroller, or other chief Officer of the Cuſtoms at the Port of Importation, that the ſeveral Packages, ſo marked and numbered, and the Hemp contained therein, are the ſame Packages and Goods that were taken on board his ſaid Ship or Veſſel at the ſaid Port in *Ireland*, by virtue of the ſaid Certificate or Certificates ſo to be produced as aforeſaid; which ſaid Oaths the ſaid Officers herein-before named are reſpectively hereby authoriſed and required to adminiſter.

Officers to examine the Hemp before they make out Certificates.

'IV. And, that the Officers of the Cuſtoms may be the better able to diſcover any Frauds intended for 'receiving the aforeſaid Premium,' be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid Officers, and they are hereby required, before they make out any ſuch Certificate, to examine the ſaid Hemp, by opening each Package, and ſhifting the ſame, in ſuch Manner as to ſee the whole Contents, or by ſuch other Means as they ſhall think proper, to find out and diſcover whether the ſaid Hemp is water-rotted, bright and clean, and free from any falſe Mixture.

Diſputes between Surveyors, &c. and Importers of Hemp, how to be ſettled.

V. Provided always, That in caſe any Doubt or Diſpute ſhall ariſe between the Surveyors or Officers of the Cuſtoms and the Owners or Importers of ſuch Hemp as is imported into the Port of *London*, as to the Quality of the ſame, it ſhall and may be lawful for the Commiſſioners of his Majeſty's Cuſtoms to call two or more Merchants, Manufacturers, or others, well ſkilled in the Commodity, who ſhall declare upon Oath, if required, their Opinion as to the Quality of the ſame, and according to the beſt of their Judgment, determine whether the ſaid Hemp is intitled to the Premium hereby granted, or not; and if any Doubt or Diſpute ſhall ariſe as to the Quality of any Hemp imported into any of the Out-ports in *England*, Samples thereof ſhall be taken, and ſent up to the Commiſſioners of the Cuſtoms in *London*, and into the Out-ports in *Scotland*, to the Commiſſioners of the Cuſtoms at *Edinburgh*, in ſuch Manner as the reſpective Commiſſioners ſhall direct, in order to be inſpected and adjudged there as before-mentioned.

Officer demanding any Reward for examining, &c. ſuch Hemp, ſhall forfeit his Office, and 100l.

VI. And be it further enacted by the Authority aforeſaid, That no Fee, Gratuity or Reward, ſhall be demanded, taken, or received, by any Officer of his Majeſty's Cuſtoms, for examining, viewing, or delivering, ſuch Hemp, with reſpect to the Premium or Reward allowed by this Act, or for the ſigning any of the Certificates in order to the receiving ſuch Premium or Reward, or for paying the ſame; and any ſuch Officer demanding or taking ſuch Fee or Reward ſhall, for ſuch Offence, forfeit his Office; and ſuch Officer ſhall alſo be incapable of ſerving his Majeſty, his Heirs and Succeſſors, and ſhall forfeit the Sum of one hundred Pounds.

Exporters of Iriſh Hemp for which a Premium has been paid ſhall repay the ſame (beſides other Duties) at the Port of Exportation;

VII. And be it further enacted by the Authority aforeſaid, That if any ſuch Hemp, of the Growth or Produce of *Ireland*, ſhall, after the twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-nine, be exported from *Great Britain*, that then, and in every ſuch Caſe, the Perſon or Perſons ſo exporting the ſame, ſhall, before the Entry thereof, pay unto the Collector of the Cuſtoms at the Port where the ſame ſhall be exported, or to the chief Officer of the Cuſtoms there, the full Sum which is by this Act allowed as a Premium on all ſuch Hemp as he intends to export, over and above any Duty the ſame is or may by Law be ſubject to pay at Exportation by any Act: Provided always, That the ſaid Collector or chief Officer of the Cuſtoms, upon receiving ſuch Premium from the Exporter of ſuch Hemp as aforeſaid, ſhall charge himſelf with the Money ſo received, or with the ſaid Premium, and the Commiſſioners of his Majeſty's Cuſtoms are to take particular Care that the ſame be duly brought to the Account of his Majeſty by ſuch Collector or chief Officer as aforeſaid.

on Penalty of forfeiting such Hemp, and double the value thereof.

VIII. And be it further enacted by the Authority aforesaid, That if any Person or Persons, their Agents or Assigns, shall be found fraudulently to export such Hemp without paying such Premium to the Collector or chief Officer of the Customs in Manner aforesaid, such Person or Persons shall forfeit and lose all such Hemp, and double the Value thereof; one Moiety whereof shall be to the Use of his Majesty, his Heirs and Successors, and the other Moiety to the Informer or Prosecutor, to be prosecuted in any of his Majesty's Courts of Record at *Westminster*, or in the Court of Exchequer in *Scotland*, respectively, wherein no Essoin, Protection, or Wager of Law, or more than one Imparlance, shall be allowed.

In case of Dispute whether the Hemp be the Produce of Ireland, the Onus probandi to lie on the Owner.

IX. Provided always, That if any Doubt or Dispute shall arise whether the Hemp, or any Part thereof, so to be exported, is of the Growth, Product, or Manufacture of *Ireland*, or of foreign Growth, Product, or Manufacture, the *Onus probandi* shall lie on the Owner or Claimer thereof, and not on the Informer or Prosecutor; any Law, Custom, or Usage, to the contrary notwithstanding.

Penalty on importing foreign Hemp as Irish Hemp, and demanding a Premium for the same.

X. And be it further enacted by the Authority aforesaid, That if the Master or Owner of any Ship or Vessel shall clandestinely import or receive in such Ship or Vessel, to be imported into *Great Britain*, any Hemp, knowing the same to be foreign Hemp, and shall demand or receive for any such foreign Hemp the Reward or Premium hereby granted, such Master or Owner shall forfeit the Sum of one hundred Pounds, to be sued for and recovered in Manner as aforesaid; and the Ship or Vessel in which such foreign Hemp shall be so fraudulently imported, with all her Guns, Tackle, Apparel, and Furniture, shall be forfeited to the King's Majesty, his Heirs and Successors.

## CAP. XXXVIII.

### An Act for altering the Times of holding the *Martinmas* and *Candlemas* Terms in the Court of Exchequer in *Scotland*.

Preamble.

'WHEREAS the Terms of *Martinmas* and *Candlemas*, as they are at present kept, for the sitting 'of the Court of Exchequer in *Scotland*, have been found inconvenient: And whereas it would 'be more convenient for the Subjects of *Scotland* that the said Terms were altered;' be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

Martinmas Term, in the Court of Exchequer in Scotland, to begin Nov. 24, and end Dec. 20; and Candlemas Term to begin Jan. 15, and end Feb. 3.

That *Martinmas* Term, for the said Court of Exchequer, shall, at all Times hereafter, begin on the twenty-fourth Day of *November*, and end upon the twentieth Day of *December*; and that *Candlemas* Term, for the said Court, shall, at all Times hereafter, begin on the fifteenth Day of *January*, and end on the third Day of *February*; except any of the said Days, upon which the said Terms are appointed to begin or end, shall happen to be a *Sunday*, in which Case the Beginning or Ending of such Term in which that happens shall be upon the Day following.

## CAP. XXXIX.

### An Act for paving, repairing, cleansing, and lighting, the Town and Borough of *Burton upon Trent*, in the County of *Stafford*; and for removing and preventing Obstructions and Annoyances therein.

## CAP. XL.

### An Act for better securing the Duties on Starch.

Preamble.

'WHEREAS, notwithstanding the many Laws made for securing the Revenues on Starch, and for 'protecting the fair Trader, many gross Frauds are daily practised by evil-minded and indigent 'Persons, who are encouraged in such Practices, not only from the great Length of Time allowed by those 'Laws for the Payment of the Duties on Starch, but also for want of some further Regulations in the 'Manner of carrying on the Starch-making Business; for Remedy whereof,' be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the fifth Day of *July*, one thousand seven hundred and seventy-nine, no Person or Persons whatsoever, residing within the Limits of the Head Office of Excise in *London*, shall be permitted to make Entry of any Workhouse or Place for the making of Starch, as required by the Statutes in that Case already made and provided, unless such Person or Persons shall occupy a Tenement or Tenements of the yearly Value of ten Pounds, or upwards, and for which he, she, or they shall accordingly be assessed in thir own Name, and shall also pay to the Parish Rates; and that no Person or Persons whatsoever, residing in any other Part of the Kingdom where there are Rates to Church and Poor, shall be permitted to make any such Entry, unless such Person or Persons shall be assessed and pay to Church and Poor, in the several Parishes and Places in which they shall respectively reside; and that no Entry of any Workhouse or Place for making of Starch, already made or hereafter to be made as required by the Statutes in that Case made and provided, shall be of any Avail to any Person or Persons not so qualified, or for any longer Time than the Person or Persons so making Entry shall be qualified as aforesaid; and every Person making Starch, and not qualified as aforesaid, shall, notwithstanding any Entry by him or them made, be deemed and taken to be Persons making Starch without Entry, and shall be subject to the like Penalties and Forfeitures as Persons making Starch without Entry are, by the Statutes in such Case made and provided, now subject unto.

After July 5, 1779, no Person, within the Limits of the Excise Office in London, shall make Entry of any Workhouse for making Starch, unless he shall occupy a Tenement of 10l. a Year, and pay Parish Rates; and no Person, in any other Part of the Kingdom, shall make such Entry, unless he shall pay to Church and Poor.

Recital of an Act 10 Annæ.

'II. And whereas, by an Act passed in the tenth Year of the Reign of her late Majesty Queen *Anne* '(intituled, *An Act for laying additional Duties on Hides and Skins, Vellum and Parchment, and new Duties* '*on Starch, Coffee, Tea, Drugs, Gilt and Silver Wire, and Policies of Insurance, to secure a yearly Fund for*

'*Satisfaction*

'*Satisfaction of Orders to the Contributors of a further Sum of one million eight hundred thouſand Pounds towards her Majeſty's Supply*; *and for the better ſecuring the Duties on Candles*; *and for obtaining Doubts concerning certain Payments in* Scotland; *and for ſuppreſſing unlawful Lotteries, and other Devices of the ſame Kind*; *and concerning Cake-ſoap*; *and for Relief of* Mary Ravenall, *in relation to an Annuity of eighteen Pounds* per Annum; *and concerning Prize Cocoa-nuts brought from* America; *and certain Tickets which were intended to be ſubſcribed into the Stock of the* South Sea *Company*; *and for appropriating the Monies granted in this Seſſion of Parliament*); it was, amongſt other Things, enacted, That all and every Perſon and Perſons whatſoever, who ſhould make any Starch in *London*, *Weſtminſter*, or in any Parts within the weekly Bills of Mortality, ſhould monthly, and every Month; and all and every Perſon or Perſons whatſoever, who ſhould make any Starch in any other Part of *Great Britain*, ſhould, once in every ſix Weeks, make a true Entry in Writing, at the next Office for the ſaid Duties, of all the Starch by him, her, or them, ſeverally made within ſuch Month, or ſix Weeks, reſpectively; which Entries were to be made in Manner as is therein expreſſed: And it was further enacted by the ſaid Act, That all and every Perſon, who ſhould make any Starch in *London* or *Weſtminſter*, or within the Limits of the ſaid weekly Bills of Mortality, ſhould, within four Weeks; and all and every Perſon whatſoever, who ſhould make any any Starch in any other Parts of *Great Britain*, ſhould, within ſix Weeks, after he, ſhe, or they, ſhould have made, or ought to have made, ſuch Entry as aforeſaid, pay and clear off all the ſaid Duties upon Starch, which ſhould be due from him, her, or them reſpectively; and that all and every ſuch Makers of Starch, who ſhould refuſe or neglect to make ſuch Payment as aforeſaid, ſhould forfeit and loſe, for every ſuch Offence, Double the Sum of the ſaid Duty: And whereas the Allowance of ſo long a Time for the making of the Entries, and for the Payment of the Duties, as aforeſaid, hath been found prejudicial to the Revenue, and alſo to the fair Trader, as evil-minded and indigent Perſons have been encouraged thereby to make Starch, and have made Entry of the Starch by them made, but have neglected to pay the Duty when due, and before the Time that the Duty could be recovered have abſconded from their reſpective Dwelling-places, or by other Methods have evaded the Payment of the ſame,' be it therefore enacted by the Authority aforeſaid, That, from and after the fifth Day of *July*, one thouſand ſeven hundred and ſeventy-nine, the above-recited Clauſes, and every Article, Matter, and Thing, therein contained, ſhall be, and are hereby repealed, and made null and void; ſave only and except in all Caſes relating to the recovering any Arrears which may at that Time remain unpaid of the ſaid Duties, or to any Penalty or Forfeiture which ſhall have been incurred upon, or at any Time before, the ſaid fifth Day of *July*, one thouſand ſeven hundred and ſeventy-nine; any Thing herein contained to the contrary notwithſtanding.

Certain Clauſes in the ſaid Act repealed.

III. And be it further enacted by the Authority aforeſaid, That, from and after the ſaid fifth Day of *July*, one thouſand ſeven hundred and ſeventy-nine, all and every Perſon whatſoever, who ſhall make any Starch, ſhall, weekly and every Week, make a true Entry in Writing, at the next Office for the Duties on Starch, of all the Starch by him, her, or them ſeverally made within each Week, which ſaid Entries ſhall contain the Weight of all the Starch mentioned therein reſpectively, and what Quantity thereof was made at each Making in that Week, on Pain to forfeit, for every Neglect, the Sum of fifty Pounds; which Entries ſhall be made upon Oath by the Maker of ſuch Starch, or by their Chief Workman or Servant employed in making the ſame, according to the beſt of their Knowledge and Belief, unleſs ſuch Maker, Workman, or Servant, be a known Quaker, and the ſolemn Affirmation of ſuch Maker, Workman, or Servant, to the ſame Effect, in caſe he or ſhe be a known Quaker, ſhall and may be taken inſtead of ſuch Oath; and the ſaid Entries, Oaths and Affirmations to verify the ſame, ſhall, for ſuch Starch as ſhall be made within the Limits of the Chief Office of Exciſe in *London*, be made with and adminiſtered by ſuch Officer or Officers as ſhall be appointed by the Commiſſioners for the Duties on Starch in *England*, or the major Part of them for the Time being; and for all Starch made in all other Parts of *Great Britain*, with and by the Collectors and Superviſors of the Diſtrict or Diviſion within which the reſpective Makers of Starch ſhall inhabit, without any Fee or Charge whatſoever to be taken or demanded for the ſame.

After July 5, 1779, Starch-makers to make Entries, on Oath, weekly, particulariſing the Quantity made at each making; on Penalty of 50 l.

IV. And be it further enacted by the Authority aforeſaid, That all and every Perſon and Perſons whatſoever, who ſhall make any Starch in *Great Britain*, ſhall, within One Week after he, ſhe, or they, ſhall make, or ought to have made, ſuch Entry as aforeſaid, pay and clear off all the Duties for Starch which ſhall be due from him, her, or them, reſpectively; and that all and every ſuch Maker of Starch, who ſhall refuſe or neglect to make ſuch Payment as aforeſaid, ſhall forfeit and loſe, for every ſuch Offence, Double the Sum of the ſaid Duty whereof the Payment ſhall be ſo refuſed or neglected; and that no ſuch Makers of Starch, after ſuch Default in Payment made, ſhall ſell, deliver, or carry out, any Starch, until he hath paid and cleared off his Duty, as aforeſaid, on Pain to forfeit Double the Value of ſuch Starch ſo delivered or carried out.

Starchmakers to pay the Duties within a Week after the Time of Entry, or forfeit double the Sum neglected to be paid.

V. Provided always, That no Maker of Starch ſhall be obliged to go or ſend farther than the Market-town where his or her Starch is made, or the next Market-town to the Place where his or her Starch is made, for the making ſuch Entries, or the Payment of the ſaid Duties.

Proviſo.

'VI. And, for the better preventing the Frauds frequently committed by divers Makers of Starch, by emptying the Vat or Vats made uſe of for making of Starch in the Abſence of the Exciſe Officer,' be it enacted by the Authority aforeſaid, That, from and after the fifth Day of *July*, one thouſand ſeven hundred and ſeventy-nine, every Maker of Starch, before he, ſhe, or they, do begin to empty or waſh out any of the Vat or Vats, made uſe of by him, her, or them, in preparing or making of Starch, he, ſhe, or they, ſhall give to the Officer of Exciſe of the Diviſion or Diſtrict where his, her, or their Starch-houſe is ſituate, twelve Hours Notice, if ſuch Starch-houſe ſhall be within the Limits of the Chief Office of Exciſe in *London*; or if ſuch Starch-houſe ſhall be in any other Part of *Great Britain*, twenty-four Hours Notice of the particular Time and Hour when and at which he, ſhe, or they, intend to begin to empty or waſh out ſuch

Starchmakers to give proper Notice to Exciſe Officers before they begin to empty their Vats;

such Vat or Vats; and in case such Maker or Makers of Starch shall not begin to empty or wash out the said Vat or Vats, at the Hour and Times mentioned in such Notice, or within two Hours next after, then every such Notice shall be, and is hereby declared to be, void, and every such Maker and Makers of Starch shall, and is hereby obliged to give a fresh and like Notice in Manner aforesaid: And in case any such Maker or Makers of Starch shall neglect or refuse to give such first Notice before he begins to empty or wash out his, her, or their Vat or Vats, or to insert in such Notice the Particulars herein-before required, or to give a fresh Notice in Manner aforesaid, before he begins to empty or wash out the Vat or Vats, in case he, she, or they, shall not begin and proceed to empty or wash out the said Vat or Vats at the Hour and Time mentioned in the said first Notice, or within two Hours next afterward, such Maker or Makers of Starch shall, in every such Case, for every such Offence, forfeit and lose the Sum of one hundred Pounds.

on Forfeiture of 100 l.

VII. And be it further enacted by the Authority aforesaid, That when and so soon as the said Vat or Vats shall be so emptied or washed out as aforesaid, and the Waters shall be put into the Frames, Tubs, or other Utensils, used for preparing and making the same into Starch, the said Waters shall remain unmoved and undisturbed in the same Frames, Tubs, or Utensils, for the Space of forty-eight Hours, at least, from the Time of emptying and washing out the said Vat or Vats, agreeable to the said Notice, and that the Slimes and Wash shall not, during the said Space of forty-eight Hours, be taken off the same: And that the Officers for the Duties upon Starch may be able to ascertain when the said Waters were so put into the said Frames, Tubs, or Utensils, after the said Vat or Vats have been emptied or washed out, as aforesaid, every Maker of Starch shall give, or cause to be given, to the Officer of Excise under whose Survey such Maker of Starch shall then be, a Notice in Writing, specifying therein the particular Hour or Time of the Day when such Maker of Starch did finish the emptying or washing out of each and every Vat and Vats; and if any Maker or Makers of Starch shall, after the said fifth Day of *July*, one thousand seven hundred and seventy-nine, neglect to deliver such Notice as last aforesaid, he, she, or they, shall, for every such Neglect, forfeit and lose the Sum of one hundred Pounds.

After the Vats are emptied, the Waters shall remain in the Frames, &c. undisturbed for 48 Hours. Starchmaker to give the Officer a Notice in Writing specifying the Hour when each Vat was emptied; on Forfeiture of 100 l.

VIII. And be it further enacted by the Authority aforesaid, That whenever any Maker or Makers of Starch shall be desirous to take off from the four Waters the Slimes or Wash so put into the Frames, Tubs, or Utensils, after the same shall have been and have remained unmoved and undisturbed for the Space of forty-eight Hours, as aforesaid, he, she, or they, shall give to the Officer of Excise of the Division or District where his, her, or their Starch-house is situate, twelve Hours Notice, if such Starch-house shall be within the Limits of the Chief Office of Excise in *London*, or if such Starch-house shall be in any other Part of *Great Britain*, twenty-four Hours Notice, of the particular Time and Hour when and at which he intends to take off such Slimes and Wash; and in case such Maker or Makers of Starch shall not begin and proceed to take off the Slimes and Wash as aforesaid at the Time and Hour mentioned in such Notice, or within Two Hours next after, then every such Notice shall be, and is hereby declared to be, void, and every such Maker and Makers of Starch shall be, and is hereby obliged to give a fresh and like Notice, in Manner aforesaid; and in case any such Maker or Makers of Starch shall neglect to give such first Notice before he begins to take off such Slimes or Wash, or to insert in such Notice the Particulars herein-before required, or to give a fresh Notice, in Manner aforesaid, before he begins to take off such Slimes or Wash, in case he, she, or they, shall not begin and proceed to take off such Slimes and Wash at the Hour and Time mentioned in the said first Notice, or within two Hours next afterwards, such Maker or Makers of Starch shall, in every such Case, for every such Offence, forfeit and lose the Sum of one hundred Pounds.

Starchmakers to give proper Notice to Officers before they take off the Slimes and Wash from the four Waters;

on Forfeiture of 200 l.

IX. And be it further enacted, That when the Slimes shall be taken off, as aforesaid, and the same shall be put into any Tub or Tubs, or other Utensil, the same shall remain in the same Tub or Tubs, or other Utensils, into which the same shall have been first put, for the Space of twenty-four Hours after the same shall have been so taken off; and if any Maker or Makers of Starch shall move or disturb the Waters after the same shall have been so emptied or washed out of the Vat or Vats into any Frame, Tub, or Utensil, or shall take off the Slimes or Wash during the Space of forty-eight Hours, as aforesaid, or shall move or disturb the Slimes after the same shall have been put into such Tub or Tubs, or other Utensil, during the Space of twenty-four Hours, as aforesaid, then, and in every such Case, such Maker and Makers of Starch shall, for every such Offence, forfeit and lose the Sum of one hundred Pounds.

When the Slimes are put into a Tub, &c. they shall remain there 24 Hours. Starchmaker disturbing them during that Time, &c. shall forfeit 100 l.

'X. And, the better to prevent any Frauds by the secreting or concealing of Starch,' be it enacted by the Authority aforesaid, That in case any Officer or Officers for the said Duties upon Starch shall at any Time miss any Quantity or Quantities of Starch, of which an Account had been taken by Gauge, whilst the same was in the four Waters or Slimes, respectively, and before the said Starch has been put into the Boxes, and shall not, upon reasonable Demand, receive Satisfaction what is become of the same, then, and in every such Case, it shall and may be lawful for such Officer or Officers to charge the Maker of such Starch according to the Gauge taken of the same in the four Waters or Slimes, as aforesaid, respectively, and every such Maker shall pay the Duty so charged.

Duty on Starch to be paid according to the Gauge taken in the four Waters.

'XI. And, for the further securing the Duty on Starch,' be it further enacted by the Authority aforesaid, That, from and after the said fifth Day of *July*, one thousand seven hundred and seventy-nine, when any Maker or Makers of Starch shall give Notice of his Intention to box, as required by an Act, made in the fourth Year of the Reign of his late Majesty King *George* the Second (intituled, *An Act to prevent Frauds in the Revenue of Excise with respect to Starch, Coffee, Tea, and Chocolate*), every such Maker of Starch shall, in each such Notice, express and declare the particular Frame, Tub, or other Utensil, from which he, she, or they, intend to box any Starch; and that when any such Maker or Makers of Starch shall begin to box such Starch, they shall proceed and continue to box the same until the whole Quantity of Starch in each such Frame, Tub, or other Utensil, shall be perfectly boxed; and if any Maker or Makers of Starch shall, at any Time after the said fifth Day of *July*, one thousand seven hundred and seventy-nine, neglect to give Notice of his Intention to box his green Starch, or shall neglect to insert in every such Notice the particular Frame, Tub, or other Utensil, from which the Starch is intended to be

Starchmakers to give Notice to Officers before they box their Starch, particularizing the Frame, Tub, &c. from which it is to be boxed; on Forfeiture of 200 l.

boxed as aforesaid, or shall not proceed or continue to box the whole Quantity of Starch in any such Frame, Tub, or other Utensil, after such Notice as aforesaid, every such Maker or Makers of Starch shall, in every such Case, for every such Offence, forfeit and lose the Sum of two hundred Pounds; any Law, Custom, or Usage, notwithstanding.

Starchmaker to deliver to the Officer a Description of every Room, &c. by him used for making Starch, which shall be marked and numbered; on Forfeiture of 50l.

XII. And be it further enacted by the Authority aforesaid, That from and after the said fifth Day of *July*, one thousand seven hundred and seventy-nine, every Maker of Starch shall deliver to the Officer who surveys his or their Starch-house an Account, in Writing, containing as well an exact Description of each and every Room and Place, by him, her, or them, made use of for the making, drying, or keeping of Starch, as also of each and every Vessel or Utensil by him, her, or them, made use of for the making of Starch, before he, she, or they, presume to use the same; all which said Rooms and Places, Vessels and Utensils, shall be marked and numbered by, or by the Direction of, the respective Surveyors or Supervisors of Excise who survey the respective Makers of Starch, to whom such Rooms and Places, Vessels and Utensils, respectively belong, at the Expence of such respective Makers; and if any such Maker of Starch shall make use of any Room or Place, Vessel or Utensil, for the making of Starch, without giving such Account as aforesaid, or before the same shall have been marked and numbered as aforesaid, or shall refuse to pay for the marking and numbering the same, he, she, or they shall, for every such Offence respectively, forfeit and pay the Sum of fifty Pounds.

When Starchmakers break any Pieces of Starch from their Boxes, they shall deliver a particular Account thereof to the Officer; on Forfeiture of 200l.

XIII. And be it further enacted, That, from and after the fifth Day of *July*, one thousand seven hundred and seventy-nine, whenever any Maker or Makers of Starch shall have broken the Starch from his, her, or their Boxes, he, she, or they, shall deliver, or cause to be delivered, to the Officer of Excise under whose Survey such Maker of Starch shall then be, an Account, in Writing, of the true Number of Pieces broken from such Box, distinguishing, in such Writing, the Size of the different Pieces, under the different Denominations following; that is to say, Large, Middling, and Small, and how many Pieces of each Denomination are contained in each Breaking from the Boxes: And in case any such Maker of Starch shall neglect to deliver to such Officer such Account, in Writing, distinguishing therein as aforesaid; or if, after such Account given in as aforesaid, any Officer of Excise shall discover, in any Place whatsoever, entered or not entered, any Increase in the Number of Pieces, or a greater Number of the large or middling Pieces than were particularly specified in such Writing; then, and in every such Case, every such Maker and Makers of Starch shall, for each Offence, forfeit and lose the Sum of two hundred Pounds.

When Starch is put into the Stove for drying, the Pieces to be so placed that the Officers may be able to count them.

XIV. And be it further enacted by the Authority aforesaid, That, from and after the said fifth Day of *July*, one thousand seven hundred and seventy-nine, whenever any Maker or Makers of Starch shall put their Starch when scraped, or when put into the Papers, into the Stove or Stoves for drying the same, every such Maker of Starch shall place, or cause to be placed, the several Pieces of Starch so put into such Stove or Stoves, in such Manner as that the Officers of Excise may have Access to, and be able to count distinctly the Number of the several Pieces of Starch so put into such Stove or Stoves.

Starchmakers to provide Ladders, and assist the Officers in taking Account of the Pieces of Starch; and to do nothing to obstruct them therein; on Forfeiture of 200l.

'XV. And, that such Officers of Excise may, without Inconvenience or Hurt, be able to count the said 'Pieces in such Stove or Stoves,' it is hereby enacted, That, from and after the said fifth Day of *July*, one thousand seven hundred and seventy-nine, every Maker of Starch shall provide proper Ladders, and shall assist the said Officers in taking an Account of the said several Pieces of Starch in such Stove or Stoves; and that no Maker or Makers of Starch shall, by himself, or by any other Person, during the Space of two Hours after such Officer shall have entered the Stove of any such Starch-maker, for the Purpose of counting the Number of Pieces of Starch then in such Stove, stir or break up the Fire under the said Stove, nor shall, during the said Space of two Hours, whilst such Officer remains in such Stove, throw, or cause to be thrown, upon the Pan of such Stove, any Dirt, Meal, or other Ingredient, whereby a Smoke may be raised, or the Officer hindered or obstructed in counting the Pieces of Starch in the said Stove: And if any such Maker or Makers of Starch shall not so place the several Pieces of Starch in their respective Stove or Stoves as aforesaid, as that the Officers of Excise may distinctly count the same; or if such Maker or Makers of Starch shall not provide proper Ladders, or shall not assist the said Officers in taking the Account as aforesaid; or shall, by stirring up the Fire, or by any Means whatsoever, hinder or obstruct the Officers of Excise from going into, and continuing in the said Stove or Stoves, during the Space of two Hours, as aforesaid, or until such Officer shall have taken the Account of all the said Pieces, if the same shall be done within the said Space of two Hours; then, and in every such Case, the Person offending therein shall, for every such Offence, forfeit and lose the Sum of two hundred Pounds.

Starchmaker to give proper Notice to Officer before he break down any Piece of Starch into Scrapings;

XVI. And be it further enacted by the Authority aforesaid, That, from and after the said fifth Day of *July*, one thousand seven hundred and seventy-nine, when any Maker or Makers of Starch shall be desirous to break down any Piece or Pieces of Starch into Scrapings, or otherwise, he, she, or they, shall give to the Officer of Excise of the Division or District where his, her, or their, Starch-house is situate, twelve Hours Notice, if such Starch-house shall be situate within the Limits of the Chief Office of Excise in *London*; or if such Starch-house shall be in any other Part of *Great Britain*, twenty-four Hours Notice of the particular Time and Hour when and at which he, she, or they intend to break down such Pieces of Starch into Scrapings, or otherwise; and in case such Maker or Makers of Starch shall not begin and proceed to break down such Pieces of Starch as aforesaid, at the Time and Hour mentioned in such Notice, or within two Hours next after, then every such Notice shall be, and is hereby declared to be, void; and every such Maker and Makers of Starch shall be, and is and are hereby obliged to give a fresh and like Notice in Manner aforesaid: And in case any such Maker or Makers of Starch shall neglect to give such first Notice, before he, she, or they, begin to break down such Pieces of Starch, or to insert in such Notice the Particulars herein-before required, or to give a fresh Notice in Manner aforesaid, every such Maker of Starch shall, in every such Case, for every such Offence, forfeit and lose the Sum of one hundred Pounds.

on Forfeiture of 100l.

If Officer shall find, drying in the Stove, any

XVII. And be it further enacted by the Authority aforesaid, That from and after the said fifth Day of *July*, one thousand seven hundred and seventy-nine, if any Officer for the Duties on Starch shall discover and

Piece of Starch of which no Account had been taken in the Box, the Maker ſhall forfeit 100 l.

and find, in the Stove or Stoves of any Maker of Starch, any Piece or Pieces of Starch drying in ſuch Stove or Stoves, of which no Account had been before taken in the Box or Boxes, by the Officer for the Duties on Starch, then, and in every ſuch Caſe, each and every ſuch Piece and Pieces of Starch ſhall be deemed, and is and are hereby declared to be, Starch of which no Account had been taken by the Officer for the ſaid Duties upon Starch; and the Maker or Makers of ſuch Starch, in whoſe Stove ſuch Piece or Pieces ſhall be ſo diſcovered and found, ſhall forfeit and loſe, for every ſuch Offence, the Sum of one hundred Pounds.

Starchmaker mixing the Starch-waters of different Makings, while his Starch is under Water, ſhall forfeit 100 l. except it be done in Preſence of an Officer.

XVIII. And be it further enacted by the Authority aforeſaid, That, from and after the fifth Day of *July*, one thouſand ſeven hundred and ſeventy-nine, if any Maker of Starch ſhall, at any Time whilſt his Starch is in Operation, and under Water, mix, or cauſe to be mixed, any of the Starch-waters of one Making with thoſe of another Making, every ſuch Maker of Starch ſhall forfeit and loſe, for every ſuch Offence, the Sum of one hundred Pounds, except ſuch Mixing be made in the Preſence of an Officer for the Duties on Starch.

Starchmaker removing any Starch, after it is dried, out of his Stove, &c. before weighing, and an Account thereof taken by an Officer, ſhall forfeit 200 l.

'XIX. And whereas fraudulent Starch-makers have, in many Inſtances, been rather encouraged in carrying on their Frauds, by reaſon of the Smallneſs of the Penalties already provided in theſe Caſes; now, for the more effectual preventing the like Frauds,' be it further enacted by the Authority aforeſaid, That if, after the ſaid fifth Day of *July*, one thouſand ſeven hundred and ſeventy-nine, any Maker of Starch ſhall remove, or cauſe to be removed, any Quantity whatſoever of Starch, after the ſame ſhall be dried, out of his, her, or their Stove or Stoves, or out of any other Place or Places, made uſe of by them for the drying of Starch, before the ſame has been weighed, and an Account taken thereof, by the proper Officer appointed for that Purpoſe, he, ſhe, or they ſhall reſpectively forfeit and loſe, for every ſuch Offence, the Sum of two hundred Pounds; any Law, Cuſtom, or Uſage, to the contrary notwithſtanding.

And concealing Starch, with Intent to defraud his Majeſty, ſhall forfeit 100 l.

XX. And be it further enacted by the Authority aforeſaid, That, from and after the ſaid fifth Day of *July*, one thouſand ſeven hundred and ſeventy-nine, if any Maker of Starch ſhall fraudulently hide or conceal, or ſhall cauſe or ſuffer to be hid or concealed, any Starch, to the Intent to deceive his Majeſty of the juſt Duties chargeable on the ſame, that then, and in every ſuch Caſe, the Party ſo offending ſhall forfeit and loſe the Sum of one hundred Pounds; any Law, Cuſtom, or Uſage, notwithſtanding.

Starchmaker obſtructing Officer in performing his Duty, to forfeit 50 l.

XXI. And be it further enacted by the Authority aforeſaid, That, from and after the ſaid fifth Day of *July*, one thouſand ſeven hundred and ſeventy-nine, if any Maker of Starch ſhall obſtruct or hinder any of the Officers for the Duties upon Starch, in the Execution of any of the Powers and Authorities given to him or them by this or any other Act, for the aſcertaining and ſecuring the Duties upon Starch, the Perſon or Perſons offending therein ſhall, for every ſuch Offence, forfeit and loſe the Sum of fifty Pounds.

Penalties and Forfeitures how to be recovered and applied.

XXII. And be it further enacted by the Authority aforeſaid, That all Fines, Penalties, and Forfeitures, impoſed by this Act, ſhall be ſued for, recovered, levied, or mitigated, by ſuch Ways, Means, and Methods, as any Fine, Penalty, or Forfeiture, is or may be ſued for, recovered, or mitigated, by any Law or Laws of Exciſe; or by Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, or in the Court of Exchequer in *Scotland*, reſpectively; and that one Moiety of every ſuch Fine, Penalty, or Forfeiture, ſhall be to his Majeſty, his Heirs and Succeſſors, and the other Moiety to him or them who ſhall diſcover, inform, or ſue for the ſame.

General Iſſue.

XXIII. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall, at any Time or Times, be ſued, moleſted, or proſecuted, for any Thing by him or them done in purſuance or by Colour of this Act, or of any Matter or Thing in this Act contained, ſuch Perſon and Perſons ſhall and may plead the General Iſſue, and give this Act and the ſpecial Matter, in Evidence in his or their Defence; and if afterwards a Verdict ſhall paſs for the Defendant or Defendants, or the Plaintiff or Plaintiffs ſhall become nonſuited, or diſcontinue his, her, or their Action or Proſecution, or Judgment ſhall be given againſt him, her, or them, upon Demurrer or otherwiſe, then ſuch Defendant or Defendants ſhall have

Treble Coſts.

Treble Coſts awarded to him or them againſt ſuch Plaintiff or Plaintiffs.

## CAP. XLI.

### An Act for granting a Drawback of the Duties, impoſed by an Act of the laſt Seſſion of Parliament, upon all foreign Wines exported from *Great Britain* to any *Britiſh* Colony or Plantation in *America*, or to any *Britiſh* Settlement in the *Eaſt Indies*.

Preamble. Recital of an Act 18 Geo. III.

'WHEREAS, by an Act of Parliament, made in the eighteenth Year of his Majeſty's Reign (intituled, *An Act for granting to his Majeſty ſeveral additional Duties upon Wines and Vinegar imported into this Kingdom*), it was amongſt other Things provided and enacted, That, upon the Exportation of any Sort of Wines (except *French* Wines) from this Kingdom to any *Britiſh* Colony or Plantation in *America* as Merchandize, the Exporter ſhould be paid and allowed a Drawback of all the before-mentioned Duties paid upon the Importation of ſuch Wine by virtue of the ſaid recited Act, except the Sum of three Pounds thirteen Shillings and Sixpence *per* Ton: And whereas, in order to promote and encourage the Exportation of Wines from this Kingdom to the *Britiſh* Colonies or Plantations in *America*, and to the *Britiſh* Settlements in the *Eaſt Indies*, it is expedient to allow the Drawback of all the Duties granted by the ſaid recited Act upon the Exportation of all foreign Wines ſo exported to thoſe Places;' be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority

of the ſame, That, from and after the twenty-fourth Day of *April*, one thouſand ſeven hundred and ſeventy-nine, upon the Exportation of any *French* Wine, or any other foreign Wines, from this Kingdom, to any *Britiſh* Colony or Plantation in *America*, or to any *Britiſh* Settlement in the *Eaſt Indies*, as Merchandize, the Exporter ſhall be paid and allowed a Drawback of all the Duties before mentioned, which were paid upon the Importation of ſuch Wine by virtue of the ſaid herein-before recited Act of Parliament, made in the eighteenth Year of his Majeſty's Reign; any Thing in the ſaid Act to the contrary notwithſtanding: Which Drawback or Allowance ſhall be made in ſuch Manner, and under ſuch Rules, Regulations, Securities, Penalties, and Forfeitures, in all Reſpects, as any former Drawback or Allowance, payable out of the Duties of Cuſtoms upon the Exportation of ſuch Wine, was, could, or might be made, before the paſſing of this Act.

A Drawback of all the Duties laid, by the ſaid Act, on the Importation of foreign Wines, ſhall be allowed on the Exportation thereof to America, or the Eaſt Indies.

## CAP. XLII.

An Act to enable the Truſtees for putting in Execution an Act of the ninth Year of the Reign of his preſent Majeſty, *for building a Bridge at* Worceſter *over the River* Severn, *and for opening convenient Avenues to the ſaid Bridge*, to finiſh and complete the ſaid Bridge, and to carry the Purpoſes of the ſaid Act into Execution.

## CAP. XLIII.

An Act for the more eaſy and ſpeedy Recovery of Small Debts within the Soake of *Horncaſtle*, and Wapentakes of *Wraggoe* and *Gartree* (except the Pariſh of *Great Sturton*), and within the Wapentakes of *Louth Eſke*, *Ludborough*, and *Calceworth*, and Pariſhes of *Wrangle*, *Leake*, *Leverton*, *Benington*, *Butterwick*, *Frieſton*, and *Fiſhtoft*, in the Hundred of *Skirbeck*, in the County of *Lincoln*.

Preamble.

'WHEREAS in the Soake of *Horncaſtle*, and Wapentakes of *Wraggoe*, *Gartree*, *Louth Eſke*, *Ludborough*, and *Calceworth*, and Pariſhes of *Wrangle*, *Leake*, *Leverton*, *Benington*, *Butterwick*, *Frieſton*, and *Fiſhtoft*, in the County of *Lincoln*, there are carried on ſeveral extenſive Branches of Trade and Buſineſs, and many ill-diſpoſed Perſons, within the ſaid Soake, Wapentakes, and Pariſhes, do contract Small Debts, and although able, refuſe to pay the ſame, preſuming on the Diſcouragement which Creditors lie under from proceeding for the Recovery of ſuch Debts by the preſent Forms of Law, on account of the great Expences and Delays which attend the ſame in the County Court, which is upwards of thirty Miles diſtant from the greateſt Part of the ſaid Pariſhes, Villages, Hamlets, and Places: And whereas an eaſy and ſpeedy Method of recovering Small Debts within the ſaid Soake, Wapentakes, and Pariſhes, will greatly tend to promote Induſtry, and ſupport uſeful Credit therein:' May it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That *William Allenby*, Eſquire; *John Abbot*, *Joſeph Atkinſon*, *Himman Allenby*, *Daniel Allenby*, *John Anſell*, *Robert Andrews*, *Thomas Adlard*, *William Alliſon*, *William Atkin*, Gentlemen; *Ayſcough Boucheret*, *Ayſcough Boucheret* the younger, *Bentley Bennet*, Eſquires; *Thomas Bentley*, *Samuel Bennet*, *William Bromley*, *Humphry Brown*, *Thomas Burrows*, *Thomas Bradley*, *Jonathan Bairſtow*, *John Bullivant*, *William Brown*, *Edmund Bradſhaw*, *Charles Bonner* the younger, *William Baker*, *Charles Buck*, *Bentley Bennet* the younger, *Thomas Belgrave*, *Thomas Blyth*, *Joſhua Byron*, *Edmund Blathwait*, *John Booth*, *John Bennet*, *Thomas Bartholomew*, *John Blackbourn*, *Peter Blackburn*, Gentlemen; *Edmund Brown*, Clerk; *Charles Chaplin*, *Charles Clarke*, *Charles Marſhal Clarke*, *Thomas Chaplin*, Eſquires; *George Coxſon*, *James Conington*, *John Calvert*, *John Chiſlett*, *Robert Cole*, *Joſeph Chantry*, *Charles Chaplin*, *George Chaplin*, *William Chatterton*, *James Calvert*, *John Codd*, *Richard Codd*, *William Caley*, *Samuel Caley*, *Richard Calthorp*, *William Capps*, *Bennet Clayth*, *Thomas Clark*, *John Cook*, *John Coupland*, *Joſeph Coupland*, *Abſalom Coupland*, *John Coupland*, *Robert Coupland*, Gentlemen; *William Dickinſon*, *Francis Darnhill*, *John Dixſon*, *William Dixſon*, *John Dennis*, *Thomas Danſon*, *John Dawſon*, *David Dickinſon*, *John Ding*, *Charles Dennis*, Gentlemen; *John Emeris*, Clerk; *John Elmitt*, *John Emerſon*, *Richard Everitt*, *John Ealand*, *Robert Eviſon*, Gentlemen; *James Forreſter Fowler*, *James Fowler*, *Richard Falkner*, Clerks; *Joſeph Fowler*, *Moſes Fox*, *John Fairweather*, *John Fiſher*, *John Foſter*, *William Fowler*, *Francis Farr*, *Edward Farr*, *John Fountain*, *Matthew Fox*, *John Francis*, Gentlemen; *John Goodwin*, Clerk; *John Gilby*, *John Gibſon*, *John Gunniſs*, *Edward Gunniſs*, *William Gibbons*, *John Goe*, *Iſle Grant*, *Alexander Gunniſs*, *Friſkney Gunniſs*, *Edward Gray*, *Charles Goodwin*, *Francis Gooderick*, *William Green*, Gentlemen; *George Harriſon*, Clerk; *John Harriſon*, Eſquire; *William Hoyes*, *Benjamin Holland*, *Richard Hood*, *John Hutchinſon*, *John Hanford*, *Thomas Holland*, *Richard Holdſworth*, *Richard Heald*, *Richard Hardy*, *Thomas Harriſon*, *John Hudſon*, *William Holland*, *Richard Henery*, *Robert Healey*, *Thomas Harneis*, *Robert Holmes*, *Richard Harr*, *John Hudſon*, *William Hanſon*, *John Hewit*, *William Hubbert*, Gentlemen; *William Jackſon*, *Nathaniel Jackſon*, *Willey Jackſon*, *William Iremonger*, *Adkin Jollands*, *John Inett*, *Francis Julian*, *George Jolland*, *Joſeph Jackſon*, *George Jeſſop*, *Thomas Jefferys*, Gentlemen; *William Kingſton*, *Vickers Keal*, *Henry Keal*, *John Kelſey*, *William Kerby*, *Charles Kirkham*, Gentlemen; *Thomas Liſter*, *Pinder Liſter*, *Thomas Liveſey*, *Robert Lee*, Eſquires; *Charles L'Oſte*, *Joſeph L'Oſte*, *John Linton*, *Henry Linton*, Clerks; *John Ludlam*, *John Ludlam* junior, *Richard Lucas*, *John Lill*, *Frederick L'Oſte*, *James Longſtaff*, *William Leach*, *John Linton* the younger, *John Lightfoot*, Gentlemen; *Robert Morton*, Clerk; *Wright Maſon*, *Thomas Mountain*, *William Maliſon*, *Wright Maſon* the younger, *Eraſmus Middleton*, *Thomas Maſen*, *Samuel Martin*, *Iſaac Marcham*, *William Merrell*, *John Meggitt*, *Thomas Marſh*, *John Maltby*, *Stanley Marſhall*, *John Maſon*, *Richard Maſon*,

Commiſſioners Names.

*ſon*, *John Meeds*, *Henry Mowbray*, Gentlemen; *Robert Neve*, *James Neve*, *James Naull*, Gentlemen; *Timothy Overton*, *Titus Overton*, *Edward Overton*, *John Orill*, Gentlemen; *Charles Pilkington*, Eſquire; *George Patterſon*, *Paul Pell*, *William Pinder*, *William Pennell*, *Samuel Paddiſon*, *Edward Pinney*, *Thomas Perrin*, *Thomas Parret*, *Samuel Carter Pettener*, *Thomas Phillips*, *Peter Packharniſs*, Gentlemen; *William Quinſey*, *William Quinſey* the younger, Gentlemen; *Arthur Rockcliffe*, *Jonathan Robinſon*, Clerks; *William Rogerſon*, *Cooke Richardſon*, *Thomas Rockcliffe*, *William Rockcliffe*, *John Robinſon*, *George Robinſon*, *Benjamin Rinder*, *Robert Rainy*, *John Raithby*, *Michael Raſor*, Gentlemen; *John Short*, Eſquire; *Joſeph Stockdale*, *Stopford*, Clerks; *John Stephenſon*, *Benjamin Stephenſon*, *Joſeph Sutton*, *John Smith*, *William Simpſon*, *Anthony Squire*, *John Searles*, *William Hirſt Simpſon*, *William Stotherd*, *Jeremiah Sutton*, *Charles Starmer*, *Robert Sheardown*, *Peter Sers*, *Richard Shepherd*, *John Sewell*, *John Shepherd*, *William Smith*, *Anthony Spur*, *Joſeph Skinner*, *Robert Stelling*, *Phineas Street*, *Noble Thornley Sherrard*, Gentlemen; *John Chriſtoe Turner*, *Edmund Turner*, *Edmund Turner* the younger, Eſquires; *John Thorrold*, M D. *James Tayton* the younger, *Richard Taylor*, *Thomas Taylor*, *Robert Trafford*, *William Thiſtlewood*, *William Taylor*, *Samuel Thompſon*, *Thomas Thorrold*, *Samuel Trevor*, *William Thacker*, *Stephen Thornell*, *George Turner*, *Thomas Timberland*, *John Taylor*, *Samuel Trout*, *Samuel Trout* the younger, *John Thompſon*, *John Uttin*, Gentlemen; *Robert Viner*, Eſquire; *Edward Walls*, Eſquire; *Samuel Whiting*, Clerk; *William Wheatley*, *Richard Watſon*, *John Wightman* the younger, *John Wray*, *Timothy Wayet*, *Richard Wright*, *William Wilkinſon*, *Thomas Wayet*, *Edmund Wayet*, *Francis Ward*, *John Wilkinſon*, *Samuel Walker*, *John Waters* the younger, *William Would*, *James Whitworth*, *Nicholas Wrigglesworth*, *Ayſcough Wrigglesworth*, *Thomas Wilſon*, *Thomas Walker*, *George Wilcockſon*, *Richard Wharfe*, *Elmitt Waleſby*, *Thomas Walker*, *Daniel Waldgrave*, *Hugh Weetman*, *James Wilkinſon*, *John Whiting*, *John Wilby*, and *William White* the younger, Gentlemen; ſhall be, and they are hereby declared, conſtituted, and appointed Commiſſioners to hear and determine all ſuch Cauſes and Matters of Debt as are herein-after mentioned; and ſuch Commiſſioners and their Succeſſors are hereby conſtituted a Court of Juſtice, by the Name and Stile of *The Court of Requeſts for the Soake of* Horncaſtle, *and Wapentakes of* Wraggoe, Gartree, Louth Eſke, Ludborough, *and* Calceworth, *and Pariſhes of* Wrangle, Leake, Leverton, Benington, Butterwick, Freiſton, *and* Fiſhtoft, *in the County of* Lincoln; and they the ſaid Commiſſioners, or any three or more of them, ſhall, and are hereby authoriſed, impowered, and required to meet, aſſemble, and hold the ſaid Court in the ſeveral Towns of *Horncaſtle*, *Wragby*, *Tatterſhall*, *Louth*, *Alford*, *Saltfleet*, and Pariſh of *Freiſton*, once a Month; (to wit) at *Wragby* and *Saltfleet*, on every *Friday* Month; and at *Horncaſtle*, *Tatterſhall*, *Louth*, *Alford*, and *Freiſton*, on every *Thurſday* Month, or oftener, if there ſhall be Occaſion, in a Court-houſe, or ſome convenient Place within each of the ſaid Towns and Pariſh, to be provided by the major Part of the Commiſſioners who ſhall be aſſembled at ſome General Meeting to be held for that Purpoſe; which General Meeting of the ſaid Commiſſioners ſhall be held at each of the ſaid Towns of *Horncaſtle*, *Wragby*, *Tatterſhall*, *Louth*, *Alford*, and *Saltfleet*, and Pariſh of *Freiſton*, on the *Thurſday* and *Friday* Six Weeks next after the paſſing of this Act, and ſhall continue to be held on the ſame Days in every Month throughout the Year: Provided that no Court ſhall be holden on *Good friday*, or on *Chriſtmas-day*, when *Chriſtmas day* ſhall fall on a *Thurſday* or *Friday*, in either of which Caſes the Court ſhall be holden on the next preceding Day.

Commiſſioners conſtituted a Court of Requeſts.

Times of Meeting.

For want of a ſufficient Number to act, Court to be adjourned to another Day.

II. Provided nevertheleſs, That in caſe three or more of the ſaid Commiſſioners, appointed or to be appointed by virtue of this Act, ſhall neglect or refuſe to aſſemble on any of the Days appointed for holding the ſaid Court, that then it ſhall and may be lawful to and for the reſpective Clerks of the ſaid Court, or their or any of their Deputy or Deputies for the Time being, to adjourn the ſaid Court to ſome other convenient Day, within one Week from the Day on which the ſaid Court ought to have been held, or till the General Court Day then next following.

Commiſſioners Powers.

III. And be it enacted by the Authority aforeſaid, That the Commiſſioners ſo named and appointed, and their Succeſſors, to be choſen as herein-after mentioned, or any three or more of them, from Time to Time aſſembled as aforeſaid, ſhall have Power and Authority, by virtue of this Act, to hear and determine all ſuch Cauſes and Matters of Debts as ſhall be brought before them in Manner as hereafter is mentioned, and to give ſuch Judgments, and to make ſuch interlocutory and final Orders and Decrees therein, and to award ſuch Execution thereupon, with Coſts, both againſt the Bodies and the Goods and Chattels of all and every the Perſon and Perſons againſt whom they ſhall give or make any ſuch Judgment, Order, or Decree, as to them ſhall ſeem juſt, and moſt agreeable to Equity and good Conſcience; and if the Commiſſioners ſo aſſembled ſhall happen to be equally divided upon any Queſtion that may come before them, the Commiſſioner preſent, whoſe Name ſtands firſt on the Liſt of the Commiſſioners directed to be kept in the Court-houſe or Place where they ſhall reſpectively meet, ſhall have the caſting Vote.

When Commiſſioners die, or neglect to act, new ones to be choſen.

IV. And be it further enacted by the Authority aforeſaid, That from Time to Time, as often as it ſhall be neceſſary, either by the Death of any of the ſaid Commiſſioners herein-before particularly named, or of any of their Succeſſors to be choſen in Manner herein-after mentioned, or by his or their refuſing or neglecting, for the Space of ſix Calendar Months, to act herein, it ſhall and may be lawful to and for the Commiſſioners hereby appointed, and ſuch their Succeſſors, or any five or more of them, to meet and aſſemble together at any Time after ſuch Death, Refuſal, or Neglect to act, and to elect and appoint one or more Commiſſioner or Commiſſioners in the Stead and Place of ſuch Commiſſioner or Commiſſioners dying or refuſing to act; and every ſuch Commiſſioner ſo elected and appointed ſhall be, and is hereby enabled to act in the Execution of the Powers granted to the Commiſſioners hereby appointed, as fully and effectually, to all Intents and Purpoſes, as if he or they had been particularly named in this Act.

Firſt Clerks, and Serjeants.

V. And be it further enacted by the Authority aforeſaid, That *Richard Clitherow* and *Thomas Walker*, Gentlemen, ſhall be, and are hereby conſtituted and appointed Clerks of the ſaid Court of Requeſts to be held at *Horncaſtle*, *Wragby*, and *Tatterſhall*; that *Charles Wigelſworth*, Gentleman, ſhall be, and is hereby conſtituted and appointed Clerk of the ſaid Court of Requeſts to be held at *Louth*; and that *William Carnley*, Gentleman, ſhall be, and is hereby conſtituted and appointed Clerk of the ſaid Court of Requeſts

to be held at *Alford* and *Saltfleet*; and that *Francis Thirkhill* and *Samuel Thornton* shall be, and are hereby constituted and appointed Clerks of the said Court of Requests to be held in the Parish of *Freiston*: And that *John Wightman* and *John Oldham* shall be, and are hereby constituted and appointed Serjeants of the said Court of Requests to be held at *Horncastle*; that *John Parker* shall be, and is hereby constituted and appointed Serjeant of the said Court of Requests to be held at *Wragby*; that *William Rowley* shall be, and is hereby constituted and appointed Serjeant of the said Court of Requests to be held at *Tattershall*; that *John Atkin* shall be, and is hereby constituted and appointed Serjeant of the said Court of Requests to be held at *Louth*; that *Thomas Coates* and *Benjamin Plumbtree* shall be, and are hereby constituted and appointed Serjeants of the said Court of Requests to be held at *Alford*; and that *Stephen West* shall be, and is hereby constituted and appointed Serjeant of the said Court of Requests to be held at *Saltfleet*; and that *Nightingale Kime* the Younger shall be, and is hereby constituted and appointed Serjeant of the said Court of Requests to be held in the said Parish of *Freiston*: Who shall respectively continue Clerks and Serjeants of the said Court so long as they shall behave themselves well in their respective Offices.

Victuallers, &c. not to hold any Place of Profit.

VI. Provided always, That no Commissioner, or any Person or Persons who shall keep any Victualling-house, Ale-house, or other House of any public Entertainment, or who shall sell any Wine, Cyder, Beer, Ale, Spirituous or other Strong Liquors, by Retail, shall be capable of holding the Office of Clerk, or any other Place of Profit belonging to the said Court.

Election of Clerks and Serjeants.

VII. And be it further enacted by the Authority aforesaid, That whenever it shall happen that any of the Places or Offices of Clerks or Serjeants of the said Court shall become vacant, either by Death, Resignation, or Misbehaviour, the Commissioners for the Time being, or any five or more of them, shall meet at some convenient Place, as soon as conveniently may be after such Vacancy shall happen, and a Majority of the said Commissioners so met are hereby authorised and required to chuse and appoint any other fit Person or Persons to be Clerk or Clerks, Serjeant or Serjeants, of the said Court, during his or their good Behaviour.

Clerks to fix up Lists of Commissioners in the Court-house;

to issue Summonses and register Orders.

VIII. And be it further enacted by the Authority aforesaid, That the respective Clerks herein-before named and chosen, and their Successors, so from Time to Time to be chosen and appointed, or his or their lawful Deputy or Deputies, shall make, and cause to be fixed up in some convenient Part of the said Court-house where he and they shall officiate, fair and complete Lists in Writing of the Commissioners herein named and appointed, or to be elected and appointed as aforesaid; and shall also, and are hereby impowered and required to issue, or cause to be issued out, all Summonses, Attachments, Warrants, Subpœnas, and Precepts, and to register and enter, or cause to be registered and entered, all Causes, Orders, Decrees, and Judgments, and other Acts and Proceedings of the said Court, in proper Books, to be provided by them respectively, and kept for that Purpose; and that the Serjeant and Serjeants herein-before named and chosen, or from Time to Time to be chosen and appointed as aforesaid, or his or their lawful Deputy or Deputies, shall, and is and are hereby impowered and required to serve and execute, or cause to be served and executed, all such Summonses, Orders, Attachments, Warrants, Subpœnas, Executions, and Precepts, and to do and perform all such Acts, Matters, and Things as are herein directed and appointed to be done by them.

Serjeants to serve Precepts.

Persons may sue for Debts under 40s.

IX. And be it further enacted by the Authority aforesaid, That, from and after the passing of this Act, it shall and may be lawful to and for all and every Person and Persons whomsoever, who now hath or have, or hereafter shall or may have, any Debt or Debts, not amounting to the Sum of forty Shillings, due or owing to him, her, or them, in his, her, or their own Right, or as Executor, Administrator, Assignee, Guardian, or Trustee, by or from any other Person or Persons whomsoever, inhabiting or residing within the Soake of *Horncastle*, and Wapentakes of *Wraggoe*, *Gartree*, *Louth Eske*, *Ludborough*, and *Calceworth*, and Parishes of *Wrangle*, *Leake*, *Leverton*, *Benington*, *Butterwick*, *Freiston*, and *Fishtoft* aforesaid, or any of them, or any Part thereof (except within the Parish of *Great Sturton*, in the Wapentake of *Gartree* aforesaid), or trading and dealing, or seeking a Livelihood therein, to apply to any of the Clerks of the said Court, or either or any of their Deputy or Deputies for the Time being; who shall immediately make an Entry in his Book of the Cause, expressing the Names of the Parties, and the Sum demanded; and shall thereupon make out and deliver a Summons in Writing, under his Hand, directed to such Debtor or Debtors, expressing the Sum demanded of him, her, or them, and the Name or Names of such Party or Parties demanding the same, thereby requiring and commanding such Debtor or Debtors to appear, at a certain Time and Place, before the Commissioners of the said Court, to answer such Demand; and the Serjeant or Serjeants of the said Court, or any of them, shall forthwith serve, or cause such Summons to be served on such Debtor or Debtors, either personally, or by leaving the same at the Dwelling-house or Place of Abode, Lodging, Shop, Shed, Stall, Stand, or other Place of dealing or working of such Debtor or Debtors, within the Soake, Wapentakes, and Parishes aforesaid; and the said Commissioners, or any three or more of them, shall, upon Proof made of the Service of such Summons, have full Power and Authority, by virtue of this Act, to make due Enquiry concerning such Demands, and to pronounce and give such final Sentence or Judgment, and to make such interlocutory or final Orders and Decrees therein, as to them shall seem most just and equitable.

How officers are to proceed.

Commissioners may regulate Proceedings;

X. And, for the better regulating the Proceedings of the said Court, and rendering this Act effectual for the Purposes thereof, be it enacted by the Authority aforesaid, That the Commissioners for the Time being, or any three or more of them, being a Majority of the Commissioners assembled in Court as aforesaid, shall have full Power and Authority, by virtue of this Act, from Time to Time, and as often as they shall see Occasion, at any of the said Courts, to make such Rules or Orders, for the better regulating of the Practice of the said Court as to them shall seem necessary, and conducive to the Purposes of this Act, so as they shall be consistent with Equity, and do not tend to lessen, abridge, or alter, the Fees herein-after allowed by this Act to be taken by the respective Clerks and Serjeants, or Officers, of the said Court of Requests for the Time being, or to the Exercise of any Jurisdiction inconsistent with the true Intent and Meaning of this Act, and do relate to the Process, Practice, and Method of Proceeding of and in the said

Court only; according to which Rules and Orders, so from Time to Time to be made, the said Commissioners, or any three or more of them, shall have full Power and Authority, by virtue of this Act, to proceed upon, and to hear and determine all Matters of Debt, not amounting to the said Sum of forty Shillings, which shall be brought before them by virtue of this Act, and to make and pronounce such Judgments and Decrees concerning the same, and the Costs of Suit, as to them shall seem agreeable to Equity and good Conscience.

and administer Oaths.

XI. And, for the better Discovery of the Truth, and for the more solemn Determination of all the Causes and Matters which shall be depending in the said Courts, be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners, or any three or more of them, assembled in Court, and they are hereby impowered, to administer, or cause to be administered, an Oath to the Party or Parties, Plaintiff or Plaintiffs, Defendant or Defendants, and also to such Witness or Witnesses as shall be produced by either Party, and also to the Officers of the Court, and to any Person or Persons whomsoever whose Evidence shall, to the said Commissioners, or the major Part of them assembled at the said Court, appear necessary.

On Non appearance of Defendant, the Court may proceed ex parte;

XII. And be it further enacted by the Authority aforesaid, That if any Debtor or Debtors, who shall have been duly summoned as aforesaid, shall, without some good Cause, to be allowed by the Court, refuse or neglect to appear in the said Court at the Time and Place mentioned in the said Summons, then it shall and may be lawful to and for the said Commissioners, or any three or more of them, upon Proof being made upon Oath of the Service of the said Summons in Manner before directed, to proceed to hear the Cause on the Part of the Plaintiff or Plaintiffs only, and to make such Order, Decree, or Judgment therein, and to award such Costs as to them shall seem meet.

And on Non-appearance or Nonsuit of Plaintiff, may award Costs.

XIII. And be it further enacted by the Authority aforesaid, That if upon the Day of the Return of the Summons, or at any Continuation or Adjournment of the said Court, the Plaintiff or Plaintiffs shall not appear, or appearing, shall not make Proof of his, her, or their Debt or Demand, to the Satisfaction of the said Court, it shall and may be lawful to and for the said Commissioners, or any three or more of them, to award to the Defendant or Defendants reasonable Costs, and to order and compel the Plaintiff or Plaintiffs to pay the same, by such Ways and Means as are herein provided for the enforcing of the Payment of Debts and Costs ordered and decreed to be paid by the said Court.

Commissioners may award Execution;

XIV. And be it further enacted by the Authority aforesaid, That in any Case where the said Commissioners, or any three or more of them, shall have made any Order or Decree for the Payment of Money, it shall and may be lawful to and for the said Commissioners, or any three or more of them, at their Discretion, to award Execution either against the Body or Bodies, or Goods, of the said Party or Parties against whom such Order or Decree shall be made; and thereupon it shall and may be lawful to and for the respective Clerk or Clerks of the said Court, at the Request of the Party or Parties prosecuting such Order or Decree, to issue a Precept, under his Hand and Seal, to the respective Serjeant or Serjeants of the said Court; who, by virtue of any such Precept issued upon the Execution awarded against the Body or Bodies of such Party or Parties, shall and may, and is and are hereby respectively impowered and required to take and apprehend, or cause to be taken and apprehended, such Party or Parties, being within the Soake, Wapentakes, and Parishes of *Wrangle*, *Leake*, *Leverton*, *Benington*, *Butterwick*, *Freiston*, and *Fishtoft* aforesaid, or any of them (except the Parish of *Great Sturton* aforesaid), and to convey him, her, or them, to some Common Gaol or House of Correction within the said County of *Lincoln*, there to remain until he, she, or they shall perform and obey such Order, Decree, or Judgment, so as no Person shall remain in Confinement upon any such Execution for any longer Space of Time than three Calendar Months; and such Serjeant or Serjeants, by virtue of any such Precept, issued upon the Execution awarded against the Goods of any such Party or Parties, shall and may, and is and are hereby impowered to levy, by Distress and Sale of the Goods of such Party or Parties being within the Soake, Wapentakes, and Parishes aforesaid, or any of them, such Sum and Sums of Money, and Costs, as shall be so ordered and decreed; and if the Party or Parties against whose Body or Bodies, or Goods, such Execution shall be awarded, and such Process shall issue thereupon, shall, by absconding, or by secreting or removing his, her, or their Goods, or conveying away the same by Bill of Sale, or by any other Means whatsoever, prevent or evade the Service or Effect of any Execution, it shall and may be lawful to and for the said Commissioners, or any three or more of them, upon due Proof thereof made to them by the Oath or Oaths of such Serjeant or Serjeants, or of one or more credible Witness or Witnesses, at their Discretion, to award Execution either against the Body or Bodies, or Goods, of such Party or Parties, wheresoever the same Goods may be, and Process shall issue thereupon, and be executed by the respective Serjeants in Manner aforesaid, until the Party or Parties, at whose Suit such Execution shall be issued, shall be fully paid and satisfied.

and commit the Party.

Court may order Debts to be paid at several Times.

XV. And be it further enacted by the Authority aforesaid, That in case the said Commissioners, or any three or more of them, shall, at any Time, upon the Request and for the Ease and Convenience of the Defendant or Defendants, order and decree the Debt due to the Plaintiff or Plaintiffs to be paid at several Payments, then upon the Default or Failure of any of the said Payments so ordered and decreed, the said Commissioners, or any three or more of them, assembled in Court, shall and may, at the Instance of the Plaintiff or Plaintiffs, and upon due Proof of the said Default or Failure, award Execution for the whole Debt, or such Part thereof as shall then remain unpaid, together with such further Costs as to them shall seem reasonable, to be recovered by the same Process and in like Manner as is herein-before provided for Recovery of the Debt and Costs first decreed; the former Order or Decree to the contrary thereof notwithstanding.

On Execution, Clerk to indorse the Debt and Costs.

XVI. And be it further enacted by the Authority aforesaid, That every Precept to be issued, upon any Execution awarded against the Body or Bodies, or Goods, of any Person or Persons whomsoever, the Clerk or Clerks who shall issue the same shall express and set down in Writing the Sum or Sums of Money, and Costs, so ordered and decreed to be paid; and if the Party or Parties against whom such Execution shall be

be awarded, ſhall, before any actual Sale of his, her, or their Goods, or before he, ſhe, or they, is, are, or ſhall be taken and apprehended, or before the Expiration of the Term of his, her, or their Impriſonment, pay, or cauſe to be paid, or tendered, unto the Clerk or Clerks of the Court, who ſhall iſſue ſuch Precept, ſuch Sum or Sums of Money, and Coſts, together with one Shilling, as a Reward for his or their Trouble in receiving and paying over ſuch reſpective Debts and Coſts to the Plaintiff or Plaintiffs, and entering Acknowledgment of Satisfaction, in the Book or Regiſter of the ſaid Court, for ſuch Debt and Coſts, and alſo the Sum of two Shillings and Sixpence for Gaol Fees, in caſe ſuch Party or Parties ſhall have been committed to Priſon, then and in ſuch Caſe and Caſes the Execution ſhall be ſuperſeded, and the Body or Bodies, and Goods, of ſuch Party or Parties, ſhall be diſcharged and ſet at Liberty. In what Caſes the Execution ſhall be ſuperſeded.

XVII. And be it further enacted by the Authority aforeſaid, That if the Serjeant or Serjeants of the ſaid Court, who ſhall be employed to ſerve or levy any Execution, ſhall, by wilful Connivance or Neglect, cauſe or ſuffer the Party or Parties, againſt whom ſuch Execution ſhall be awarded, to eſcape or abſcond, or the Goods of ſuch Party or Parties to be carried away or ſecreted, ſo as ſuch Execution ſhall not have its due Effect, it ſhall and may be lawful to and for the ſaid Commiſſioners, or any three or more of them, aſſembled in Court, upon Complaint, and due Proof made upon the Oath or Oaths of one or more credible Witneſs or Witneſſes, to order ſuch Serjeant or Serjeants to pay the Sum or Sums of Money, for which the ſaid Execution was awarded, to the Party or Parties complaining, and to enforce the Payment thereof by the ſame Method and Means as are herein-before provided for the Payment of other Debts. Serjeants ſuffering an Eſcape, or Goods to be removed, to pay Debt and Coſts.

XVIII. And be it further enacted by the Authority aforeſaid, That no Perſon ſhall be capable of acting as a Commiſſioner in the Execution of this Act, until he ſhall have taken an Oath, or (being of the People called Quakers) made an Affirmation, to the following Effect; (that is to ſay) Commiſſioners to be ſworn.

'I *A. B.* do ſwear [*or* affirm], That I will faithfully, impartially, and honeſtly, according to the beſt of my Judgment hear and determine all ſuch Matters and Cauſes as ſhall be brought before me by virtue of an Act of Parliament *for the more eaſy and ſpeedy Recovery of Small Debts within the Soake of* Horncaſtle, *and Wapentakes of* Wraggoe *and* Gartree *(except the Pariſh of* Great Sturton), *and within the Wapentakes of* Louth Eſke, Ludborough *and* Calceworth, *and Pariſhes of* Wrangle, Leake, Leverton, Benington, Butterwick, Freiſton, *and* Fiſhtoft, *in the County of* Lincoln, without Favour or Affection, Prejudice or Malice to either Party. The Oath.

'*So help me GOD.*'

Which Oath the reſpective Clerk or Clerks of the ſaid Court, or any of the Commiſſioners who ſhall have taken ſuch Oath, is and are hereby impowered and required to adminiſter in open Court; and the ſaid reſpective Clerk or Clerks of the ſaid Court ſhall enter, or cauſe a Memorial thereof to be entered, in the Regiſter of the ſaid Court where the ſame ſhall be taken. Memorial thereof to be regiſtered.

XIX. And be it further enacted, That no Attorney at Law, or Solicitor of any Court whatſoever, ſhall be allowed to plead or maintain any Privilege againſt the Proceſs, Authority, Juriſdiction or Judgment of the ſaid Court of Requeſts, or be admitted to appear in the ſaid Court as an Attorney or Advocate in Behalf of any Plaintiff or Defendant. No Attorney or Solicitor to plead or have Privilege in the Court of Requeſts.

XX. And be it further enacted by the Authority aforeſaid, That the ſeveral Fees herein-after limited and expreſſed, and no other, ſhall be taken by the reſpective Clerk or Clerks, Serjeant or Serjeants, or their Succeſſors, for their ſeveral and reſpective Services in the Execution of this Act; (that is to ſay) Fees to be taken by Officers.

## To the CLERKS.

The Clerks.

For entering every Cauſe, Sixpence.
For iſſuing every Summons, Sixpence.
For every Subpœna, Sixpence.
For calling the Plaintiff and Defendant before the Court, each Three-pence.
For every Hearing or Trial, Sixpence.
For ſwearing every Witneſs, Plaintiff, or Defendant, Three-pence.
For every Order, Judgment, or Decree, Sixpence.
For a Nonſuit, Sixpence.
For every Search in the Books, Three-pence.
For paying Money into Court, Sixpence.
If by Inſtallments, Sixpence in the Pound more.
For taking Money out of Court, and acknowledging Satisfaction in the Clerk's Book, Sixpence.
For every Attachment, Sixpence.
For every Execution, Sixpence.
For every Warrant of Commitment for an Inſult or Miſbehaviour in the Court, or to the Commiſſioners, Clerks, or Officers of the Court, One Shilling.

## To the SERJEANTS.

The Serjeants.

For the Service of every Summons, Order, or Subpœna, if within any of the Towns of *Horncaſtle*, *Wragby*, *Tatterſhall*, *Louth*, *Alford*, and *Saltfleet*, and Pariſh of *Freiſton*, and attending the Court with the Return thereof, Sixpence.
If out of any of the ſaid Towns, or the ſaid Pariſh of *Freiſton*, where the ſaid Courts are directed to be held, Three-pence more for every Mile.
For calling the Plaintiff and Defendant before the Court, One Penny each.

For executing every Attachment, Execution, or Warrant, againſt the Body or Bodies, or Goods, One Shilling.

If out of any of the ſaid Towns, or the Pariſh of *Freiſton*, where the ſaid Courts are directed to be held, Three-pence more for every Mile.

For carrying every Plaintiff, Defendant, or Delinquent, to Priſon, Sixpence for every Mile.

Table of Fees to be hung up in the Court-houſe.

A Table of which Fees ſhall from Time to Time be fixed up by the reſpective Clerk or Clerks of the ſaid Court, in ſome conſpicuous Part or Parts of the reſpective Court-houſes or Places where the ſaid Commiſſioners ſhall meet, ſo that all Perſons concerned may ſee and examine the ſame.

Coſts in no Caſe to exceed 15 s.

XXI. Provided always, That no Coſts to be given, awarded, or allowed by the ſaid Commiſſioners ſhall in any Caſe whatſoever exceed the Sum of fifteen Shillings.

Penalty on taking greater Fees.

XXII. And be it further enacted by the Authority aforeſaid, That if the reſpective Clerk or Clerks, Serjeant or Serjeants, of the ſaid Court for the Time being, ſhall take or demand any greater or other Fees or Reward than what are herein-before mentioned, for his or their Service in the Execution of this Act, he and they ſhall, for every ſuch Offence, forfeit and pay ſuch Fine (not exceeding the Sum of forty Shillings, nor leſs than ten Shillings) as the ſaid Commiſſioners, or any Seven or more of them, ſhall aſſeſs and impoſe, to be applied to the Uſe of the Poor of the Town or Pariſh where the Offence ſhall be committed.

Clerks and Serjeants may be diſplaced.

XXIII. And be it further enacted by the Authority aforeſaid, That if the reſpective Clerk or Clerks, Serjeant or Serjeants, appointed or to be appointed as aforeſaid, ſhall be guilty of any Miſbehaviour, either by Neglect or Breach of Duty, or in taking greater Fees than before mentioned, or otherwiſe, in the Execution of their reſpective Offices, that then upon Complaint, and due Proof thereof made upon Oath, in open Court, the Commiſſioners, or the major Part of them then ſitting, are hereby directed and required to cauſe the whole Number of Commiſſioners to be ſummoned, by an Advertiſement to be inſerted in ſome public Newſpaper uſually circulated within the ſaid Soake, Wapentakes, and Pariſhes, to meet at a convenient Time and Place; and the Commiſſioners then preſent, not being leſs than eleven in Number, ſhall and may examine and conſider the Merits of ſuch Complaint; and if it ſhall appear to ſuch Commiſſioners, or the major Part of them, that any of the reſpective Clerk or Clerks, Serjeant or Serjeants, have been guilty of ſuch Miſbehaviour or Breach of Duty as aforeſaid, in his or their reſpective Office or Offices, it ſhall and may be lawful to and for the Commiſſioners, or the major Part of them then aſſembled, to diſmiſs or remove ſuch Clerk or Clerks, Serjeant or Serjeants, from his or their ſaid Office or Offices, and to nominate and appoint any other fit and proper Perſon or Perſons to execute the ſaid Office or Offices of Clerk or Clerks, Serjeant or Serjeants, in the Room and Place of him or them ſo diſmiſſed and removed as aforeſaid.

No Commiſſioner, &c. to act where intereſted.

XXIV. And be it further enacted by the Authority aforeſaid, That if any Commiſſioner of the ſaid Court for the Time being ſhall be Party to, or intereſted in, any Cauſe depending in the ſaid Court, ſuch Perſon ſhall not be capable of acting as a Commiſſioner in the hearing and determining ſuch Cauſe, or making any Order, Decree, or Judgment therein, but after being heard in the ſaid Cauſe, ſhall withdraw from the ſaid Court until the ſame is finally determined; and if the reſpective Clerk or Clerks, Serjeant or Serjeants, of the ſaid Court for the Time being, ſhall be a Party to, or intereſted in, any Cauſe depending in the ſaid Court, ſuch Clerk or Clerks, Serjeant or Serjeants, ſhall not exerciſe his or their Office in the ſaid Cauſe, or in any Thing relating thereto; but the ſaid Commiſſioners, or any three or more of them, aſſembled at ſuch Court, ſhall and may depute and appoint ſome other Perſon or Perſons to exerciſe the ſaid Office of Clerk or Clerks, Serjeant or Serjeants, reſpectively, in his or their Place or Stead, in all Things relative to ſuch Cauſe.

Penalty on inſulting the Court.

XXV. And, for the better enforcing the Orders and Decrees from Time to Time to be made by the ſaid Commiſſioners, and that the Commiſſioners, and the Clerks and Officers of the ſaid Court, may be inveſted with proper Power and Authority, and be free and exempt from Inſult and Abuſe; be it enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall affront, inſult, or abuſe, all or any of the Commiſſioners, Clerks, or Officers of the ſaid Court for the Time being, during their ſitting in the ſaid Court, or in going to, or returning from the ſame; or ſhall interrupt the Proceedings of the ſaid Court; or at any Time ſhall affront, inſult, or abuſe, hinder, obſtruct, or attempt or threaten to hinder or obſtruct, any of the Clerks or Serjeants in the lawful Execution of his or their reſpective Office or Offices, it ſhall and may be lawful to and for the ſaid Commiſſioners, or any three or more of them, then ſitting, or if not then ſitting, at the next Court to be held in or near the Town where ſuch Inſult or Miſdemeanor ſhall be committed, to cauſe a Warrant to be iſſued by the Clerk or Clerks of the ſaid Court, or his or their Deputy or Deputies, directing ſuch Serjeant or Serjeants to apprehend and take, or cauſe ſuch Perſon or Perſons ſo offending as aforeſaid to be apprehended and taken, before three or more of the ſaid Commiſſioners; and, upon the Fact alleged being proved by the Oath or Oaths of one or more credible Witneſs or Witneſſes, the ſaid Commiſſioners are hereby impowered and directed to puniſh ſuch Perſon or Perſons ſo offending as aforeſaid, by Fine, not exceeding the Sum of Forty Shillings, nor leſs than Five Shillings, which ſhall be immediately paid into the Hands of the ſaid Commiſſioners before whom ſuch Offender or Offenders ſhall be convicted, and be paid and applied in like Manner as the Fines herein-before mentioned are directed to be applied; and if the ſaid Offender or Offenders ſhall not pay the ſaid Fine in Manner aforeſaid, it ſhall and may be lawful to and for the ſaid Commiſſioners, by Warrant under their Hands and Seals, to cauſe the ſame to be levied by Diſtreſs and Sale of the Offender or Offenders Goods, or to commit ſuch Perſon or Perſons ſo offending as aforeſaid to ſome Common Gaol or Houſe of Correction in the ſaid County of *Lincoln*, there to remain for any Space of Time not exceeding three Calendar Months, or until he, ſhe, or they ſhall pay the ſaid Fine.

Copy of the laſt preceding Clauſe to be ſtuck up in the Court houſe.

XXVI. Provided always, and be it further enacted by the Authority aforeſaid, That the reſpective Clerks of the ſaid Court ſhall fix, or cauſe to be fixed up, in ſome public Part of each of the ſaid Court-houſes,

houſes, or other Places where the ſaid Commiſſioners ſhall meet, a true Copy of the laſt preceding Clauſe of this Act, to the End that no Perſon or Perſons ſhall or may plead ignorance thereof.

Gaolers, &c. to receive and detain Perſons committed.

XXVII. And be it further enacted by the Authority aforeſaid, That the Keeper and Keepers, for the Time being, of the reſpective Common Gaols or Houſes of Correction within the ſaid County of *Lincoln*, ſhall and may, and he and they is and are hereby required and commanded to receive and take into his and their Cuſtody, all and every Perſon and Perſons who ſhall be committed, or ordered to ſtand committed, by any three or more of the ſaid Commiſſioners preſent in Court, or by virtue of any Warrant, Attachment, Execution, or other Proceſs iſſuing out of the ſaid Court of Requeſts: And in caſe the Keeper or Keepers of the ſaid Gaols or Houſes of Correction, or any of them, ſhall neglect or refuſe to receive and take into his and their Cuſtody, any Perſon or Perſons committed by virtue of this Act, or, before the Expiration of the Time for which any Perſon or Perſons ſhall be ſo committed to his or their Cuſtody, ſhall diſcharge ſuch Perſon or Perſons, or wilfully permit and ſuffer ſuch Perſon or Perſons to go at large, without a Warrant, Order, or Authority, for that Purpoſe, in Writing, ſigned in Court by three or more of the ſaid Commiſſioners, every Keeper offending in any of the Caſes aforeſaid, and being thereof convicted before the Commiſſioners ſitting at any of the ſaid Places where the ſaid Court is herein-before directed to be held, upon the Oath or Oaths of one or more credible Witneſs or Witneſſes, or on his or their own Confeſſion, ſhall forfeit and pay, for every ſuch Offence, any Sum not exceeding five Pounds, nor leſs than forty Shillings, at the Diſcretion of ſuch Commiſſioners; and ſuch Sum ſhall be immediately paid by the Perſon or Perſons ſo offending, into the Hands of the Clerk or Clerks of the ſaid Court for the Time being, before whom he or they ſhall be convicted, or in Default thereof, ſhall and may be levied by Diſtreſs and Sale of the Offender's Goods and Chattels, by Warrant under the Hands and Seals of any three or more of the ſaid Commiſſioners, in Court aſſembled; which Sum, when paid or levied, ſhall be applied in like Manner as the Fines herein-before mentioned are directed to be paid and applied.

Penalty on Neglect thereof.

No Action for Debt, recoverable by this Act, to be brought in any other Court: Except Courts Baron, &c.

XXVIII. And be it further enacted by the Authority aforeſaid, That no Action or Suit for any Debt not amounting to the Sum of forty Shillings, and recoverable by virtue of this Act in the ſaid Court of Requeſts, ſhall be brought againſt any Perſon or Perſons reſiding or inhabiting within the Juriſdiction thereof, in any of the King's Courts at *Weſtminſter*, or any other Courts whatſoever (except in all ſuch Courts Baron for holding Pleas of Debt, within the ſaid Soake and Wapentakes, and Pariſhes of *Wrangle*, *Leake*, *Leverton*, *Benington*, *Butterwick*, *Freiſton*, and *Fiſhteſt*, as have heretofore been held for the Recovery of Debts under forty Shillings), or elſewhere out of the ſaid Court of Requeſts; and no Suit that ſhall be commenced in the ſaid Court of Requeſts in purſuance of this Act, nor any Proceedings therein, ſhall or may be removed into any ſuperior Court; but the Judgments, Decrees, and Proceedings of the ſaid Court ſhall be final and concluſive, to all Intents and Purpoſes.

To what Debts this Act ſhall not extend.

XXIX. And be it further enacted by the Authority aforeſaid, That this Act, or any Thing herein contained, ſhall not extend to any Debt for Rent upon any Leaſe or Contract where the Title of any Lands, Tenements, or Hereditaments, can or may come in queſtion, or in or upon any other real Contract; nor to any Debt that ſhall ariſe upon or by reaſon of any Cauſe concerning any laſt Will or Teſtament, or Matrimony, or any Thing properly belonging to the Eccleſiaſtical Courts; nor to any Debt for Money won at or by Means of any Horſe-race, Cock-match, Wager, or any Kind of Gaming or Play; or for any Forfeiture upon any penal Statute; nor to any Debt whereof there hath not been a Contract, Acknowledgment, Undertaking, or Promiſe to pay, within ſix Years before the taking out of the Summons for the ſame, although ſuch Debt ſhall not amount to forty Shillings.

Penalty on wilful Perjury.

XXX. And be it further enacted by the Authority aforeſaid, That in caſe any Perſon or Perſons, making Oath or giving Evidence in any Cauſe or Matter whatſoever depending in the ſaid Court of Requeſts, ſhall commit wilful and corrupt Perjury, and be thereof duly convicted according to Law, ſuch Perſon or Perſons ſhall incur and ſuffer the like Pains and Penalties as any other Perſon or Perſons convicted of wilful and corrupt Perjury is or are liable to, or ſhall be ſubject to, by the Laws and Statutes of this Realm.

Penalty on not obeying a Subpœna.

XXXI. And be it further enacted by the Authority aforeſaid, That in caſe any Perſon reſiding within the Soake and Wapentakes, and Pariſhes of *Wrangle*, *Leake*, *Leverton*, *Benington*, *Butterwick*, *Freiſton*, and *Fiſhteſt* aforeſaid, or either or any of them (except within the Pariſh of *Great Sturton* aforeſaid), who ſhall be duly ſerved with a Subpœna or Summons to be iſſued out of the ſaid Court of Requeſts, to give Evidence on Behalf of any Plaintiff or Defendant, ſhall neglect or refuſe to appear, purſuant to ſuch Subpœna or Summons, at the Time and Place therein mentioned, and due Proof ſhall be made of the Service of ſuch Subpœna or Summons, and no Cauſe of Abſence be ſhewn or aſſigned, to the Satisfaction of the Commiſſioners preſent at the Court to which ſuch Perſon ſhall be by ſuch Subpœna or Summons required to appear, and Oath ſhall be made before the ſaid Commiſſioners, by the Party at whoſe Inſtance and on whoſe Behalf ſuch Subpœna or Summons iſſued, that the Perſon ſerved therewith was according to the beſt of his, her, or their Judgment and Belief, a material Witneſs for ſuch Party, it ſhall and may be lawful to and for the ſaid Commiſſioners, or any three or more of them, aſſembled in ſuch Court, to impoſe and lay a Fine not exceeding fifty Shillings, nor leſs than five Shillings, to be levied (if not immediately paid on Demand) by Diſtreſs and Sale of the Offender's Goods, by Warrant under the Hands and Seals of the ſaid Commiſſioners, or any three or more of them; which Fine, when paid or levied, ſhall be paid over to the Party at whoſe Inſtance ſuch Subpœna or Summons iſſued.

Reſervation of the Rights of all Courts Baron for the Soake, Wapentakes, and Pariſhes.

XXXII. Provided always, and be it enacted by the Authority aforeſaid, That this Act ſhall not extend to alter, change, take away, or annul, any of the Courts Baron for holding Pleas of Debt, or any other Manerial Rights, Privileges, Franchiſes, and Juriſdictions, belonging to any Perſon or Perſons whomſoever, as Lord or Lords, Lady or Ladies, of the ſeveral and reſpective Manors within the ſaid Soake of *Horncaſtle*, and Wapentakes of *Wraggoe*, *Gartree*, *Louth Eſke*, *Ludborough*, and *Calceworth*, and Pariſhes of *Wrangle*, *Leake*, *Leverton*, *Benington*, *Butterwick*, *Freiſton*, and *Fiſhtoft*; but that the ſame ſhall be, remain, and continue in as full and ample Power, Juriſdiction, and Authority, as if this Act had never

never been made, and shall not be, or be deemed to be, altered, lessened, or affected thereby; any Thing herein contained to the contrary thereof in anywise notwithstanding.

This Act shall not affect the Boston Small Debts Act.

XXXIII. Provided always, and be it further enacted, That nothing in this Act contained shall extend, or be construed to extend, to prejudice, obstruct, prevent, or defeat the Execution of an Act, made in the twenty-sixth Year of the Reign of his late Majesty King *George* the Second, intituled, *An Act for the more easy and speedy Recovery of Small Debts within the Borough of* Boston *and* Skirbeck *Quarter, and the Parishes of* Boston *and* Skirbeck, *in the County of* Lincoln, or in any Manner whatsoever to interfere with, lessen, or alter the Jurisdiction of the Court of Requests for the Borough of *Boston*, *Shirbeck* Quarter, and Parishes of *Boston* and *Shirbeck*, by the said Act constituted, or to impower the Commissioners, acting by virtue of this Act, to intermeddle with, or to invalidate, lessen, alter, or take away, any of the Rights, Powers, or Authorities which by the said Act were vested in all or any of the Commissioners acting under the said Act; but that the same shall be and continue as fully, to all Intents and Purposes, as if this Act had never been made; any Thing herein contained to the contrary thereof in any wise notwithstanding.

This Act not to extend to the Parish of Great Sturton.

XXXIV. Provided always, and be it enacted and declared by the Authority aforesaid, That the Parish of *Great Sturton*, in the Wapentake of *Gartree*, shall not be deemed to be within or Part of the Wapentake of *Gartree* aforesaid, with respect to any Provisions or Powers contained in this Act; any Thing in this Act contained to the contrary hereof in anywise notwithstanding.

Limitation of Actions.

XXXV. And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be brought or commenced against any Person or Persons, for any Matter or Thing done, or omitted to be done, in pursuance of this Act, such Action or Suit shall be brought or commenced within three Calendar Months next after the Cause of Action shall arise, and not afterwards, and shall be laid in the County of *Lincoln*, and not elsewhere; and the Defendant or Defendants in such Action or Suit shall and may plead the General Issue, and give this Act and the Special Matter in Evidence at any Trial to be had thereon; and if the Plaintiff or Plaintiffs shall become nonsuited, or discontinue such Action or Suit, or if upon a Verdict or Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover Treble Costs, and have such Remedies for the same as any Defendant or Defendants can or may have in other Cases where Costs are given by Law.

General Issue.

Treble Costs.

Public Act.

XXXVI. And be it further enacted by the Authority aforesaid, That this Act shall be deemed, adjudged, and taken to be a public Act; and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons whomsoever, without specially pleading the same.

## CAP. XLIV.

### An Act for the further Relief of Protestant Dissenting Ministers and Schoolmasters.

Preamble; reciting the Toleration Act 1 Gul. & Mar.

'WHEREAS, by an Act made in the first Year of the Reign of King *William* and Queen *Mary*, intituled, *An Act for exempting their Majesties Protestant Subjects, dissenting from the Church of* England, *from the Penalties of certain Laws*, Persons dissenting from the Church of *England*, in holy Orders, or pretended holy Orders, or pretending to holy Orders, and Preachers or Teachers of any Congregation of Dissenting Protestants, are required, in order to be intitled to certain Exemptions, Benefits, Privileges, and Advantages, to declare their Approbation of, and to subscribe, the Articles of Religion mentioned in the Statute made in the thirteenth Year of the Reign of Queen *Elizabeth* (except as in the said Act, made in the first Year of the Reign of King *William* and Queen *Mary*, is excepted): And whereas many such Persons scruple to declare their Approbation of, and to subscribe, the said Articles not excepted as aforesaid: For giving Ease to such scrupulous Persons in the Exercise of Religion,' may it please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the Authority of the same, That every Person dissenting from the Church of *England*, in holy Orders, or pretended holy Orders, or pretending to holy Orders, being a Preacher or Teacher of any Congregation of dissenting Protestants, who, if he scruple to declare and subscribe as aforesaid, shall take the Oaths, and make and subscribe the Declaration against Popery, required by the said Act, in the first Year of the Reign of King *William* and Queen *Mary*, to be taken, made, and subscribed by Protestant Dissenting Ministers, and shall also make and subscribe a Declaration in the Words following; *videlicet*,

Protestant Dissenting Ministers, who shall take the Oaths and subscribe the Declaration against Popery required by the said Act, and shall also make and subscribe the following Declaration,

'I *A. B.* do solemnly declare, in the Presence of Almighty God, that I am a Christian and a Protestant, and as such, that I believe that the Scriptures of the Old and New Testament, as commonly received among Protestant Churches, do contain the revealed Will of God; and that I do receive the same as the Rule of my Doctrine and Practice.'

shall be intitled to all the Privileges granted by the Toleration Act, and by an Act 10 Ann. for confirming the same, &c.;

shall be, and every such Person is hereby declared to be, intitled to all the Exemptions, Benefits, Privileges, and Advantages, granted to Protestant Dissenting Ministers by the said Act, made in the first Year of the Reign of King *William* and Queen *Mary*; and by an Act, made in the tenth Year of the Reign of Queen *Anne*, intituled, *An Act for preserving the Protestant Religion, by better securing the Church of* England, *as by Law established*; *and for confirming the Toleration granted to Protestant Dissenters by an Act, intituled*, 'An Act for exempting their Majesties Protestant Subjects, dissenting from the Church of *England*, from the Penalties of certain Laws;' *and for supplying the Defects thereof*; *and for the further securing the Protestant Succession, by requiring the Practisers of the Law in* North Britain *to take the Oaths and subscribe the Declaration therein mentioned*; and the Justices of the Peace at the General Session of the Peace to be holden for the County or Place where any Protestant Dissenting Minister shall live, are hereby required

quired to tender and administer the said last-mentioned Declaration to such Minister, upon his offering himself to make and subscribe the same, and thereof to keep a Register; and such Minister shall not give or pay, as a Fee or Reward to any Officer or Officers belonging to the Court aforesaid, above the Sum of Sixpence for his or their Entry of such Minister's making and subscribing the said last-mentioned Declaration, and taking the Oaths, and making and subscribing the Declaration against Popery, required by the said Act, made in the first Year of the Reign of King *William* and Queen *Mary*, to be taken, made, and subscribed by Protestant Dissenting Ministers; nor above the Sum of Sixpence for any Certificate thereof to be made out and signed by the Officer or Officers of the said Court; and every such Person, qualifying himself as aforesaid, shall be exempted from serving in the Militia of this Kingdom; and shall also be exempted from any Imprisonment, or other Punishment, by virtue of an Act, made in the thirteenth and fourteenth Years of the Reign of King *Charles* the Second, intituled, *An Act for the Uniformity of public Prayers and Administration of Sacraments, and other Rites and Ceremonies; and for establishing the Form of making, ordaining, and consecrating, Bishops, Priests, and Deacons, in the Church of* England; or by an Act made in the fifteenth Year of the same Reign, intituled, *An Act for Relief of such Persons as by Sickness, or other Impediment, were disabled from subscribing the Declaration in the Act of Uniformity, and Explanation of Part of the said Act*; for preaching or officiating in any Congregation of Protestant Dissenters, for the Exercise of Religion permitted and allowed by Law.

and shall be exempted from serving in the Militia, and from any Punishment by virtue of the Act of Uniformity, &c.

II. And be it further enacted by the Authority aforesaid, That no Dissenting Minister, nor any other Protestant dissenting from the Church of *England*, who shall take the aforesaid Oaths, and make and subscribe the above-mentioned Declaration against Popery, and the Declaration herein-before mentioned, shall be prosecuted in any Court whatsoever, for teaching and instructing Youth as a Tutor or School-master; any Law or Statute to the contrary notwithstanding.

Dissenters qualifying themselves as aforesaid, allowed to instruct Youth.

III. Provided always, That nothing in this Act contained shall extend, or be construed to extend, to the enabling of any Person dissenting from the Church of *England* to obtain or hold the Mastership of any College or School of Royal Foundation, or of any other endowed College or School for the Education of Youth, unless the same shall have been founded since the first Year of the Reign of their late Majesties King *William* and Queen *Mary*, for the immediate Use and Benefit of Protestant Dissenters.

No Dissenter to hold the Mastership of any College or School of Royal Foundation, &c.

'IV. And whereas it hath been doubted, whether the said Act, made in the first Year of the Reign of 'King *William* and Queen *Mary*, be a Public or Private Act;' be it enacted and declared, That the said Act, and also this present Act, shall be adjudged, deemed, and taken to be public Acts; and shall be judicially taken Notice of as such, by all Judges, Justices, and other Persons whomsoever, without specially pleading them, or either of them.

The said Act 1 Gul. & Mar. and this Act, to be deemed Public Acts.

## CAP. XLV.

An Act to enable the Chancellor and Council of the Duchy of *Lancaster* to sell and dispose of certain Fee-farm Rents, and other Rents, and to enfranchise Copyhold and Customary Tenements, within their Survey, and to encourage the Growth of Timber on Lands held of the said Duchy.

'WHEREAS by an Act of Parliament, passed in the twenty-second Year of the Reign of his late 'Majesty King *Charles* the Second, intituled, *An Act for advancing the Sale of Fee-farm Rents and* 'other *Rents*; and by another Act, passed in the twenty-second and twenty-third Years of the same King, 'intituled, *An Act for vesting certain Fee-farm Rents and other small Rents, in Trustees*; or one of them, all 'the Fee-farm Rents, Rents Service, Rents Seck or Dry Rents, Chantry Rents, Guild Rents, Castle 'Guard Rents, and other Rents, within the Survey of the Duchy of *Lancaster*, due and payable to the 'said late King, his Heirs and Successors (except as therein mentioned), were vested in certain Trustees, 'and their Heirs, with Powers for them to make Sale thereof, for the Benefit of the said King, his Heirs 'and Successors, with a Proviso therein contained, that until Sale should be made of the said Rents by 'the said Trustees, the King's Receivers should collect and receive the same: And whereas, by an Act 'of the first Year of the Reign of her late Majesty Queen *Anne*, intituled, *An Act for the better Support of* 'her *Majesty's Household, and of the Honour and Dignity of the Crown*, divers wholesome Provisions were 'made for the Preservation, Improvement, and Increase of the Land Revenues of the Crown, and for 'preventing the Alienation of any Manors, Messuages, Lands, Tenements, Rents, Tythes, Woods, 'or other Hereditaments, belonging to her said late Majesty, her Heirs or Successors, with a Proviso therein 'contained, that the said Act should not disable the Trustees for Sale of Fee-farm and other Rents, to 'execute any the Trusts of the said several Acts of Parliament herein-before mentioned: And whereas 'several of the said Rents within the Survey of the said Duchy of *Lancaster* were sold under the said 'Authority so given to the said Trustees, but the Residue thereof, consisting of many small Rents, arising 'and payable in divers Counties, remain unsold, the collecting and Payment whereof is not only charge-'able to the Crown, but is troublesome and inconvenient to the Subject; but forasmuch as the said 'Trustees, who were six in Number, are all long since dead, and it has not been discovered which of 'them was the Survivor, or who is or are the Heir or Heirs of such Survivor, or in whom the legal Estate 'in the said unsold Rents is now vested, for which Reasons no complete Sale thereof can be effected, 'nor a good Title made thereto, without the further Aid of Parliament: And whereas the King's Ma-'jesty is seised to himself, his Heirs and Successors, as Parcel of the Possessions of the said Duchy of '*Lancaster*, of divers Honours, Manors, and Lordships, within which are divers Tenants holding of his 'Majesty Customary or Copyhold Messuages, Lands, and Tenements, Parcel of the said Honours, Ma-'nors, or Lordships, in respect of which said Messuages, Lands, and Tenements, the said Tenants are

Preamble. Recital of two Acts 22 and 23 Car. II; and of an Act 1 Anne.

'ſubject, upon Deſcent or Alienation thereof, to the Payment of Fines, either arbitrary or certain, Heriots, 'Reliefs, and other Dues, according to the reſpective Cuſtoms of the ſaid Honours, Manors, or Lord- 'ſhips, over and beſides the yearly Quit-Rents iſſuing and payable thereout: And whereas it would tend 'greatly to the Relief of the ſaid Tenants, and to the Improvement of their reſpective Eſtates, if the ſame 'could be enfranchiſed and diſcharged from the ſaid Burthens incident to their reſpective Tenures; but 'the ſame cannot be done without the Aid of Parliament:' Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That ſo much of the ſaid ſeveral recited Acts of the twenty-ſecond Year of the Reign of King *Charles* the Second, and the twenty-ſecond and twenty-third Years of the Reign of the ſame King, as relates to or concerns any Fee-farm Rents, or other Rents whatſoever, remaining unſold by the ſaid Truſtees, and now in the Survey or Receipt of the Duchy of *Lancaſter*, or the Officers thereof, or to the Appropriation of the Money to ariſe by any Sale or Sales thereof; and alſo ſo much of the ſaid recited Act of the firſt Year of the Reign of her late Majeſty Queen *Anne*, as relates to or concerns any Manors, Meſſuages, Lands, Tenements, or Hereditaments, within or Parcel of the Honours, Manors, or Lordſhips of the ſaid Duchy of *Lancaſter*, now held by Copy of Court-roll, or being of the Nature of Copyhold or of Cuſtomary Tenure, or to any Fines payable to his Majeſty, his Heirs or Succeſſors, upon Deſcent or Alienation of the ſame, ſhall be, and the ſame is hereby repealed.

Part of the recited Acts repealed.

Fee-farm Rents, &c. remaining unſold by the Truſtees, to be in the Poſſeſſion of his Majeſty, &c.

II. And be it further enacted by the Authority aforeſaid, That all and ſingular the ſaid Fee-farm Rents, and other Rents whatſoever, remaining unſold by the ſaid Truſtees as aforeſaid, and now in the Survey or Receipt of the ſaid Duchy, or the Officers thereof, ſhall be, and the ſame are hereby declared to be, in the actual Seiſin and Poſſeſſion of our Sovereign Lord the King, his Heirs and Succeſſors, as Parcel of the Poſſeſſions of his ſaid Duchy of *Lancaſter*, in as full and ample Manner, to all Intents and Purpoſes, as if the ſaid recited Acts had not been made.

Chancellor and Council of the Duchy of Lancaſter impowered to ſell the ſaid Fee-farm Rents, &c.;

but not for leſs than 25 Years Purchaſe.

III. And be it further enacted, That it ſhall and may be lawful to and for the Chancellor and Council of the Duchy of *Lancaſter* for the Time being, to ſell and diſpoſe, and thereupon to grant and aſſure, in the Name of the King's Majeſty, his Heirs and Succeſſors, under Seal of the ſaid Duchy, unto or to the Uſe of the reſpective Purchaſers of the ſaid Rents, and to their Heirs for ever, all and ſingular Fee-farm Rents, Rents Service, Rents Seck or Dry Rents, Quit Rents, Chantry Rents, Guild Rents, and other Rents, due and payable to the King's Majeſty, as Parcel of the Poſſeſſions of his ſaid Duchy, and now being within the Survey and Receipt of the ſaid Duchy, and the Officers of the ſame, at and for ſuch Conſiderations in Money as the ſaid Chancellor and Council ſhall think fit, not being leſs than after the Rate of twenty-five Years Purchaſe of the groſs Amount of any ſuch Rent or Rents; and that the ſeveral Grants and Aſſurances of any ſuch Rent or Rents, to be ſo made under the Seal aforeſaid, being inrolled in the Court of the Duchy Chamber of *Lancaſter*, within twelve Calendar Months next after the reſpective Dates thereof, ſhall be good, valid, and effectual in the Law, unto the reſpective Grantees and their Heirs; and that all and every Perſon and Perſons, Bodies Politic and Corporate, his and their Heirs, Succeſſors, and Aſſigns, having and taking any ſuch Grant or Aſſurance, and cauſing the ſame to be inrolled as aforeſaid, ſhall, by Force and Virtue of this Act, be adjudged to be in the actual Seiſin and Poſſeſſion of the Rent or Rents ſo purchaſed and conveyed, and ſhall hold and enjoy the ſame in perfect Peace, freed and diſcharged of and from all Claims and Demands which can or may be made by his Majeſty, his Heirs or Succeſſors, or by any Perſon or Perſons claiming any Eſtate, Right, or Intereſt, by, from, or under, the ſaid Truſtees, or the Survivor of them, and of and from all Manner of Incumbrances whatſoever, heretofore had or charged upon the ſame Rents, and as fully and amply as his Majeſty, his Heirs or Succeſſors, or the ſaid Truſtees, or the Survivor of them, or his Heirs, might or could have held or enjoyed the ſame; and ſhall have and enjoy, under their ſaid reſpective Purchaſes, all and every the Benefits and Advantages for the Recovery thereof, and the Arrears thereof, as are or were given or allowed to Purchaſers of any Rent or Rents in and by the ſaid Act of the twenty-ſecond Year of King *Charles* the Second, and by the ſaid other Act of the twenty-ſecond and twenty-third Years of the ſame King, and in as large and ample Manner and Form as if ſuch Purchaſers had purchaſed the ſaid Rents under the Truſtees appointed or authoriſed in and by, or under and by virtue of the Powers contained in the ſaid Acts, or either of them.

Owner of the Lands whereout the Rents are payable, to be preferred in the Purchaſe thereof.

IV. Provided always, and be it enacted, That the immediate Owner of the Lands and Hereditaments whereout any of the ſaid Rents are due, payable, or iſſuing, ſhall be preferred in the Purchaſe thereof reſpectively before any other, ſo as ſuch immediate Owner ſhall pay and diſcharge all Arrears of Rent due from him or her, and tender himſelf or herſelf in Perſon, or by his or her Agent, to the ſaid Chancellor and Council, to contract for the Purchaſe thereof, and ſhall perfect his or her Contract, and pay the Purchaſe Money into the Hands of the Receiver-general of the Revenues of the ſaid Duchy, on or before the ſixth Day of *November*, one thouſand ſeven hundred and eighty, at ſuch Rate as ſhall be agreed upon, not being leſs than twenty-five Years Purchaſe, as aforeſaid.

Form of Grants.

V. And be it further enacted, That all ſuch Grants and Aſſurances ſhall and may be made in the following Form of Words, or as nearly thereto as may be; (that is to ſay,)

'GEORGE the Third, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender 'of the Faith, and ſo forth; To all to whom theſe our preſent Letters ſhall come, Greeting: Know 'ye, that we, in Conſideration of the Sum of of lawful Money of *Great Britain*, 'paid into the Hands of our Receiver-general of the Revenues of our Duchy of *Lancaſter* (as appears by 'the Receipt of the ſaid Receiver-general indorſed on theſe Preſents), and by and with the Advice and 'Conſent of our Chancellor and Council of our ſaid Duchy, do by theſe Preſents grant, bargain, and ſell, 'unto *A. B.* his Heirs and Aſſigns, all that Rent of [*expreſſing the Rent or Rents*] iſſuing and payable 'out of [*briefly deſcribing the Lands or Tenements chargeable*] now or late paid or payable by

'[*mentioning*

'[*mentioning the Perſon or Perſons, as the Caſe may be*;] To have and to hold the ſaid Rent [*or* Rents] hereby 'bargained and ſold, and all Benefits and Advantages thereunto belonging, unto and to the Uſe of the ſaid 'A. B. his Heirs and Aſſigns, for ever; [*In caſe there be any ſubſiſting Leaſe of the Rent or Rents ſold, Words 'to the following Effect are to be added,*] ſubject nevertheleſs to the Term and Intereſt in the ſaid Rent or 'Rents now outſtanding, by virtue of a Leaſe, granted under the Seal of our ſaid Duchy, bearing Date on 'or about [*expreſſing the Date,*] unto [*expreſſing the Leſſee,*] for a Term of [*as the Caſe may 'be,*] which will expire on or about [*expreſſing the Time when the Leaſe will expire*] In witneſs 'whereof, *&c.*'

Chancellor and Council of the Duchy impowered to enfranchiſe Lands, Tenements, &c.

VI. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Chancellor and Council to treat and contract, on the Part of his Majeſty, his Heirs and Succeſſors, with any Perſon or Perſons, holding any Meſſuages, Lands, Tenements, or Hereditaments, by Copy of Court-roll, or being of the Nature of Copyhold, or of Cuſtomary Tenure, or for which any Fine is payable to his Majeſty, his Heirs or Succeſſors, on Deſcent or Alienation, which are within and Parcel of any of the Honours, Manors, or Lordſhips of the ſaid Duchy of *Lancaſter*, for the Enfranchiſement thereof, and for diſcharging the ſame, and all and every the preſent and future Owners and Tenants thereof, and their Heirs, from the Payment of all Cuſtomary Fines, Fines of Ingreſs, and other Fines, Heriots, Reliefs, Quit Rents, and other Dues and Payments, to which, by the reſpective Cuſtoms of ſuch Honours, Manors, or Lordſhips, they are now or would hereafter otherwiſe be ſubject and liable, at and for ſuch Prices and Conſiderations in Money to be paid for the ſame, and upon ſuch Terms and Conditions, as ſhall be agreed upon by and between the ſaid Chancellor and Council, and the Perſon or Perſons holding ſuch Meſſuages, Lands, Tenements, and Hereditaments; and thereupon to convey and aſſure ſuch reſpective Meſſuages, Lands, Tenements, and Hereditaments, in the Name of the King's Majeſty, his Heirs and Succeſſors, under the Seal of the ſaid Duchy, to ſuch Perſon or Perſons, and their Heirs reſpectively, to be holden to ſuch Perſon or Perſons, and their Heirs reſpectively, for ever, as of the Honour or Manor whereof they are Parcel, in free and common Soccage, freed and diſcharged from all Fines, Heriots, Reliefs, Quit Rents, and other Cuſtomary Dues and Payments, Suits and Services, whatſoever; and that the Deeds for conveying and aſſuring the ſame ſhall be made in the following Form of Words, or as nearly thereto as may be; (that is to ſay,)

Form of Deeds of Conveyance, &c.

'GEORGE the Third, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender 'of the Faith, and ſo forth; To all to whom theſe our preſent Letters ſhall come. Greeting: Know 'ye, that we, in Conſideration of the Sum of of lawful Money of *Great Britain*, paid 'into the Hands of our Receiver-genral of the Revenues of our Duchy of *Lancaſter*, by *A. B.* one of our 'Copyhold or Cuſtomary Tenants of the [*as the Caſe may be,*] as appears by the Receipt of our ſaid 'Receiver-general, indorſed on theſe Preſents, and by and with the Advice and Conſent of our Chancellor 'and Council of our ſaid Duchy, do hereby releaſe and confirm unto the ſaid *A. B.* and his Heirs, for 'ever, all that [*deſcribing the Premiſes*;] To have and to hold the Premiſes hereby releaſed, with their 'Appurtenances, unto and to the Uſe of the ſaid *A B.* and his Heirs for ever, to be holden of the Honour 'or Manor of which the ſame is or are Parcel, in free and common Soccage, freed and diſcharged of and 'from all and all Manner of Fines, Heriots, Reliefs, Quit Rents, and other Dues and Payments, Suits, 'Services, and Cuſtoms whatſoever, to which the ſame, or any Part thereof, are now ſubject, and to be 'and continue as Freehold Lands; [*and, in caſe there be any ſubſiſting Leaſe of the ſaid Fines, Heriots, Re'liefs, Quit Rents, Dues, Payments, or Cuſtoms, Words to the following Effect are to be added*] ſubject never'theleſs to the Payment of the uſual and accuſtomed Fines, Heriots, Reliefs, Quit Rents, and other 'Dues, [*or as the Caſe may be,*] during the Term and Intereſt now outſtanding by virtue of a Leaſe thereof, 'granted under the Seal of the ſaid Duchy, bearing Date on or about [*expreſſing the Date,*] unto *C. D.* 'for a Term [*as the Caſe may be,*] which will expire on [*expreſſing the Time when the ſubſiſting 'Leaſe will expire.*] In Witneſs, *&c.*

The aforeſaid Grants, &c. under the Seal of the Duchy, to be valid in Law.

VII. And be it further enacted, That the ſaid ſeveral and reſpective Grants, Conveyances, and Aſſurances, in the reſpective Forms aforeſaid, under the Seal of the ſaid Duchy, ſhall be good, ſufficient, valid, and effectual in the Law, for granting and aſſuring the ſaid Rents unto the ſeveral Purchaſers thereof, and their Heirs for ever, and alſo for conveying and aſſuring the ſaid Meſſuages, Lands, Tenements, and Hereditaments, therein reſpectively to be compriſed, enfranchiſed, and diſcharged, unto and to the Uſe of the ſeveral and reſpective Perſons therein to be named, and their Heirs for ever; any Thing contained in the ſaid recited Act of the firſt Year of Queen *Anne* to the contrary thereof notwithſtanding; and that the Inrolment of the ſaid Grants, Conveyances, and Aſſurances, in the Court of Duchy Chamber of *Lancaſter*, ſhall be of the ſame Force and Validity as Inrolments of Bargains and Sales in any of the four Courts at *Weſtminſter*.

Proviſo relating to ſuch Rents, Fines, &c. as are now under Leaſe.

VIII. Provided always, That where any Leaſe of any of the aforeſaid Rents, Fines, Heriots, Reliefs, or other Cuſtomary Dues or Payments, hath been granted under the Seal of the ſaid Duchy for any Term now ſubſiſting, that then, and in every ſuch Caſe, the ſaid Grants, Conveyances, and Aſſurances, ſo far as the ſame relate to or concern any of the Hereditaments compriſed in ſuch Leaſe, ſhall commence and take Effect only upon or from the Expiration or Determination of ſuch Leaſe reſpectively; and that ſuch an Abatement ſhall be made in the Purchaſe-money for the Hereditaments ſo in Leaſe, as ſhall be agreed upon between the ſaid Chancellor and Council, and the reſpective Purchaſers or Perſons therein reſpectively named; and that the Perſon or Perſons entitled to the Benefit of ſuch Leaſe, ſhall and may have and take all ſuch Remedies in the Law, for recovering and enforcing the Payment of the ſeveral and reſpective Rents, Fines, Heriots, Reliefs, and other Cuſtomary Dues and Payments, during the Continuance of ſuch

Leaſe, as he, ſhe, or they would, could, or might have had or taken in caſe this Act had not been made; any Thing herein contained to the contrary notwithſtanding.

Tenants for Life of Copyhold Lands, &c. may purchaſe Enfranchiſement thereof;

'IX. And whereas it may be convenient to Perſons who are ſeiſed of Copyhold Lands and Eſtates (being 'within and Parcel of the Honours, Manors, or Lordſhips, of the ſaid Duchy of *Lancaſter*), as Tenants 'for Life only, to have the ſame enfranchiſed,' be it therefore enacted by the Authority aforeſaid, That it ſhall and may be lawful for all ſuch Tenants for Life, who are or ſhall be ſeiſed of any ſuch Copyhold Lands and Eſtates as aforeſaid, and they are hereby authoriſed and impowered to contract and agree with the ſaid Chancellor and Council for the Enfranchiſement, and for the Purchaſe of Timber thereon for diſcharging the ſaid Copyhold Lands and Eſtates from the Payment of all Cuſtomary Fines, Fines of Ingreſs, and other Fines, Heriots, Reliefs, Quit Rents, and other Dues and Payments, to which, by the reſpective Cuſtoms of ſuch Honours, Manors, or Lordſhips, the ſame are now, or would hereafter otherwiſe be ſubject and liable to, and to pay to the ſaid Chancellor and Council ſuch Price or Conſideration as ſhall be agreed on for the ſame: And after any ſuch Meſſuages, Lands, Tenements, or Hereditaments, ſhall be ſo enfranchiſed and diſcharged from ſuch Fines, Rents, Dues, and Payments, as aforeſaid, it ſhall and may be lawful for the reſpective Owners and Proprietors thereof, being Tenants for Life as aforeſaid, to charge ſuch Copyhold Lands and Eſtates with the Payment of the Money to be paid for the Enfranchiſement thereof, and for diſcharging the ſame from ſuch Fines, Rents, Dues, and Payments, as aforeſaid; and for ſecuring the Repayment of ſuch Money with Intereſt, by Deed or Deeds, Writing or Writings, under their reſpective Hands and Seals, to be duly executed by them, and atteſted by two or more credible Witneſſes, to grant, mortgage, leaſe, or demiſe, or otherwiſe ſubject the Lands and Eſtates ſo charged as aforeſaid, unto ſuch Perſon or Perſons as ſhall advance and lend the ſame reſpectively, for any Term or Number of Years, ſo as ſuch Grant, Mortgage, Leaſe, or Demiſe, be made with a Proviſo or Condition to ceaſe and be void, or with an expreſs Truſt to be ſurrendered, when the Money thereby to be ſecured, with the Intereſt thereof, ſhall be fully paid and ſatisfied; and alſo with a Covenant, that ſuch reſpective Tenants for Life ſhall pay and keep down the Intereſt of the Money to be thereby reſpectively ſecured during their reſpective Lives, in ſuch Manner that no Perſon afterwards coming into Poſſeſſion of any ſuch Lands and Eſtates, ſhall be ſubject or liable to pay any farther or larger Arrear of Intereſt than for one Year preceding the Time when the Title to ſuch Poſſeſſion ſhall accrue and commence; and every ſuch Grant, Mortgage, Leaſe, or Demiſe, ſo to be made as aforeſaid, ſhall be good, valid, and effectual in the Law, for the Purpoſes thereby intended, notwithſtanding any Settlement, Will, Truſt, Uſe, Remainder, Limitation, or other Incumbrance, of and concerning the ſame Lands and Eſtates, or any Part or Parts thereof, then in being or capable of taking Effect.

and charge the Premiſes with the Payment of the ſaid Purchaſe Money.

Grants, &c. where the Conſideration ſhall not exceed 10 l. not ſubject to Stamp duty.

X. And be it further enacted, That where the Money to be paid as the Conſideration for any ſuch Grant, Conveyance, or Aſſurance, ſhall not exceed the Sum of ten Pounds, ſuch Grants, Conveyances, and Aſſurances, under the Seal of the ſaid Duchy, ſhall be ſubject to no Stamp-duty for the ſame; and where the Conſideration Money to be paid ſhall exceed ten Pounds, that the ſaid Grants, Conveyances, and Aſſurances, ſhall be ſubject only to ſuch Stamp-duty as is or are, or hereafter may be by Law requiſite for any Deeds, whereby Lands, Tenements, or Hereditaments, are conveyed.

Enfranchiſed Premiſes to remain ſubject to Entails, Settlements, &c.

XI. Provided always, and be it enacted, That all and ſingular the Premiſes to be enfranchiſed and diſcharged as aforeſaid, under and by virtue of this Act, ſhall, from and after the Conveyance and Aſſurance thereof reſpectively, remain, enure, continue, and be ſubject and liable to all ſuch Entails, Wills, Settlements, Mortgages, Leaſes, Judgments, Uſes, Truſts, Limitations, Remainders, Reverſions, and all other Incumbrances, as the ſame Premiſes now are, or at the Time of the making ſuch Conveyances and Aſſurances thereof ſhall or may be ſubject and liable to, in as large and ample Manner and Form as if this Act had not been made; any Thing herein contained to the contrary thereof in anywiſe notwithſtanding.

Grants to be made at the Expence of the Grantees. Officers Fees.

XII. And be it further enacted, That the Grants and Aſſurances to be made under the Seal aforeſaid by virtue of this Act, ſhall be ſued forth and inrolled in Manner herein-before directed, at the Expence of the reſpective Grantees therein to be named; and that the ſeveral Fees hereafter mentioned, and no more, ſhall be charged for the ſame by the Officers of the ſaid Duchy; (that is to ſay,)

For Grants of Rents:

| *For Grants of Rents.* | For the Grant of a ſingle Rent. | | | For every additional Rent in the ſame Grant. | | |
|---|---|---|---|---|---|---|
| | *l.* | *s.* | *d.* | *l.* | *s.* | *d.* |
| To the Regiſter, for drawing and entering the Order for every Contract - | 0 | 5 | 0 | 0 | 1 | 0 |
| To the Auditor, for the Particular and Certificate for the Grant - - | 0 | 5 | 0 | 0 | 3 | 0 |
| To the Clerk of the Council, for drawing, ingroſſing, and inrolling the Grant | 0 | 10 | 0 | 0 | 5 | 0 |
| For Parchment 1 *s.* (or its real Coſt, if exceeding 1 *s.* beſides the Stamp-duty, if any required) - - - - - - - | 0 | 1 | 0 | 0 | 0 | 0 |
| To the Sealer, for the Seal and Wax - - - - - | 0 | 4 | 0 | 0 | 1 | 0 |
| Total of Fees for a Grant of a ſingle Rent - - - | 1 | 5 | 0 | | | |
| And for every additional Rent contained in the ſame Grant - - - | | | | 0 | 10 | 0 |

For

For Enfranchiſement.

*For Aſſurances for the Enfranchiſement of Copyhold or Cuſtomary Tenements.*

| | The whole Charge, when the Deſcriptions of the Parcels do not exceed ſixty Words. | | | The further Charge for every thirty Words in Exceſs, where the Deſcriptions of the Parcels neceſſarily exceed ſixty Words. | | |
|---|---|---|---|---|---|---|
| | *l.* | *s.* | *d.* | *l.* | *s.* | *d.* |
| To the Regiſter, for drawing and entering the Order for every Contract - | 0 | 5 | 0 | 0 | 1 | 0 |
| To the Auditor, for the Particular and Certificate - - - | 0 | 5 | 0 | 0 | 1 | 0 |
| To the Clerk of the Council, for drawing, ingroſſing, and inrolling the Aſſurance | 0 | 10 | 0 | 0 | 1 | 0 |
| For Parchment 1 *s.* (or its real Coſt, if exceeding 1 *s.* beſides the Stamp-duty, if any required) - - - - - - - | 0 | 1 | 0 | 0 | 0 | 0 |
| To the Sealer, for the Seal and Wax - - - - | 0 | 4 | 0 | 0 | 0 | 0 |
| Total for every Aſſurance, where the Deſcriptions of the Parcels do not exceed ſixty Words - - - - - - | 1 | 5 | 0 | | | |
| Total for every thirty Words in Exceſs, where the Deſcriptions of the Parcels exceed ſixty Words - - - - - - | | | | 0 | 3 | 0 |

Monies to ariſe by Sale of Rents, or by Enfranchiſement, to be paid to the Receiver-general; and laid out in the Purchaſe of Stock, in the Name of the Duchy of Lancaſter.

XIII. And be it further enacted, That all the Monies to ariſe by Sale of the ſaid Rents, or by the Enfranchiſement and diſcharging of any Copyhold or Cuſtomary Meſſuages, Lands, Tenements, or Hereditaments, under and by virtue of this Act, ſhall be paid into the Hands of the Receiver-general of the Revenues of the Duchy of *Lancaſter* for the Time being, and his Succeſſors; and that the Purchaſers ſhall not be liable to ſee to the Application thereof, but that the Receipts and Acquittances of the ſaid Receiver-general for the ſaid Monies, ſhall be a full Diſcharge to the Purchaſers for the ſame; and the ſaid Monies ſhall from Time to Time, as the ſame ſhall be paid in and received, be laid out, by the Order of the ſaid Chancellor and Council, in the Purchaſe of three *per Centum* Bank Conſolidated Annuities, or in any of the public Funds, transferrable at the Bank of *England*, in the Name of the Duchy of *Lancaſter*; in which Name the Governor and Company of the Bank of *England* are hereby authoriſed and required to permit Transfers to be made of the ſaid Annuities, Funds, or Stock, ſo purchaſed, and ſuch Transfers to be accepted by the Receiver-general of the Revenues of the ſaid Duchy for the Time being, who is hereby required to accept the ſame accordingly; and that all and every the Annuities, Fund, or Stock, to be ſo purchaſed and accepted, ſhall remain inveſted in the Name of the Duchy of *Lancaſter*, and ſhall not be tranſferred, or transferrable, without the Authority of Parliament; but all the Intereſt of the ſaid Annuities, Funds, and Stock, ſhall be from Time to Time paid, by the ſaid Governor and Company of the Bank of *England*, unto the Receiver-general of the ſaid Duchy for the Time being, and his Succeſſors (whoſe Receipts ſhall be a ſufficient Diſcharge for the ſame), as Parcel of the Revenues of the ſaid Duchy, and ſhall be charged upon, and be anſwered and accounted for by him to the King's Majeſty, his Heirs and Succeſſors, accordingly, ſubject to all ſuch Charges, Incumbrances, and Outgoings, if any ſuch there be (Taxes only excepted), as the ſaid Rents now are, or would have been chargeable with or ſubject unto in caſe this Act had not been made.

Clauſe for encouraging the Growth of Timber.

'XIV. And whereas divers Lands and Tenements, Parcel of the ſaid Duchy of *Lancaſter*, are held by 'ſundry Perſons, by virtue of Grants from the Crown under the Seal of the ſaid Duchy, in Fee-farm, in 'ſome of which Grants all Timber and other Trees to ariſe and grow in the Lands thereby granted, are 'excepted and reſerved to the Crown: And whereas divers other Lands, Parcel of the ſaid Duchy, are held 'by Leaſes granted under the Seal thereof for Terms of Life or Years, wherein all Timber and other Trees are 'alſo excepted and reſerved to the Crown: And whereas ſundry Parts of the ſaid Lands ſo held in Fee-farm or 'by Leaſe, would, if planted for the Production of Wood and Timber, produce a greater Profit than in 'a Courſe of Huſbandry; and if the reſpective Fee-farmers and Leſſees thereof were to be benefited by 'raiſing and planting Trees for Timber and other Purpoſes thereon, they might be encouraged ſo to do, 'to the great Utility of the Public;' be it therefore enacted, That it ſhall and may be lawful to and for the ſaid Chancellor and Council to contract with the Owners of Lands, held of the ſaid Duchy in Fee-farm, for the abſolute Sale of all Timber Trees and other Trees growing, or hereafter to grow or ariſe, in or upon ſuch Lands reſpectively, at and for ſuch Prices or Conſiderations as ſhall be agreed upon and mentioned in and by ſuch Contracts reſpectively; and thereupon to grant, ſell, and releaſe, under the Seal of the ſaid Duchy, in the Name of his ſaid Majeſty, his Heirs and Succeſſors, unto the ſaid ſeveral and reſpective Owners of ſuch Fee-farm Lands, and their Heirs for ever, all and ſingular the ſaid Timber Trees and other Trees, which in and by ſuch Fee-farm Grants are or were excepted and reſerved to the Crown; and that ſuch Contracts, Grants, Sales, and Releaſes, ſhall be valid and effectual unto ſuch reſpective Owners of the ſaid Fee-farm Lands, for granting, ſelling, and releaſing, unto them and their Heirs for ever, all ſuch Timber Trees and other Trees, any Law or Uſage, or any Thing contained in ſuch Grants of Lands in Fee-farm, to the contrary thereof notwithſtanding.

Chancellor and Council may authoriſe the Surveyors of Woods to agree with Leſſees relating to the

XV. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Chancellor and Council, by their Order to be made in Court of Revenue, to authoriſe and direct the Surveyors of the Woods for the South and North Parts reſpectively of the ſaid Duchy for the Time being, to treat with, and to enter into any Contract or Agreement on the Part of his Majeſty, his Heirs and Succeſſors, to and with ſuch Leſſee or Leſſees, for ſecuring unto ſuch Leſſee or Leſſees, and his, her, and their Exe-



cutors,

Sale of Timber Trees, &c.

cutors, Adminiſtrators, and Aſſigns, ſuch a fair and reaſonable Allowance or Proportion of all Monies which ſhall, at any Time during the Term and Intereſt of ſuch Leſſee or Leſſees under their reſpective Leaſes, ariſe by Sale of Timber Trees, or other Trees, or Wood, within the Lands ſo to be held and occupied by him, her, or them, as ſhall be ſettled and agreed upon between the ſaid Surveyors reſpectively, and the ſaid Leſſee or Leſſees or any of them; and alſo for allowing unto ſuch Leſſee or Leſſees, at the End and Expiration of their reſpective Leaſes, a like fair and reaſonable Allowance and Proportion in Money for all Timber and other Trees which ſhall be then left ſtanding and growing in and upon their reſpective Farms, according to the Value of ſuch Timber and other Trees reſpectively; which Agreements, being confirmed by Order of the ſaid Chancellor and Council, ſhall be valid and effectual to all Intents and Purpoſes whatſoever.

## CAP. XLVI.

An Act for building a new Gaol and Houſe of Correction for the County of *Pembroke*.

## CAP. XLVII.

An Act to indemnify ſuch Perſons as have omitted to qualify themſelves for Offices and Employments; and to indemnify Juſtices of the Peace, or others, who have omitted to regiſter or deliver in their Qualifications within the Time limited by Law, and for giving further Time for thoſe Purpoſes; and to indemnify Members and Officers, in Cities, Corporations, and Borough Towns, whoſe Admiſſions have been omitted to be ſtamped according to Law, or, having been ſtamped, have been loſt or miſlaid; and for allowing them Time to provide Admiſſions duly ſtamped; and to give further Time to ſuch Perſons as have omitted to make and file Affidavits of the Execution of Indentures of Clerks to Attornies and Solicitors.

" Preamble. Perſons who have omitted to qualify themſelves agreeable to Act 1 *Geo.* I. Act 13 *Car.* II. Act " 25 *Car.* II. Act 30 *Car.* II. Act 8 *Geo.* I. Act 9 *Geo.* II. Act 18 *Geo.* II. and Act 6 *Geo.* III. before the paſſing " of this Act; and who ſhall, on or before *Dec.* 25, 1779, qualify themſelves, ſhall be indemnified againſt " Forfeitures. Not to indemnify any Perſon for any Penalty incurred by neglecting to qualify himſelf. " Perſons producing Appointments and Admiſſions before *Dec.* 25, 1779, ſhall be confirmed, and qualified " to act as Clerk, Officer, or Member of Corporations, *&c.* may enjoy all Offices into which they have " been elected; and ſhall be indemnified from all Penalties and Damages incurred by reaſon of Omiſſions. " Not to extend to reſtore Perſons to any Office avoided by Judgment. Perſons who ſhall cauſe Affidavits " to be filed before *Michaelmas* Term, 1779, are indemnified and diſcharged from Penalties. Perſons pro- " ſecuted and hereby meant to be indemnified, may plead the General Iſſue."

## CAP. XLVIII.

An Act to explain ſo much of an Act, made in the Twelfth Year of the Reign of King *Charles* the Second, intituled, *An Act for the encouraging and increaſing of Shipping and Navigation*, as relates to the Importation into this Kingdom, and other his Majeſty's Dominions, of Goods and Commodities, of the Growth or Production of *Africa*, *Aſia*, or *America*, which are manufactured in foreign Parts; for preventing Maſters of Ships removing their Veſſels out of the Stream, except to the lawful Quays, in the Port of *London*, before the Goods are diſcharged, or their Veſſels are cleared by the proper Officer inwards or outwards; and for allowing the Officers of the Cuſtoms and Exciſe to make uſe of Lights on board Ships in the Haven, Dock, or Baſon, at the Port of *Kingſton upon Hull*.

Preamble. Recital of the Navigation Act 12 Car. II.

' WHEREAS by an Act, made in the twelfth Year of the Reign of King *Charles* the Second, intituled, *An Act for the encouraging and encreaſing of Shipping and Navigation*; it was, amongſt other ' Things, enacted, That no Goods or Commodities of the Growth, Production, or Manufacture, of ' *Africa*, *Aſia*, or *America*, ſhall be imported or brought into *England*, *Ireland*, *Wales*, the Iſlands of ' *Guernſey* or *Jerſey*, or Town of *Berwick upon Tweed*, from any other Place or Places, Country or Countries, but only from thoſe of the ſaid Growth, Production, or Manufacture, or from thoſe Ports where ' the ſaid Goods and Commodities can only, or are or uſually have been firſt ſhipped for Tranſportation, ' and from none other Places or Countries, under the Penalty of the Forfeiture of all ſuch of the aforeſaid ' Goods as ſhall be imported from any other Place or Country, contrary to the true Intent and Meaning ' of the ſaid Act, as alſo of the Ship in which they were imported, with all her Guns, Furniture, Ammunition, Tackle, and Apparel: And whereas Doubts have ariſen whether ſuch Goods, if carried from ' the Place or Country of the Growth or Production into any foreign Parts of *Europe*, and manufactured ' there, may not be imported from thence into this Kingdom, and other of his Majeſty's Dominions in ' the ſaid Act mentioned: And whereas the Importation of ſuch Goods and Commodities ſo manufactured ' would be very prejudicial to the Trade and Navigation of *Great Britain*, and would tend to the Ruin of ' ſeveral Artificers and Labourers, whoſe Families are ſupported by the manufacturing ſuch Goods and ' Commodities in this Kingdom;' be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That, from and after the twenty-fourth Day of *June*, one

one thouſand ſeven hundred and ſeventy-nine, the ſaid in Part recited Act, of the twelfth Year of the Reign of King *Charles* the Second, ſhall not extend, or be conſtrued to extend, to permit any Goods or Commodities whatſoever, of the Growth or Production of *Africa*, *Aſia*, or *America*, which ſhall be in any Degree manufactured in foreign Parts, to be imported or brought into the Kingdom of *Great Britain*, *Ireland* or the Iſlands of *Guernſey*, *Jerſey*, or *Man*, except and unleſs the ſame ſhall be ſo manufactured in the Country or Place of which the ſaid Goods and Commodities are the Growth and Production, or in the Place where ſuch Goods and Commodities can only or are firſt ſhipped for Tranſportation, and from no other Place or Country whatſoever, under the Penalties and Forfeitures in the ſaid Act mentioned; any Cuſtom or Uſage to the contrary notwithſtanding.

*Explanation of Part of the ſaid Act.*

II. Provided nevertheleſs, That this Act ſhall not reſtrain or prohibit the Importation of Oil of Cloves, Oil of Cinnamon, Oil of Mace, and Oil of Nutmegs, or of any Goods or Commodities which are permitted to be imported into this Kingdom, under particular Circumſtances and Reſtrictions, by any ſubſequent Act or Acts of Parliament which are now in Force.

*Certain Goods, the Importation whereof is not prohibited by this Act.*

'III. And whereas Ships and Veſſels arriving at the Port of *London* from *Holland* and *Flanders*, and other 'foreign Parts, and alſo Ships and Veſſels outward bound from the ſaid Port to foreign Parts, are frequently 'removed from the lawful Quays, or out of the Stream, to lie at Anchor cloſe to the Back-doors of the 'Houſes of the Maſters of ſuch Veſſels, or at the Public Houſes frequented by ſuch Maſters on the Side of 'the River *Thames*, before they are diſcharged and cleared by the proper Officers of the Cuſtoms, whereby 'Cambrics, Lace, *India* Silks, and other prohibited Goods, are very often run from on board ſuch Veſſels, 'to the Detriment of the Revenue and fair Trader; for Remedy whereof for the future,' be it enacted by the Authority aforeſaid, That, from and after the firſt Day of *June*, one thouſand ſeven hundred and ſeventy-nine, if any Ship or Veſſel, coming or arriving from foreign Parts, within the Limits of the Port of *London*, ſhall be removed out of the Stream, except to the lawful Quays, before all the Goods are diſcharged out of ſuch Ship or Veſſel; or if any Ship or Veſſel, outward-bound from the ſaid Port of *London* to any foreign Parts, having any Goods or Merchandiſe on board thereon, ſhall, during her Continuance in the ſaid Port, be ſo removed out of the Stream, except to the lawful Quays, unleſs upon any Accident or emergent Occaſion, immediately to be made known to the Commiſſioners or Principal Officers of his Majeſty's Cuſtoms, and their Conſent for thoſe reſpective Purpoſes obtained; the Maſter, Purſer, or other Perſon taking Charge of every ſuch Ship or Veſſel, ſhall forfeit and loſe the Sum of one hundred Pounds for each and every ſuch reſpective Offence; one Moiety whereof ſhall be to the Uſe of his Majeſty, his Heirs and Succeſſors, and the other Moiety to ſuch Officer or Officers of the Cuſtoms as ſhall inform, proſecute, or ſue for the ſame, in any of his Majeſty's Courts of Record at *Weſtminſter*.

*Penalty on Maſters of Ships removing their Veſſels out of the Stream, except to the lawful Quays, in the Port of London, before the Goods are diſcharged, &c.*

'IV. And whereas by an Act of Parliament, made in the fourteenth Year of the Reign of his preſent 'Majeſty, intituled, *An Act for making and eſtabliſhing public Quays or Wharfs at* Kingſton upon Hull, *for 'the better ſecuring his Majeſty's Revenues of Cuſtoms, and for the Benefit of Commerce in the Port of* King-'ſton upon Hull; *for making a Baſon or Dock, with Reſervoirs, Sluices, Roads, and other Works, for the 'Accommodation of Veſſels uſing the ſaid Port; and for appropriating certain Lands belonging to his Majeſty, and 'for applying certain Sums of Money out of his Majeſty's Cuſtoms at the ſaid Port, for thoſe Purpoſes; and for 'eſtabliſhing other neceſſary Regulations within the Town and Port of* Kingſton upon Hull; it is, amongſt 'other Things, enacted, That no Perſon whatſoever ſhall have or keep, or cauſe to be had or kept, any 'Fire, Candle, or Lamp, lighted (except in the Manner in the ſaid Act for that Purpoſe mentioned) on 'board any Ship or Veſſel within the Haven, Dock, or Baſon, by the ſaid Act directed to be made, in the 'ſaid Port of *Kingſton upon Hull* (the Veſſels employed as Ferry-boats only excepted), at any Time or 'Times whatſoever, between the twenty-ninth Day of *September* and the twenty-fifth Day of *March*, in every 'Year, after the Hour of Seven in the Evening, and before the Hour of Seven in the Morning; nor at any Time 'or Times whatſoever, between the twenty-fifth Day of *March* and the twenty-ninth Day of *September*, 'in every Year, after the Hour of Eight in the Evening, or before the Hour of Five in the Morning, upon 'Pain of forfeiting, for every Offence, the Sum of three Pounds: And whereas, in order to prevent the 'clandeſtine running of cuſtomable and prohibited Goods from on board Ships or Veſſels in the Night, it 'is abſolutely neceſſary that the Tideſmen, and other Officers of his Majeſty's Cuſtoms and Exciſe, ſta-'tioned on board, and appointed to guard ſuch Veſſels for the Security of the public Revenues, ſhould 'have Liberty to uſe Lights, properly ſecured, during their Stay on board, as Occaſion may require;' be it therefore enacted by the Authority aforeſaid, That the ſaid recited Act, or any Part thereof, ſhall not extend, or be conſtrued to extend, to reſtrain or prohibit any Officer or Officers of his Majeſty's Cuſtoms or Exciſe from uſing lighted Candles on board any Ship or Veſſel in the ſaid Haven, Dock, or Baſon, in ſuch Lanthorns, guarded, or properly ſecured againſt Accidents of Fire, as the Collector of his Majeſty's Cuſtoms, and the Collector or other principal Officer of Exciſe, and the Governor or Chairman of the Dock Company at the Port of *Kingſton upon Hull*, ſhall at any Time think proper to direct and approve of for that Purpoſe; nor ſhall any ſuch Officer or Officers be liable to any Penalty or Forfeiture for having or keeping, or cauſing to be had or kept, ſuch Lights, in Lanthorns ſecured as aforeſaid, on board ſuch Ship or Veſſel; any Thing in the ſaid recited Act to the contrary notwithſtanding.

*Recital of an Act 14 Geo. III.*

*The ſaid Act not to extend to reſtrain any Officer of the Cuſtoms or Exciſe from uſing Lights on board any Veſſel in the Haven, &c. of Kingſton upon Hull.*

## CAP. XLIX.

### An Act to prevent Abuſes in the Payment of Wages to Perſons employed in the Bone and Thread Lace Manufactory.

'WHEREAS the Practice of paying Perſons employed in the making of Bone and Thread Lace, in 'the Whole or in Part, with Goods inſtead of Money, is a great Injury to the Lace-makers, and 'tends to the Diſcouragement of the Lace Manufacture: And whereas it would tend to encourage the

*Preamble.*

'Manufacture of Bone and Thread Lace, if the Persons employed therein were in future to be paid 'in Money only, and if some Provision was made for the more easy and speedy Recovery of such Mo- 'ney;' be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, from and after the twenty-fourth Day of *June*, one thousand seven hundred and seventy-nine, all Lace Merchants and Dealers in Lace, and all other Persons who shall employ any Person or Persons in the making of Bone or Thread Lace, or who shall buy any Bone or Thread Lace of the Maker or Makers thereof, shall and are hereby required to pay such Person or Persons for their Labour, and for all the Lace so bought of them, in Money only, and not with Goods, or by way of Truck, or in any other Manner whatsoever, either in the Whole or in Part; any Usage or Custom to the contrary hereof notwithstanding.

After June 24, 1779, all Persons who shall employ any Lace Manufacturers, or shall purchase Lace of them, shall pay them in Money, and not with Goods;

II. And be it further enacted and declared, That if any Lace Merchant or Dealer in Lace, or other Person, shall, after the said twenty-fourth Day of *June*, one thousand seven hundred and seventy-nine, pay any Person or Persons employed in making Bone or Thread Lace, in the Whole or in Part, for their Labour, or for the Purchase of any Bone or Thread Lace, with Goods, or by Way of Truck, or in any other Manner than with Money only, every such Lace Merchant, Dealer in Lace, or other Person, so offending, shall, for every such Offence, forfeit and pay the Sum of ten Pounds, to be levied and recovered by Distress and Sale of the Goods and Chattels of the Offender, by Warrant under the Hand and Seal of any one Justice of the Peace, within the County, City, or Place, where such Offence shall be committed; rendering the Overplus, if any, to the Owner or Owners of such Goods and Chattels, after deducting the reasonable Charges of such Warrant, Distress and Sale; and such Forfeitures, when recovered, shall be paid to the Party or Parties aggrieved; and for want of sufficient Distress, such Justice shall, and is hereby authorised and required to commit the Offender to the common Gaol, Prison, or House of Correction, there to remain, without Bail or Mainprize, for the Space of six Calendar Months, unless such Penalty, and the Charges attending the Recovery thereof, shall be sooner paid and satisfied.

on Penalty of 10*l*.

to be levied by Distress.

On Failure of Distress, Offender to be committed.

III. And be it further enacted by the Authority aforesaid, That, from and after the said Twenty-fourth Day of *June*, one thousand seven hundred and seventy-nine, if any Sum or Sums of Money shall be due and owing to any Person or Persons employed in the making of any Bone or Thread Lace, for his or her Labour, or for the Purchase of any such Lace, every such Person shall and may apply to any Justice of the Peace for the County, City, or Place where the Cause of Complaint shall arise; and in case it shall, upon the Oath of the Party complaining (which Oath such Justice is hereby impowered to administer), appear to such Justice that such Money is due and owing as aforesaid, then such Justice shall and is hereby authorised and required to cause the same to be levied and recovered in the same Manner as the Forfeiture herein-before imposed is directed to be levied and recovered.

How Lacemakers may recover Debts due to them for Lace sold, or for making thereof.

IV. Provided always, that if any Person shall think himself or herself aggrieved by any Thing done in pursuance of this Act, it shall and may be lawful for any such Person to appeal to the Justices of the Peace, at any General Quarter Sessions to be holden for the County, City, or Place, where the Act, Order, or Proceeding, appealed against shall be made or done, within six Calendar Months next after the making or doing thereof, the Person appealing first giving fourteen Days previous Notice to the Person or Persons in whose Favour such Act, Order, or Proceeding, shall be made or done, of his or her Intention to bring such Appeal; and the Justices at such Quarter Sessions are hereby authorised and required to hear and determine the Matter of every such Appeal, and to make such Order therein, and to award such Costs to either Party, as they shall think proper, and by their Order or Warrant to levy the Costs which shall be so awarded by Distress and Sale of the Goods and Chattels of the Person or Persons liable to pay the same, rendering the Overplus (if any) to the Owner or Owners of such Goods and Chattels, after deducting the reasonable Charges of such Distress and Sale; and the Determination of the Justices in the said Quarter Sessions shall be final, binding, and conclusive upon all the Parties.

Persons aggrieved may appeal to the Quarter Sessions:

on giving 14 Days Notice.

## CAP. L.

### An Act for more effectually preventing Frauds by private Distillers, and for the better securing the Duties on Low Wines and Spirits.

Preamble.

'WHEREAS the Duties on Low Wines and Spirits are greatly diminished, and the fair Trader much 'injured, by Means of small Stills privately made Use of for making and distilling Low Wines and 'Spirits: And whereas, notwithstanding the many Laws already made for securing these Duties, and for 'protecting the fair Trader, many gross Frauds are daily practised by evil-minded and indigent Persons, 'who are encouraged in such Practices from the great Length of Time allowed by those Laws for the Pay- 'ment of the Duties arising from Low Wines and Spirits: Now, for Remedy of these Mischiefs,' be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, from and after the twenty-fourth Day of *June*, one thousand seven hundred and seventy-nine, every Person or Persons making or keeping any Wash fit for Distillation, and having in his, her, or their Occupation, Possession, or Custody, any Still or Stills, the cubic Contents of which, when the Head is on, will amount to two Gallons or upwards, Proof being thereof made, by the Oath of one or more credible Witness or Witnesses, before any one or more of the Commissioners of Excise for the Time being, or before one or more of his Majesty's Justices of the Peace, who are hereby respectively impowered to administer the same, shall be deemed and taken to be common Distillers for Sale, and shall be liable to the several Rates and Duties of Excise, and be subject to the Survey of the Officers of Excise, and to the several Penalties,

After June 24, 1779, every Person making Wash for Distillation, and having in his Possession a Still of the cubic Contents of two Gallons, shall be deemed a common Distiller, &c.

nalties, Fines, and Forfeitures, impoſed by any Act or Acts of Parliament now in Force, in any wiſe relating to Diſtillers; any Law, Statute, or Uſage, to the contrary in any wiſe notwithſtanding.

'II. And whereas, by an Act, paſſed in the tenth and eleventh Years of the Reign of King *William* the Third, intituled, *An Act to prohibit the exceſſive Diſtilling of Spirits and Low Wines from Corn, and againſt the exporting of Beer and Ale, and to prevent Frauds in Diſtillers*, it was, amongſt other Things, enacted, That if any Officer of Exciſe ſhould, under the Authority of a Warrant from a Juſtice of the Peace, diſcover and find any private and concealed Still, Back, or Veſſel, Spirits, Low Wines, or Materials preparing for Diſtillation, that in ſuch Caſe every ſuch Still, Back, or other Veſſel, and alſo ſuch Spirits, Low Wines, and Materials for Diſtillation, ſhould be abſolutely forfeited, and that the Perſon or Perſons claiming the ſame ſhould forfeit, for every Place in which ſuch Still, Back, or other Veſſel, ſhall be found, and alſo for every ſuch Still, Back, or other Veſſel, found therein, the Sum of two hundred Pounds: And whereas by one other Act, paſſed in the tenth and eleventh Years of the Reign of King *William* the Third, intituled, *An Act for laying further Duties upon Sweets; and for leſſening the Duties as well upon Vinegar as upon certain Low Wines and Whale Fins, and the Duties upon Brandy imported; and for the more eaſy raiſing the Duties upon Leather; and for charging Cinders; and for permitting the Importation of Pearl Aſhes; and for preventing Abuſes in the brewing of Beer and Ale, and Frauds in the Importation of Tobacco*; it was enacted, That the Proprietor of any private Still, Back, or other Veſſel, which ſhould be diſcovered, according to the Directions of the before recited Act, or the Perſon in whoſe Cuſtody the ſame ſhould be found, ſhould forfeit and loſe, for every ſuch Still, Back, and other Veſſel, the Sum of two hundred Pounds: And whereas it may be doubted, whether, upon the Diſcovery and finding of private and concealed Stills, Backs, and other Veſſels, and of Spirits, Low Wines, or Materials preparing for Diſtillation, by any Officer or Officers of Exciſe not having a Warrant from a Juſtice of the Peace, ſuch private and concealed Stills, Backs, or other Veſſels, Spirits, Low Wines, or Materials preparing for Diſtillation, are forfeited, and liable to be ſeized by ſuch Officer, and whether the Proprietor of ſuch private and concealed Stills, Backs, or other Veſſels, ſo diſcovered, or the Perſons in whoſe Cuſtody or Poſſeſſion the ſame ſhall be found, are liable and ſubject to the ſaid Penalty of two hundred Pounds: Now, to obviate all ſuch Doubts,' be it further enacted by the Authority aforeſaid, That if any Officer or Officers of Exciſe ſhall at any Time diſcover and find any private or concealed Still, Back, or other Veſſel, for the making, preparing, or keeping of Waſh, Low Wines, or Spirits, or other Materials preparing for Diſtillation, then, and in every ſuch Caſe, it ſhall be lawful for ſuch Officer to ſeize every ſuch Still, Back, or other Veſſel, and all ſuch Low Wines, Spirits, Waſh, and other Materials preparing for Diſtillation, which he ſhall ſo find and diſcover, and either to detain and keep the ſame in the Houſe or Place where found, or to remove the ſame to the Office of Exciſe next to the Place where he ſhall ſo find and diſcover the ſame; and in caſe the ſame ſhall not, within ten days next after ſuch Seizure, be claimed by the true and lawful Owner thereof, then the ſaid Stills, Backs, and other Veſſels, Spirits, Low Wines, Waſh, and other Materials preparing for Diſtillation, ſhall be abſolutely forfeited; and the Proprietor of any ſuch private and concealed Back, Still, or other Veſſel, or the Perſon in whoſe Cuſtody the ſame ſhall be found, ſhall forfeit and loſe, for every Place in which any ſuch private Still, Back, and other Veſſel, ſhall be found, and alſo for every ſuch Still, Back, and other Veſſel found therein, the Sum of two hundred Pounds: And if any Perſon or Perſons ſhall obſtruct, oppoſe, moleſt, or hinder, the Officers of Exciſe, or others acting in their Aſſiſtance, in the due ſeizing ſuch private Stills, Backs, and other Veſſels, Spirits, Low Wines, Waſh, or other Materials preparing for Diſtillation, or in removing the ſame, or any of them, after Seizure, to the next Office of Exciſe, as aforeſaid; then, and in every ſuch Caſe, every Perſon ſo offending ſhall forfeit and loſe the Sum of one hundred Pounds.

Recital of 10 and 11 Gul. III. Cap. 44

and Cap. 21.

Officer of Exciſe diſcovering any private Still, &c. or any Materials preparing for Diſtillation, may ſeize the ſame. If the ſaid Stills, &c. be not, within ten Days, claimed by the Owner, they ſhall be forfeited; and the Proprietor thereof, or the Perſon in whoſe Cuſtody they are found, ſhall forfeit, for each Particular, 200l. Penalty on obſtructing Officers in ſeizing ſuch Stills, &c.

III. And be it further enacted by the Authority aforeſaid, That from and after the twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-nine, no Perſon or Perſons whatſoever ſhall be permitted to make Entry of any Workhouſe or Place, or of any Still or Utenſil for making, diſtilling, or keeping, of Low Wines or Spirits, unleſs ſuch Perſon or Perſons ſhall occupy a Tenement or Tenements of the yearly Value of ten Pounds, or upwards, and for which he, ſhe, or they ſhall accordingly be aſſeſſed in their own Name, and ſhall alſo pay to the Pariſh Rates in the ſeveral Pariſhes or Places in which they ſhall reſpectively reſide; and that no Entry of any Workhouſe, Place, Still, or Utenſil, for making, diſtilling, and keeping, of Low Wines and Spirits, then made, or thereafter to be made, of any ſuch Workhouſe, Place, Still, or Utenſil, ſhall be of any Avail to any Perſon not ſo qualified, or for any longer Time than the Perſon or Perſons ſo making Entry ſhall be qualified, as aforeſaid; and every Perſon making or diſtilling Low Wines or Spirits, and not qualified as aforeſaid, ſhall, notwithſtanding any Entry by him, her, or them made, be deemed and taken to be Perſons making and diſtilling Low Wines and Spirits without Entry, and ſhall be ſubject to the like Penalties and Forfeitures as Perſons making and diſtilling Low Wines and Spirits without Entry are, by the Statutes in ſuch Caſe made and provided, now ſubject unto.

No Perſon to make Entry of any Workhouſe or Still for making Low Wines or Spirits, unleſs he ſhall occupy a Tenement of 10l. per Ann. and ſhall pay to Pariſh Rates.

'IV. And, for the more effectual ſecuring the Duties on Low Wines and Spirits, made and diſtilled within *Great Britain*,' be it further enacted by the Authority aforeſaid, that from and after the twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-nine, all and every Perſon whatſoever, who ſhall make or diſtil Low Wines or Spirits, ſhall, weekly and every Week, make a true Entry in Writing at the next Office of Exciſe, within the Limits of which the ſaid Low Wines or Spirits are by him or them reſpectively made or diſtilled, of all the Waſh by him, her, or them reſpectively uſed for the making of Low Wines and Spirits, within each Week, on Pain to forfeit, for every Neglect of making ſuch true Entry, the Sum of ten Pounds.

Diſtillers to make Entry, weekly, of all the Waſh uſed by them in making Low Wines and Spirits.

V. And be it further enacted by the Authority aforeſaid, That every Diſtiller who ſhall not pay and clear off within a Week after he, ſhe, or they, ſhall have made his, her, or their Entry, or ought to have made his, her, or their Entry, as aforeſaid, ſhall pay double the Value of the Duty.

Diſtillers not paying Duties within a Week after Entry, to pay double.

Certain Words to be painted over the outward Door of every Stillhouſe, Storehouſe, &c.

VI. And be it further enacted by the Authority aforeſaid, That, from and after the ſaid twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-nine, every Maker, Diſtiller, Rectifier, and Compounder, of Spirits, who ſhall make, diſtil, rectify, or compound, any Spirituous Liquors for Sale within *Great Britain*, ſhall cauſe to be painted, in durable, large, legible Characters, over the outward Door of each and every Stillhouſe, Storehouſe, Warehouſe, Shop, Cellar, Vault, and other Place, by him, her, or them, reſpectively made uſe of for the making or keeping of *Britiſh*-made Spirituous Liquors, the Words *Diſtiller*, *Rectifier*, or *Compounder* of *Spirituous Liquors* (as the Caſe may be); upon Pain of forfeiting, for every ſuch Stillhouſe, Storehouſe, Warehouſe, Shop, Cellar, Vault, or other Place, which, from and after the ſaid twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-nine, ſhall be ſo made uſe of by ſuch Maker, Diſtiller, Rectifier, or Compounder, without having the ſaid Words ſo painted as aforeſaid, the Sum of one hundred Pounds.

on Forfeiture of 100l.

Penalty on buying Britiſh-made Spirits of any Perſon other than a Diſtiller, &c. who has the before-mentioned Words painted over the outer Door of his Stillhouſe, &c. (Exception.)

VII. And it is hereby further enacted by the Authority aforeſaid, That if any Perſon who ſhall either make, diſtil, rectify, or compound, any *Britiſh*-made Spirituous Liquors for Sale, or who ſhall ſell or deal in any Sort of Spirituous Liquors, ſhall receive or buy, or procure or employ any Perſon to receive or buy for him, her, or them, or for his, her, or their Uſe, any *Britiſh*-made Spirituous Liquors (except at the public Sales of ſuch *Britiſh*-made Spirituous Liquors as have been condemned, and are ſold under the Direction of the Commiſſioners of Exciſe), of any Perſon or Perſons other than a Maker, Diſtiller, Rectifier, or Compounder of Spirituous Liquors for Sale, over the outward Door of whoſe Stillhouſe, Storehouſe, Warehouſe, Shop, Cellar, Vault, or other Place by him, her, or them reſpectively made uſe of for the making or keeping of *Britiſh*-made Spirituous Liquors, ſhall be painted, as aforeſaid, the Words *Diſtiller*, *Rectifier*, or *Compounder of Spirituous Liquors*, as the Caſe may be; every ſuch Perſon ſo offending ſhall forfeit and loſe, for every ſuch Offence, the Sum of fifty Pounds.

Either Buyer or Seller informing againſt the other Party, ſhall be diſcharged of his own Penalty.

'VIII. And, for the more effectual Diſcovery of ſuch Offenders,' be it further enacted by the Authority aforeſaid, That the offending Party or Parties, whether Buyer or Seller of ſuch *Britiſh*-made Spirituous Liquors, who ſhall firſt diſcover and inform againſt the other of the ſaid Parties, ſhall, in every ſuch Caſe, be, and he is hereby declared diſcharged and acquitted of and from all Penalties and Forfeitures, which, at the Time of ſuch Information given, he might be liable for or by reaſon of ſuch his own Offence.

Penalty on Perſons, not having made Entry of all the Places uſed by them, who ſhall paint over any of their Doors the Words Diſtiller, Rectifier, &c.

IX. And be it further enacted by the Authority aforeſaid, That if any Perſon whatever, other than ſuch as ſhall have duly made Entry of all the Places by him, her, or them reſpectively made uſe of for making or keeping of *Britiſh*-made Spirituous Liquors, ſhall paint, or cauſe to be painted, over the Door of any Place to them reſpectively belonging, the Words *Diſtiller*, *Rectifier*, or *Compounder of Spirituous Liquors*, or either of them, every Perſon ſo offending ſhall forfeit and loſe the Sum of two hundred Pounds, and ſhall alſo be ſubject to the ſeveral Penalties and Forfeitures to which Perſons making or diſtilling Spirituous Liquors for Sale, without making Entry, are now ſubject unto.

All the Powers, Penalties, and Forfeitures, &c. contained in former Revenue Laws, to be applied in collecting, levying, and recovering the Duties and Penalties mentioned in this Act.

X. And be it further enacted by the Authority aforeſaid, That all and every the Powers, Authorities, Rules, Methods, Penalties, and Forfeitures, Clauſes, Matters and Things, which, in and by an Act made in the twelfth Year of the Reign of King *Charles* the Second, intituled, *An Act for taking away the Court of Wards and Liveries, and Tenures* in Capite, *and by Knights Service, and Purveyance, and for ſettling a Revenue upon his Majeſty in Lieu thereof*, or by any other Law now in Force relating to his Majeſty's Revenue upon Beer, Ale, or other Liquors, are provided, ſettled, or eſtabliſhed, for ſecuring, enforcing, managing, raiſing, levying, collecting, paying, mitigating, or recovering, adjudging, or aſcertaining the Duties or Penalties thereby granted, and for preventing, detecting, and puniſhing Frauds relating thereto (not otherwiſe altered by this Act), ſhall be exerciſed, practiſed, applied, and impoſed, levied, recovered, and put in Execution, for the ſecuring, enforcing, managing, raiſing, levying, collecting, paying, mitigating, and adjudging, aſcertaining, and recovering, the Duties and Penalties herein mentioned and directed, and for preventing, detecting, and puniſhing, Frauds relating thereto, as fully and effectually, to all Intents and Purpoſes, as if all and every the ſaid Powers, Authorities, Rules, Directions, Methods, Penalties, and Forfeitures, Clauſes, Matters, and Things, were particularly repeated and again enacted in the Body of this Act.

Penalties and Forfeitures how to be recovered and applied.

XI. And be it further enacted by the Authority aforeſaid, That all Fines, Penalties, and Forfeitures, impoſed by this Act, ſhall be ſued for, levied, recovered, or mitigated, by ſuch Ways, Means, and Methods, as any Fine, Penalty, or Forfeiture, is or may be ſued for, recovered, or mitigated, by any Law or Laws of Exciſe, or by Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, or in the Court of Exchequer in *Scotland*, reſpectively; and that one Moiety of every ſuch Fine, Penalty, or Forfeiture, ſhall be to his Majeſty, his Heirs and Succeſſors, and the other Moiety to him, her, or them, who ſhall diſcover, inform, or ſue for the ſame.

## CAP. LI.

An Act for granting to his Majeſty certain Duties on Licences to be taken out by all Perſons letting Horſes to Hire for travelling, in the Manner therein mentioned; and certain Duties on all Horſes let to Hire for the Purpoſes of travelling Poſt, and by Time; and upon certain Carriages therein mentioned.

Preamble.

'Moſt Gracious Sovereign,

'WE, your Majeſty's moſt dutiful and loyal Subjects, the Commons of *Great Britain*, in Parliament aſſembled, towards raiſing by the moſt eaſy Means the neceſſary Supplies to defray your Majeſty's public Expences, have freely and voluntarily reſolved to give and grant unto your Majeſty the ſeveral and reſpective Duties herein-after mentioned; and do moſt humbly beſeech your Majeſty that it may be

'enacted,'

enacted;' and be it enacted by the King's moſt excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That, from and after the fifth Day of *July*, one thouſand ſeven hundred and ſeventy-nine, there ſhall be raiſed, levied, collected, and paid, throughout the Kingdom of *Great Britain*, unto and for the Uſe of his Majeſty, his Heirs and Succeſſors, the ſeveral Rates and Duties following; (that is to ſay) That every Poſtmaſter, Innkeeper, or other Perſon, in *Great Britain*, who ſhall let to Hire any Horſe for the Purpoſe of travelling Poſt by the Mile, or from Stage to Stage, or being a Perſon uſually letting Horſes to Hire, ſhall let to Hire for a Day, or any leſs Period of Time, any Horſe for drawing any Coach, Chariot, or Chaiſe, or any other Carriage uſed in travelling Poſt, ſhall yield and pay annually unto his Majeſty, his Heirs and Succeſſors, the Sum of five Shillings for a Licence for that Purpoſe; that for and in reſpect of every Horſe hired by the Mile or Stage to be uſed in travelling Poſt, in *Great Britain*, there be charged a Duty of one Penny for every Mile ſuch Horſe ſhall be hired to travel Poſt; and that for and in reſpect of every Horſe hired for a Day, or any leſs Period of Time, for drawing, on a Poſt or other public Road, any Coach, Chariot, or Chaiſe, or any other Carriage uſed in travelling Poſt, there ſhall be charged, if the Diſtance ſhall be then aſcertained, the Sum of one Penny *per* Mile, and if the Diſtance ſhall not then be aſcertained, there ſhall be charged the Sum of Twelvepence for and in reſpect of each Horſe ſo hired; ſuch Duty to be paid by the Perſon or Perſons by whom ſuch Horſe ſhall be hired; that every Perſon who ſhall keep any Four-wheeled Chaiſe, or other Machine, commonly called *A Diligence* or *Poſt-coach*, or by what Name ſoever ſuch Carriages now are or hereafter ſhall be called or known, for the Purpoſe of conveying in the Inſide thereof any Number of Paſſengers, not exceeding four, for Hire, to and from Stage to Stage, or from Place to Place, ſhall yield and pay annually unto his Majeſty, his Heirs and Succeſſors, the Sum of five Shillings for a Licence for that Purpoſe; that every Four-wheeled Chaiſe, or other Machine, commonly called *A Diligence* or *Poſt-coach*, or by what Name ſoever ſuch Carriages now are, or hereafter ſhall be called or known, for the Purpoſe of conveying in the Inſide thereof any Number of Paſſengers, not exceeding four, for Hire, to and from Stage to Stage, or from Place to Place, ſhall be charged with a Duty of one Halfpenny *per* Mile ſuch Carriage ſhall travel, to be paid by the Owners thereof: And for the better and more effectual raiſing, levying, collecting, and paying the ſaid Rates and Duties herein-before granted, the ſame ſhall be under the Government, Care, and Management of the Commiſſioners for the Time being appointed to manage the Duties payable to his Majeſty, his Heirs and Succeſſors, and charged on ſtamped Vellum, Parchment, and Paper, who, or the major Part of them, are hereby required and empowered to appoint and employ ſuch Officers under them for that Purpoſe, and to allow ſuch Salaries and incident Charges, as ſhall be neceſſary; and to provide and uſe ſuch Marks or Stamps as they ſhall think fit; and to repair, renew, or alter the ſame, from Time to Time, as there ſhall be Occaſion; and to do all other Acts, Matters, and Things, neceſſary to be done for putting this Act in Execution, with relation to the ſaid Rates and Duties hereby granted, in the like, and in as full and ample Manner as they, or the major Part of them, are authoriſed to put in Execution any of the Laws now in being concerning ſtamped Vellum, Parchment, or Paper.

After July 5, 1779, the following Duties to be paid to his Majeſty; videlicet, Every Poſtmaſter, &c. who ſhall let Horſes to Hire for travelling Poſt, for an annual Licence, 5 s: Every Perſon hiring Horſes to travel Poſt, to pay, for each Horſe, 1 d. per Mile, or 1 s. per Day, where the Diſtance ſhall not be aſcertained: Every Perſon keeping a Diligence, Poſt-coach, or other Four-wheeled Carriage, for carrying only four Inſide Paſſengers, for Hire, ſhall pay annually 5 s. for a Licence; and ſhall alſo pay one Halfpenny for every Mile ſuch Carriage ſhall travel. The ſaid Duties to be under the Management of the Commiſſioners for the Stamp-duties.

II. And be it further enacted by the Authority aforeſaid, That, from and after the fifth Day of *July*, one thouſand ſeven hundred and ſeventy-nine, no Perſon whatſoever, required by this Act to be licenſed, ſhall, unleſs he or ſhe be authoriſed and enabled in the Manner herein-after preſcribed, let out any Horſe for Hire, either by the Mile or Stage, or to draw any Coach, Chariot, or Chaiſe, or any other Carriage uſed in travelling Poſt, for a Day, or any leſs Period of Time, upon Pain to forfeit for every ſuch Offence, five Pounds, to be recovered and applied as herein-after is directed.

Penalty on Perſons letting out Horſes to travel Poſt without a Licence.

III. And be it further enacted by the Authority aforeſaid, That from and after the paſſing of this Act, any two or more of his Majeſty's Commiſſioners appointed for managing the Duties ariſing by Stamps on Vellum, Parchment, or Paper, or ſome Perſon duly authoriſed by them, ſhall grant Licences to ſuch Perſons who ſhall apply for the ſame, to let out Horſes for Hire, in Manner aforeſaid, in any City, Town, or other Place, within *Great Britain*, for the Space of one Year, to commence from the ſaid fifth Day of *July*, one thouſand ſeven hundred and ſeventy-nine, upon all Licences to be granted on or before that Day; and upon Licences to be firſt granted to any Perſon or Perſons after the ſaid fifth Day of *July*, one thouſand ſeven hundred and ſeventy-nine, to commence from the Day of the Date of every ſuch Licence; and all and every Perſon or Perſons who ſhall take out ſuch Licence for letting out Horſes for Hire in Manner aforeſaid, ſhall take out a freſh Licence for another Year ten Days at the leaſt before the Expiration of that Year for which he, ſhe, or they ſhall be ſo licenſed, if he, ſhe, or they ſhall continue to let out Horſes for Hire, in Manner aforeſaid, and ſhall, in like Manner, renew ſuch Licence from Year to Year, paying down the reſpective Sums due for ſuch Licences, as long as he, ſhe, or they ſhall continue to let out Horſes for Hire, in Manner aforeſaid.

Any two Commiſſioners of the Stamp-duties, or Perſons authoriſed by them, may grant Licences for letting out Horſes to Hire.

IV. And be it further enacted by the Authority aforeſaid, That no Poſtmaſter, Innkeeper, or other Perſon whatſoever, licenſed or to be licenſed by Authority of this Act, ſhall, by virtue of one Licence, keep more than one Inn, Houſe, or other Place, for letting Horſes for the Purpoſes aforeſaid; but for each and every Inn, Houſe, or other Place, which any Poſtmaſter, Innkeeper, or other Perſon, ſhall keep for the Purpoſes aforeſaid, a ſeparate and diſtinct Licenſe ſhall be taken out, and paid for, by ſuch Poſtmaſter, Innkeeper, or other Perſon.

No Perſon to keep more than one Inn, for letting Horſes, by virtue of one Licence.

V. And be it further enacted by the Authority aforeſaid, That every Poſtmaſter, Innkeeper, or other Perſon, ſo licenſed to let Horſes as herein-before mentioned, ſhall cauſe the Words *Licenſed to let Poſt-horſes*, to be painted or written, in legible Characters, either on a Sign hung out, or in ſome viſible Place in the Front of his, her, or their Houſe, Stables, or Out-offices, at the reſpective Places at which he, ſhe, or they let out Horſes to Hire, as aforeſaid, to denote that ſuch Poſtmaſter, Innkeeper, or other Perſon, is a Letter or Furniſher of Poſt-horſes, and authoriſed to furniſh Travellers with the ſame purſuant to Law; and if any Poſtmaſter, Innkeeper, or other Perſon, ſo licenſed as aforeſaid, ſhall preſume to let out Horſes for

Licenſed Innkeepers, &c. to cauſe certain Words to be painted on the Fronts of their Houſes, &c. before they let Horſes for Hire.

on Penalty of 5*l.*

for Hire as herein-before mentioned, without fixing or hanging out such Token as aforesaid, every Postmaster, Innkeeper, or other Person, so offending, shall, for every such Offence, forfeit and pay the Sum of five Pounds, to be recovered and distributed as herein-after is directed.

Innkeepers, &c. who furnish Carriages to travel Post, shall affix their Names, and their Places of Abode, on some conspicuous Part thereof;

on Penalty of 5*l.*

VI. And be it further enacted by the Authority aforesaid, That every Postmaster, Innkeeper, or other Person, so licensed as aforesaid, shall, if he, she, or they, furnish his, her, or their own Chaises, or other Carriages, at the same Time with such Horses let to Hire to travel Post as aforesaid, mark or paint, or cause to be marked or painted, upon some conspicuous Part of the Chaise, or other Carriage so furnished, his, her, or their Christian and Surname, and the Name of the City, Town, or Place, of his, her, or their Abode, in plain and legible Characters, and continue the same thereupon, so long as such Chaise or Carriage shall be so used; and if any Person or Persons shall neglect the same, or mark or paint, or cause to be marked or painted, any false or fictitious Name, or Place of Abode, on such Chaise or other Carriage, he or she shall forfeit, for every such Offence, the Sum of five Pounds.

Commissioners of the Stamp-duties are to deliver, to every Person taking out a Licence, printed or written Papers;

VII. And be it further enacted by the Authority aforesaid, That the said Commissioners appointed for managing the Duties arising by Stamps on Vellum, Parchment, or Paper, shall, at the Time of issuing such Licence as aforesaid, deliver, or cause to be delivered, to every Postmaster, Innkeeper, or other Person, so to be licensed, printed or written Papers, intituled, *Stamp-office Weekly Account*; in which shall be inserted the Day of the Week, and Blanks left for the Number of Horses and Miles, and for the Day of the Month, and the Names of the Postillions or Drivers employed, to be filled up as herein-after directed, according to the following Form, or such other Form as the said Commissioners shall judge convenient for keeping such Accounts:

The Form thereof.

Stamp-office Weekly Account.

*A. B.* of *C.*

| Month and Day. | Week and Day. | Names of Postillions or Drivers. | | | | | | | | | | | | Duty. | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | *A. B.* | | *C. D.* | | *E. F.* | | *G. H.* | | *I. K.* | | *L. M.* | | | | |
| | | N° of | | N° of | | N° of | | N° of | | N° of | | N° of | | | | |
| | | Horses. | Miles. | Horses. | Miles. | Horses. | Miles. | Horses. | Miles. | Horses. | Miles. | Horses. | Miles. | | | |
| | *Sunday* | | | | | | | | | | | | | | | |
| | *Monday* | | | | | | | | | | | | | | | |
| | *Tuesday* | | | | | | | | | | | | | | | |
| | *Wednesday* | | | | | | | | | | | | | | | |
| | *Thursday* | | | | | | | | | | | | | | | |
| | *Friday* | | | | | | | | | | | | | | | |
| | *Saturday* | | | | | | | | | | | | | | | |

And also certain Tickets,

And shall also deliver, or cause to be delivered, a Number of Tickets, on which shall be printed or written, if for an Innkeeper, the Name of the Sign or House, if not an Innkeeper, then, in Lieu thereof, his, her, or their Name or Names; and also on such Tickets shall be inserted the Name of the City, Town, or Place, where such licensed Person or Persons reside; and also the Words *Horses*, 1, 2, 3, 4, 5, or 6, in Figures, as the Tickets may be intended to denote the Numbers; and likewise the Word *Miles*, except where the Horses are let to Hire for a Day, or any less Period of Time, and then, instead of the Word *Miles*, the Words *For a Day* shall be inserted, together with the Words *Stamp-office*, or some other Mark or Stamp sufficient to ascertain that such Ticket was issued from the Stamp-office, and shall take especial Care that all Persons so licensed shall be sufficiently furnished with such Account and Tickets; and in case any Officer employed in the Execution of this Act, in relation to the said Rates and Duties, shall refuse or neglect to do or perform any Matter or Thing by this Act required or directed to be done or performed by him, whereby any of his Majesty's Subjects shall or may sustain any Damage whatsoever, such Officer so offending shall be liable, in any Action to be founded on this Statute, to answer to the Party grieved all such Damages, with Treble Costs of Suit.

Penalty on Officers making Default.

Postmasters, &c. on receiving their first Licence, to give Security for the Redelivery of Tickets unaccounted for, &c.

VIII. And it is hereby further enacted by the Authority aforesaid, That each and every Postmaster, Innkeeper, or other Person so licensed to let Horses for the Purposes aforesaid, shall, at the Time of receiving his, her, or their first Licence, give Security, by Bond, to his Majesty, his Heirs and Successors, in the Sum of fifty Pounds, with a Condition that he, she, or they will, whenever thereunto required, redeliver, or cause to be redelivered, the Stamp-office Tickets which he, she, or they may have received, and that may remain unaccounted for by him, her, or them; and that he, she, or they, will also deliver

to

to the Perſon or Perſons (properly authoriſed by the Commiſſioners appointed for managing the Duties ariſing by Stamps on Vellum, Parchment, or Paper, to inſpect the ſame, and to receive the Money due thereon) the Stamp-office Account ſo delivered to him, her, or them, as aforeſaid, faithfully made out, filled up, ſigned, and atteſted, as herein-after directed, and make Payment of all ſuch Sum and Sums of Money as ſhall be due and payable to his Majeſty, in purſuance of, and according to the true Intent and Meaning of this Act; and alſo truly and faithfully to obſerve and perform all the Directions, Matters, and Things herein contained, on his, her, or their Behalf, to be obſerved and performed; and in caſe of the Non-performance or Breach of ſuch Condition, it ſhall and may be lawful for the ſaid Commiſſioners, or the Perſons ſo appointed by them, to cauſe each and every ſuch Bond to be proſecuted according to Law; and in caſe of Judgment againſt the Defendant, the ſaid Commiſſioners may, if they ſhall think fit, refuſe to grant to ſuch Perſon, againſt whom ſuch Judgment ſhall be obtained, any Licences to let Horſes as aforeſaid in future.

Poſtmaſters, &c. letting out Horſes to travel Poſt, ſhall receive, for the Uſe of his Majeſty, of the Perſons hiring the ſame, 1d. for every Mile each Horſe is to travel; and ſhall deliver to them Stamp-office Tickets properly filled up. Penalty on Neglect thereof.

IX. And be it further enacted by the Authority aforeſaid, That all and every Poſtmaſter, Innkeeper, or other Perſon, licenſed as aforeſaid, who ſhall let Horſes to Hire by the Mile or Stage, to be uſed in travelling Poſt, ſhall, by themſelves or Servants, previous to the uſing ſuch Horſe or Horſes, aſk, demand, and receive, for the Uſe of his Majeſty, his Heirs and Succeſſors, of and from the Perſon or Perſons hiring the ſame, the Sum of one Penny *per* Mile, for each Mile ſuch Horſe ſhall be ſo hired to travel, at and after the Rate or Number of Miles which he, ſhe, or they ſhall charge ſuch Traveller or Travellers for the Stage or Diſtance ſuch Horſe may be hired to go; and ſhall, at the ſame Time he or ſhe receives Payment of the Duty for ſuch Horſe or Horſes, deliver, or cauſe to be delivered, to the Perſon or Perſons hiring ſuch Horſe or Horſes, one or more of the Stamp-office Tickets herein-before mentioned, as Occaſion ſhall require, and to which ſuch Poſtmaſter, Innkeeper, or other Perſon, ſhall add, or cauſe to be added, in Words or Figures, the Month and Day of the Month, and the Number of Miles for which ſuch Horſe or Horſes are ſo hired: And if any Poſtmaſter, Innkeeper, or other Perſon, ſhall neglect to aſk, demand, and receive, the ſaid Duty of one Penny *per* Mile from ſuch Perſon or Perſons hiring ſuch Horſe or Horſes, or ſhall neglect or refuſe to deliver ſuch Ticket or Tickets, as herein-before directed, to ſuch Perſon or Perſons ſo hiring the Horſes as aforeſaid, ſuch Poſtmaſter, Innkeeper, or other Perſon, ſhall, for every ſuch Offence, forfeit and pay the Sum of five Pounds; and moreover, in caſe of not receiving the ſaid Rate or Duty, be chargeable therewith to his Majeſty, his Heirs and Succeſſors, in the ſame Manner as if he, ſhe, or they had actually received the ſame.

Travellers to deliver their Tickets at the firſt Turnpike they ſhall paſs through. Penalty on Neglect.

X. And be it further enacted by the Authority aforeſaid, That all and every Traveller or Travellers, to whom ſuch Ticket ſhall be delivered as aforeſaid, who ſhall paſs through any Turnpike, ſhall, at the firſt Turnpike through which he, ſhe, or they ſhall paſs, deliver, or cauſe to be delivered, to the Toll-gate Keeper there, the Ticket or Tickets ſo given to him, her, or them, at the Place where he, ſhe, or they hired ſuch Horſe or Horſes, which the ſaid Toll-gatherer is hereby directed to receive and file; and if any Traveller or Travellers ſo going Poſt as aforeſaid, ſhall have neglected to take ſuch Ticket or Tickets, or ſhall not deliver, or cauſe the ſame to be delivered, he, ſhe, or they ſhall, before ſuch Horſes be permitted to paſs ſuch Toll-gate, pay for every Horſe hired and uſed by ſuch Travellers or Traveller, the Sum of one Shilling and Sixpence, which the Gate-keeper is hereby authoriſed to aſk and demand, and not permit ſuch Horſes to paſs till he, ſhe, or they ſhall have paid the ſame, or produce ſuch Ticket or Tickets as aforeſaid.

Poſtmaſters, &c. letting out Horſes to travel by the Day, &c. ſhall receive, for the Uſe of his Majeſty, of the Perſons hiring them, 1d. for every Mile each Horſe is to travel; or 1s. for each Horſe, where the Diſtance ſhall not be aſcertained; and ſhall deliver to them Stamp-office Tickets properly filled up. Penalty on Poſtmaſter, &c. for Neglect.

XI. And be it further enacted by the Authority aforeſaid, That all and every Poſtmaſter, Innkeeper, or other Perſon licenſed as aforeſaid, who ſhall let to Hire any Horſe or Horſes by the Day, or leſs Period of Time, as aforeſaid, ſhall, by themſelves or Servants, previous to ſuch Horſe or Horſes being uſed, aſk, demand, and receive, for the Uſe of his Majeſty, his Heirs and Succeſſors, of and from the Perſon or Perſons hiring the ſame, the Sum of one Penny *per* Mile for each Mile ſuch Horſe or Horſes ſhall be ſo hired to go, where the Diſtance ſhall be then aſcertained, and where the Diſtance ſhall not be then aſcertained, then the Sum of Twelve-pence for each Horſe ſo hired, previous to ſuch Horſe or Horſes being uſed; and ſhall, at the ſame Time, deliver, or cauſe to be delivered, to the Perſon ſo hiring ſuch Horſe or Horſes, one or more of the Stamp-office Tickets herein-before mentioned, with the Words *For a Day* inſerted thereon, as Occaſion ſhall require, and to which any Poſtmaſter, Innkeeper, or other Perſon, ſhall add, or cauſe to be added, in Words or Figures, the Month, and Day of the Month; and in caſe ſuch Horſe or Horſes ſhall be hired to return the ſame Day with the ſame Carriage, and any Perſon or Perſons therein by or for whom ſuch Horſe or Horſes are ſo hired, then the Words *To return*; and if any Poſtmaſter, Innkeeper, or other Perſon, ſhall neglect to aſk, demand, and receive the ſaid Duty of one Penny *per* Mile, or Twelve-pence, as the Caſe may happen to be, from ſuch Perſon or Perſons hiring ſuch Horſe or Horſes, or neglect or refuſe to deliver ſuch Ticket or Tickets, ſuch Poſtmaſter, Innkeeper, or other Perſon, ſhall, for every ſuch Offence, forfeit and pay the Sum of five Pounds, and moreover, in caſe of not receiving the ſaid Rate or Duty, be chargeable therewith to his Majeſty, his Heirs and Succeſſors, in the ſame Manner as if he, ſhe, or they had actually received the ſame.

Enumeration of Particulars to be inſerted, by Poſtmaſters, &c. in the Account to be delivered them from the Stamp-office.

XII. And it is hereby further enacted by the Authority aforeſaid, That every Poſtmaſter, Innkeeper, or other Perſon ſo licenſed to let Horſes as aforeſaid, ſhall inſert in the Account herein-before ſpecified ſo delivered to him, her, or them, from the Stamp-office, the Number of Horſes uſed in travelling Poſt, and the Number of Miles for which ſuch Horſes ſhall have been ſo uſed, alſo the Number of Horſes let to Hire for a Day, or any leſs Period of Time, and the Day of the Month on which the ſame were uſed, together with the Names of the Poſtillions or Drivers employed; which ſaid Account ſhall be ſigned by ſuch Poſtmaſter, Innkeeper, or other Perſon ſo licenſed as aforeſaid, and witneſſed by the Hoſtler or other Servant employed in preparing and getting ready ſuch Horſes, and ſhall be open, when required, to the Inſpection of any Perſon or Perſons duly authoriſed, under the Hands and Seals of the ſaid Commiſſioners for managing the Duties on ſtamped Vellum, Parchment, and Paper, to inſpect the ſame; and

At what Time licenſed Perſons reſiding in London or Weſtminſter, or within five Miles thereof, or in the Bills of Mortality, ſhall deliver their Accounts at the Stamp-office, &c.

and ſuch Poſtmaſter, Innkeeper, or other Perſon, ſo licenſed as aforeſaid, reſiding in the City of *London* or Liberty of *Weſtminſter*, ſhall, the firſt *Tueſday* or *Wedneſday* in every Month, and ſuch other Perſons ſo licenſed as aforeſaid, reſiding within five Miles of the City of *London*, or Liberty of *Weſtminſter*, or within the Bills of Mortality, ſhall, the firſt *Thurſday* or *Friday* in every Month, or at ſuch other Times as may be appointed by the ſaid Commiſſioners, on public Notice given in the *Gazette*, bring in and deliver to the Commiſſioners, or to the Perſon or Perſons appointed by them for the Purpoſe of receiving the ſame, at the Head Office, the Accounts herein-before directed for the four Weeks ending on the *Saturday* preceding ſuch Day of Delivery, and ſhall, within eight Days thereafter, pay ſuch Sum and Sums of Money which ſhall appear to be due thereon to the Receiver-general for the Time being of the Duties on ſtamped Vellum, Parchment, and Paper, or to the proper Officer for the Time being for collecting the ſaid Duties, for the Uſe of his Majeſty, his Heirs and Succeſſors, at the Head Office in *Lincoln's Inn*, or wherever elſe the ſame may be held, upon Pain of forfeiting ten Pounds for every Default in not delivering in ſuch Account, and double the Amount of the Money ſo due and payable from ſuch Poſtmaſter, Innkeeper, or other Perſon, for the ſaid Rates or Duties, for the Nonpayment thereof.

Where and when licenſed Perſons living in other Parts of the Kingdom ſhall deliver their Accounts, &c.

XIII. And it is hereby further enacted, That every Poſtmaſter, Innkeeper, or other Perſon ſo licenſed as aforeſaid, not reſiding within the Cities of *London* or *Weſtminſter*, or within five Miles of the ſame, or within the Bills of Mortality, ſhall, at all ſuch Times and Places to be appointed for that Purpoſe as herein-after mentioned, produce and deliver the Accounts herein-before directed for the Weeks ending on the *Saturday* preceding ſuch Delivery, and then unaccounted for, to the Perſon or Perſons duly authoriſed, by Commiſſion under the Hands and Seals of three of the ſaid Commiſſioners for managing the Duties on ſtamped Vellum, Parchment, and Paper, to receive ſuch Accounts, and the Money due thereon, and at the ſame Time pay to ſuch Perſon or Perſons all Sum and Sums of Money which ſhall appear to be due upon ſuch Accounts, under the Penalty of ten Pounds for every Default in not delivering ſuch Accounts, and double the Amount of the Money due and payable from ſuch Poſtmaſter, Innkeeper, or other Perſon, for the ſaid Rates or Duties, for the Nonpayment thereof.

All Tickets having the Number of Miles expreſſed therein, ſhall be accordingly paid for by the Poſtmaſter, &c. Penalty on Poſtmaſters, &c. who ſhall endeavour to defraud his Majeſty of the Rates impoſed by this Act.

XIV. And be it further enacted by the Authority aforeſaid, That all and every Ticket delivered from the Stamp-office, that ſhall appear with the Number of Miles expreſſed therein, either in Words or Figures, ſhall be deemed a Ticket upon which the Duty has been received, and ſhall be accounted and paid for by the Poſtmaſter, Innkeeper, or other Perſon, according to ſuch Number of Horſes and Miles marked thereon, at and after the Rate aforeſaid.

XV. And it is hereby further enacted by the Authority aforeſaid, That every Poſtmaſter, Innkeeper, or other Perſon, ſo licenſed as aforeſaid, who ſhall be guilty of any wilful Concealment, or making falſe Accounts, or any other fraudulent Contrivance, Device, or Pretence whatſoever, with an Intent or Deſign to defraud his Majeſty, his Heirs or Succeſſors, of any of the Rates or Duties impoſed by this Act, or any Part thereof, ſuch Poſtmaſter, Innkeeper, or other Perſon, ſhall forfeit the Sum of twenty Pounds, to be recovered as herein-after directed; and the ſaid Commiſſioners ſhall and may, if they ſhall ſo think fit, after Judgment obtained againſt ſuch Offender, refuſe to grant to ſuch Offender any Licence in future.

Every Poſtmaſter, &c. who ſhall take the Hire for Horſes travelling Poſt, ſhall be accountable for the Duty.

'XVI. And, in order to prevent the evading the Payment of the Duties hereby granted, by permitting 'Carriages conveying Perſons Poſt to be drawn by Horſes which have paid the Duty for the Stage, under 'the Pretence of ſuch Horſes being upon the Return home;' be it further enacted by the Authority aforeſaid, That every Poſtmaſter, Innkeeper, or other Perſon, who ſhall take the Hire for ſuch Horſes by the Mile, or from Stage to Stage, ſhall be conſidered as the Perſon to whom the Duties herein-before granted ſhall be paid, and ſhall be chargeable with and accountable for the ſame, as if ſuch Poſtmaſter, Innkeeper, or other Perſon, was the actual Proprietor of ſuch Horſes, although the ſame may belong to, and be the Property of, any other licenſed Poſtmaſter, Innkeeper, or other Perſon.

No Poſtmaſter, &c. at whoſe Houſe any Traveller ſhall change Horſes, ſhall let them any otherwiſe than by the Mile or Stage.

'XVII. And, in order to prevent evading the Payment of the Duties hereby granted upon Horſes hired 'by the Mile or Stage, under Pretence of the letting ſuch Horſes for a Day, or any leſs Period of Time,' be it enacted by the Authority aforeſaid, That no Poſtmaſter, Innkeeper, or other Perſon, at whoſe Inn, Houſe, or other Place, kept for letting Horſes to Hire, any Traveller or Travellers ſhall change Horſes, ſhall let to Hire any Horſe or Horſes, to ſuch Traveller or Travellers, in any other Manner than by the Mile or Stage; and if any Poſtmaſter, Innkeeper, or other Perſon, ſhall act contrary hereto, he, ſhe, or they, ſhall, for every Offence, forfeit and pay the Sum of five Pounds, to be recovered as herein-after mentioned.

Receiver-general of the Stamp-duties ſhall pay to the Toll-gate Keepers 10 s. where the Duties on Tickets delivered by them ſhall amount to 100 l. &c.

'XVIII. And, in Compenſation for the Trouble every Toll-gate Keeper may have in and about the 'Execution of this Act, and for an Encouragement to diſcover and detect Frauds that may be committed 'againſt the ſame,' be it enacted by the Authority aforeſaid, That the ſaid Receiver-general at the Head Office, and the ſaid other Collectors, ſhall and may, and they are hereby authoriſed and required to pay to the reſpective Toll-gate Keepers, who ſhall deliver, as herein-after mentioned, Tickets by him or her received at ſuch reſpective Gates, the Sum of ten Shillings, where the Duties upon ſuch Tickets ſhall amount to one hundred Pounds; and at and after that Rate for Tickets where the Duties thereon ſhall amount to any greater or leſs Sum than one hundred Pounds, and alſo allow ſuch Toll-gate Keeper to retain the Money collected by him from ſuch Traveller or Travellers who ſhall not, purſuant to this Act, have delivered Tickets to ſuch Toll-gate Keeper, as aforeſaid.

Where and when the Toll-gate Keepers ſhall bring the ſaid Tickets.

XIX. Provided always nevertheleſs, and it is hereby enacted, That all and every Toll-gate Keeper ſhall, for the Compenſation and Allowance aforeſaid, bring, or cauſe to be brought, the Tickets herein-before mentioned by him or her received, if within five Miles of *London*, then to the Head Office there, or to ſuch other Place within the Bills of Mortality as the Commiſſioners ſhall appoint; and if beyond the Diſtance of five Miles from *London*, then to ſuch Places, and at ſuch Times, as the Collector appointed to collect ſuch Duties ſhall require, and deliver up, or cauſe to be delivered up, ſuch Tickets to the Receiver-general or Collector to be appointed as aforeſaid.

Penalty on Toll-gate Keepers who ſhall not deliver up Tickets on Demand.

XX. And be it further enacted by the Authority aforeſaid, That all and every Toll-gate Keeper who ſhall have received ſuch Stamp-office Tickets as aforeſaid, who ſhall not bring, or cauſe to be brought, ſuch Tickets, at the Times and Places aforeſaid, ſhall, upon Demand made at the Gate of ſuch Turnpike, deliver ſuch Tickets to the Collector to be appointed by the ſaid Commiſſioners for managing the Duties on ſtamped Vellum, Parchment, and Paper, as aforeſaid; and if any Toll-gate Keeper ſhall refuſe to deliver up all and every ſuch Stamp-office Tickets, ſo received by him or her, upon ſuch Demand as aforeſaid, every Toll-gate Keeper ſhall, for each Ticket he or ſhe ſhall ſo refuſe to deliver up, forfeit and pay the Sum of five Shillings, to be recovered as herein-after is directed.

Where Poſtmaſters, &c. reſiding out of the Bills of Mortality, are to attend and paſs their Accounts.

XXI. And be it further enacted by the Authority aforeſaid, That all and every Poſtmaſter, Innkeeper, or other Perſon, ſo licenſed as aforeſaid, not reſiding in the Cities of *London* and *Weſtminſter*, nor within the Bills of Mortality, ſhall, at the Times and at the Places to be mentioned at the Foot of the firſt Licence granted to him, her, or them, when the ſame ſhall be delivered, and afterwards at the Foot of every Receipt which ſhall be given by the Collector for the Money paid in by him, her, or them, on account of the ſaid Duties, attend, and there deliver in and paſs his Account, and pay the Duty received by him, her, or them, as aforeſaid, to the Collector ſo appointed to collect the ſame: Provided that no ſuch Perſon as aforeſaid ſhall be compelled to travel for the Payment of the ſaid Duties, or other Cauſes whatſoever touching or concerning the ſame, if he, ſhe, or they live in a Market-town, out of the ſaid Town, or if he, ſhe, or they live out of a Market-town, then to no other Place than to the Market-town neareſt to his, her, or their Habitation.

This Act not to extend to Horſes uſed in Hackney-coaches, &c.

XXII. Provided alſo, and it is hereby further enacted and declared, That nothing herein contained ſhall extend, or be conſtrued to extend, to any Horſes uſed in Hackney-coaches, licenſed purſuant to ſeveral Acts of Parliament made for that Purpoſe; nor to any Horſe or Horſes uſed in the drawing of any Coach, Chariot, or Chaiſe, or any other Carriage, uſed in travelling Poſt, where ſuch Horſe or Horſes ſhall be hired to return before Twelve of the Clock at Night of the ſame Day with the ſame Carriage, and any Perſon or Perſons therein by or for whom ſuch Horſe or Horſes were hired, and ſhall actually return accordingly.

All Horſes hired by the Mile, or Stage, ſhall be deemed hired to travel Poſt.

XXIII. And it is hereby further enacted and declared by the Authority aforeſaid, That every Horſe hired by the Mile, or Stage, ſhall be deemed to be hired to travel Poſt, within the true Intent and Meaning of this Act, although the Perſon or Perſons hiring the ſame do not go or travel ſeveral Stages upon a Poſt-road, or change Horſes; and although at the Stage or Place at or to which ſuch Horſe ſhall be hired there ſhall not be any Poſt-houſe; and although there ſhall not be any Poſt ſettled or eſtabliſhed on the Road, or any Part thereof, upon which ſuch Horſe ſhall be hired to go; any Thing herein-before contained, or any Law or Uſage, to the contrary notwithſtanding.

On the Death of any licenſed Poſtmaſter, &c. his Executors, &c. ſhall not be liable to any Penalty for letting Horſes to Hire, provided they take out a Licence within 30 Days after his Death.

XXIV. And be it further enacted by the Authority aforeſaid, That if any Poſtmaſter, Innkeeper, or other Perſon, licenſed to let Horſes in Manner aforeſaid, ſhall die, it ſhall and may be lawful for his or her Executors, Adminiſtrators, or other Perſons ſucceeding to ſuch Inn, Houſe or other Place, to let Horſes to Hire in Manner aforeſaid, until ſuch Time as ſuch Perſon ſhall procure ſuch Licence, and give ſuch Security as herein-before directed, without being liable to the Penalty herein-before inflicted upon the Perſons letting Horſes to Hire without being licenſed in that Behalf, provided ſuch Licence be taken out within thirty Days after the Death of ſuch Poſtmaſter, Innkeeper, or other Perſon; and ſuch Perſon or Perſons ſhall be ſubject to the ſame Rules, Regulations, and Charges, and liable to account, and to the Payment of the ſame Rates and Duties hereby impoſed, as ſuch Poſtmaſter, Innkeeper, or other Perſon, was ſubject and liable to.

No Perſon ſhall let out for Hire any Diligence, or Poſt-coach, &c. without a Licence, on Penalty of 5 l. for each Offence.

XXV. And be it further enacted by the Authority aforeſaid, That, from and after the fifth Day of *July*, one thouſand ſeven hundred and ſeventy-nine, no Perſon who ſhall keep any four-wheeled Chaiſe, or other Machine, commonly called *A Diligence* or *Poſt-coach*, or by what Name ſoever ſuch Carriage or Carriages now are or hereafter ſhall be called or known, for the Purpoſe of conveying, in the Inſide thereof, any Number of Paſſengers, not exceeding four, for Hire, from Stage to Stage, or from Place to Place, ſhall let out the ſame for ſuch Purpoſe, without having firſt obtained a Licence under the Hands of two of the ſaid Commiſſioners for managing the Duties on ſtamped Vellum, Parchment, and Paper, for that Purpoſe, upon Pain to forfeit, for every Time ſuch Machine ſhall be ſo uſed, the Sum of five Pounds, to be recovered and applied as herein-after is directed.

Commiſſioners of Stamp-duties to grant ſuch Licences to all Perſons who ſhall apply for them.

XXVI. And be it further enacted by the Authority aforeſaid, That, from and after the paſſing of this Act, any two or more of his Majeſty's Commiſſioners appointed for managing the Duties ariſing by Stamps on Vellum, Parchment, or Paper, or ſome Perſon duly authoriſed by them, ſhall grant Licences, under their Hands and Seals, to any Perſon or Perſons who ſhall apply for the ſame, to let out for Hire any ſuch Diligence, or other Carriage, for the Purpoſe aforeſaid, for the Space of one Year, to commence from the fifth Day of *July*, one thouſand ſeven hundred and ſeventy-nine, upon all Licences to be granted on or before that Day; and upon Licences to be firſt granted to any Perſon or Perſons after the ſaid fifth Day of *July*, one thouſand ſeven hundred and ſeventy-nine, to commence from the Day of the Date of ſuch Licence; which ſaid Licence ſhall be renewed at leaſt ten Days previous to the Expiration of the Year for which it was granted; and if the Perſon or Perſons ſo licenſed ſhall continue to let out for Hire ſuch Machine, Diligence, or Carriage, as aforeſaid, he, ſhe, or they ſhall, in the ſame Manner, renew ſuch Licence from Year to Year, paying down the reſpective Sums due for ſuch Licence, and ſo yearly and every Year, as long as he, ſhe, or they ſhall continue to let ſuch Diligence, or other Carriage, in Manner aforeſaid.

Only one Diligence, &c. to be kept by virtue of one Licence.

XXVII. And be it further enacted by the Authority aforeſaid, That no Perſon or Perſons, ſo licenſed to let out Diligences, or other Carriages, in Manner aforeſaid, ſhall, by virtue of one Licence, keep more than one Diligence, or other Carriage, for the Purpoſe aforeſaid.

All licenſed Perſons to pay One Half-penny for

XXVIII. And be it further enacted by the Authority aforeſaid, That all and every Perſon or Perſons, ſo licenſed to uſe any Diligence or Carriage as aforeſaid, to and from Stage to Stage, or from Place to Place, ſhall

every Mile their Diligence, &c. ſhall travel; and ſhall declare, when they receive their Licence, to and from what Places it is intended to be uſed, and how often.

ſhall pay to his Majeſty, his Heirs and Succeſſors, the Sum of one Halfpenny for every Mile every ſuch Carriage or Carriages ſhall be ſo uſed or travel, as aforeſaid.

XXIX. And it is hereby further enacted by the Authority aforeſaid, That all and every Perſon or Perſons, ſo licenſed to uſe ſuch Diligence, or other Carriage, as aforeſaid, ſhall, at the Time of receiving ſuch Licence, declare from what Place, and to what Place, ſuch Diligence or other Carriage is intended to be uſed, diſtinguiſhing the Diſtance or Number of Miles between the two extreme Towns or other Places ſuch Diligence or other Carriage is to go, and the Number of Journies each ſuch Diligence or Carriage is ſo intended to be uſed, either in the Day or in the Week, as the Caſe may happen to be, that the ſame may be inſerted in ſuch Licence; and all and every Perſon or Perſons, ſo licenſed for ſuch Purpoſe as aforeſaid, ſhall give Security, by Bond, to his Majeſty, his Heirs and Succeſſors, in the Sum of twenty Pounds, with a Condition for the faithful accounting for and paying ſuch Sums as may be due for the Journies ſuch Diligence or other Carriage may have ſo made.

Diſcretionary Powers veſted in Commiſſioners relative to Diligences, &c. paſſing and repaſſing within 12 Miles of London.

'XXX. And, in regard it may be difficult to aſcertain the Number of Times ſuch licenſed Diligences, or 'other Carriages, making ſhort Stages about *London*, may go in a Day,' it is hereby provided and enacted, That the Commiſſioners for managing the Stamp-duties, or the major Part of them, or ſuch Officers as they ſhall appoint in that Behalf, ſhall and may, and they are hereby impowered to make ſuch Allowances as ſhall appear to be juſt to any Perſon or Perſons licenſed to uſe any Diligence, or other Carriage, as aforeſaid, to go from and to return to *London*, where the Diſtance does not exceed twelve meaſured Miles, upon Oath made by the Owner of ſuch Diligence, or other Carriage, before the ſaid Commiſſioners, or the major Part of them, or ſuch Officers ſo to be appointed, as to the Number of Journies actually made in a Day by ſuch Diligence or other Carriage, where the ſame ſhall differ from the Number expreſſed in ſuch Licences; which Oath the ſaid Commiſſioners are hereby required to adminiſter, and to examine into all the Circumſtances relative to the Number of Journies ſo made by ſuch Diligence, or other Carriage, as aforeſaid, any Thing herein contained to the contrary notwithſtanding; and the ſaid Commiſſioners, or the major Part of them, are hereby impowered to make ſuch Regulations, with reſpect to ſuch Diligences, or other Carriages, where ſuch Allowances are applied for, as they ſhall, from Time to Time, find neceſſary, as well for the effectual ſecuring the Duties on ſuch Diligences, or other Carriages, as doing Juſtice to the Owners or Proprietors thereof.

The Name of the Owner of every Diligence, &c. to be painted on the Outſide of each Door. Where and when the Duties ariſing from Diligences, &c. ſhall be paid.

XXXI. And be it further enacted by the Authority aforeſaid, That all and every Perſon or Perſons ſo licenſed to uſe every ſuch Carriage as aforeſaid, ſhall mark or paint, or cauſe to be marked or painted, on the outſide Pannel of each Door, before he, ſhe, or they ſhall uſe the ſame for the Purpoſe aforeſaid, his, her, or their Chriſtian and Surname, mentioning the Place from whence they ſet out, and to which they are going, in plain and legible Characters; and every Proprietor of every ſuch Diligence or other Carriage as aforeſaid licenſed to go from *London* to any other Place, or from any other Place to *London*, ſhall, on the firſt *Monday* in every Month, between the Hours of Eight in the Morning and two in the Afternoon, unleſs the ſame be an Holiday, and then on the next Day, not being an Holiday, clear the ſaid Duties charged and become due by virtue of this Act, by paying the ſame to the Receiver-general of Stamped Vellum, Parchment, and Paper, or to the proper Officer for the Time being for collecting the ſaid Duties, for the Uſe of his Majeſty, his Heirs and Succeſſors, at the Head Office in *Lincoln's Inn*, or wherever elſe the ſame may be held; and if ſuch Proprietor or Proprietors ſhall be licenſed from any Town in the Country to any other Town than *London*, then ſuch Proprietor or Proprietors ſhall clear the ſaid Duties, by paying the ſame to the Perſon duly authoriſed, by Commiſſion under the Hands and Seals of three of his Majeſty's Commiſſioners of the Stamp-duties, to receive the ſame, under the Penalty of ten Pounds.

Licenſed Proprietor of any Diligence, &c. to give ſeven Days Notice before he diſcontinue the ſame.

XXXII. Provided always, That every ſuch licenſed Proprietor or Proprietors of any Diligence or other Carriage as aforeſaid, who ſhall lay down and diſcontinue the Uſe of the ſame, ſhall give Notice, in Writing, ſeven Days at leaſt before he, ſhe, or they ſhall lay down or diſcontinue ſuch Diligence or other Carriage, and ſhall have ſuch Notice indorſed upon the Back of ſuch his, her, or their Licence or Licences, or upon the Bond ſo to be given as aforeſaid, and from thenceforth, on Payment of all Arrears, ſhall be no longer charged or chargeable for or in reſpect of ſuch Diligence or other Carriage.

Poſtmaſters, &c. to be allowed 3 d. in the Pound out of the Monies to be accounted for and paid by them.

XXXIII. And it is hereby enacted by the Authority aforeſaid, That the ſaid Receiver-general at the Head Office, and the ſaid other Collectors duly appointed to receive the Duties hereby impoſed, ſhall make an Allowance to the ſeveral Poſtmaſters, Innkeepers, or other Perſons licenſed as aforeſaid, and they ſhall be intitled reſpectively to deduct for their own Uſe, at and after the Rate of Three-pence in the Pound, out of the Monies by them regularly accounted for and paid to ſuch Receiver-general or other Collector, according to the Directions herein-before contained.

Penalty on forging any Ticket, or uttering the ſame.

XXXIV. And be it further enacted by the Authority aforeſaid, That if any Perſon ſhall falſely make, forge, or counterfeit, or cauſe or procure to be falſely made, forged, or counterfeited; or wilfully act or aſſiſt in the falſe making, forging, or counterfeiting, any Ticket, by this Act authoriſed or directed to be uſed, with an Intent to defraud his Majeſty, his Heirs and Succeſſors, of any of the ſaid Duties, or ſhall utter or publiſh as true any falſe, forged, or counterfeited Ticket, with an Intent to defraud his Majeſty, his Heirs and Succeſſors, of any of the ſaid Duties, every Perſon ſo offending, and being thereof lawfully convicted, ſhall forfeit and pay the Sum of fifty Pounds, to be levied and applied as herein-before directed and declared.

Pecuniary Penalties amounting to 20 l. to go One-half to his Majeſty, and the other to the Informer.

XXXV. And be it further enacted by the Authority aforeſaid, That all pecuniary Penalties hereby impoſed, amounting to twenty Pounds or more, ſhall be divided and diſtributed, to wit, one Moiety thereof to his Majeſty, his Heirs and Succeſſors, and the other Moiety thereof, with full Coſts of Suit, to ſuch Perſon or Perſons who ſhall inform and ſue for the ſame, in any of his Majeſty's Courts at *Weſtminſter*, for Offences committed in *England*, *Wales*, or *Berwick upon Tweed*, and in his Majeſty's Court of Seſſion, Court of Juſticiary, or Court of Exchequer, in *Scotland*, by Action of Debt, Bill, Plaint, or Informa-

tion, wherein no Eſſoin, Protection, Privilege, Wager of Law, or more than one Imparlance ſhall be allowed.

Two Juſtices may determine any Offence againſt this Act, if the Penalty does not exceed 20l.

XXXVI. Provided always, and it is hereby enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for any two or more Juſtices of the Peace, reſiding near the Place where the Offence ſhall be committed, to hear and determine any Offence againſt this Act, which ſubjects the Offender to any pecuniary Penalty not exceeding twenty Pounds: which ſaid Juſtices of the Peace are hereby authoriſed and required, upon any Information exhibited, or Complaint made, in that Behalf, to ſummon the Party accuſed, and alſo the Witneſſes on either Side, and upon the Appearance or Contempt of the Party, ſhall proceed to the Examination of the Matter of Fact; and upon due Proof made thereof, either by the voluntary Confeſſion of the Party, or by Oath of one or more credible Witneſs or Witneſſes, to give Judgment or Sentence for the Penalty or Forfeiture, according as in and by this Act is directed, and to award and iſſue out their Warrants, under their Hands and Seals, for the levying any pecuniary Penalties or Forfeitures ſo adjudged, on the Goods of the Offender, and to cauſe Sale to be made thereof, in caſe they ſhall not be redeemed within ſix Days, rendering to the Party the Overplus, if any; and where the Goods of ſuch Offender cannot be found ſufficient to anſwer the Penalty, to commit ſuch Offender to Priſon, there to remain until ſuch pecuniary Penalty ſhall be paid and ſatisfied; and if either Party ſhall find himſelf aggrieved by the Judgment of the ſaid Juſtices, then he or they ſhall or may, upon giving Security to the Amount of the Value of the Penalties and Forfeitures ſo awarded by ſuch two Juſtices, appeal to the Juſtices of the Peace at the next General Quarter Seſſions for that County, Riding, or Place, who are hereby impowered to ſummon and examine Witneſſes, upon Oath, and finally to hear and determine the ſame; and in caſe of Conviction, to iſſue Warrants for levying the Penalties as aforeſaid.

Perſons aggrieved may appeal to the Quarter Seſſions.

Juſtices may mitigate the Penalties.

XXXVII. Provided nevertheleſs, That it ſhall and may be lawful to and for the ſaid reſpective Juſtices, where they ſhall ſee Cauſe, to mitigate and leſſen any ſuch Penalties as they ſhall think fit, reaſonable Coſts and Charges of the Officers and Informers, as well in making the Diſcovery as in proſecuting the ſame, being always allowed over and above ſuch Mitigation, and ſo as ſuch Mitigation do not reduce the Penalties to leſs than double the Duties over and above the ſaid Coſts and Charges; any Thing contained in this Act, or any other Act of Parliament, to the contrary notwithſtanding.

Receiver general of Stamp-duties to pay the Duties granted by this Act into the Exchequer.

Auditor to keep a ſeparate Account thereof.

XXXVIII. And be it further enacted by the Authority aforeſaid, That the ſeveral Duties herein-before granted ſhall be paid, from Time to Time, into the Hands of the Receiver-general for the Time being of the Duties on ſtamped Vellum, Parchment, and Paper, who ſhall keep a ſeparate and diſtinct Account of the ſeveral Rates and Duties, and pay the ſame (the neceſſary Charges of raiſing, paying, and accounting for the ſame, being deducted) into the Receipt of the Exchequer, at ſuch Time, and in ſuch Manner, as the Duties now charged on ſtamped Vellum, Parchment, or Paper, are directed to be paid; and that in the Office of the Auditor of the ſaid Receipt ſhall be provided and kept a Book or Books, in which all the Monies ariſing from the ſaid ſeveral Rates and Duties, and paid into the ſaid Receipt as aforeſaid, ſhall be entered ſeparate and apart from all other Monies paid or payable to his Majeſty, his Heirs or Succeſſors, upon any Account whatſoever; and the ſaid Money, ſo paid into the ſaid Receipt of Exchequer as aforeſaid, ſhall, together with ſuch other Rates, Duties, and Revenues, as ſhall be granted by any Act or Acts of this Seſſion of Parliament for this Purpoſe, be a Fund for the Payment of the ſeveral Annuities, and all ſuch other Charges and Expences as are directed to be paid and payable purſuant to an Act of this preſent Seſſion of Parliament (intituled, *An Act for raiſing a certain Sum of Money by way of Annuities, and for eſtabliſhing a Lottery*).

Part of an Act of 9 Annæ repealed.

XXXIX. And be it further enacted by the Authority aforeſaid, That ſo much of an Act, made in the ninth Year of the Reign of her late Majeſty Queen *Anne*, (intituled, *An Act for eſtabliſhing a General Poſt-Office for all her Majeſty's Dominions, and for ſettling a weekly Sum out of the Revenues thereof for the Service of the War, and other her Majeſty's Occaſions*), as reſtrains any Perſons, other than the Poſtmaſter-general for the Time being, and the reſpective Deputies and Subſtitutes of ſuch Poſtmaſter-general, from preparing or providing, or from letting to Hire, or furniſhing Horſes or Furniture for riding Poſt within this Kingdom, ſhall be, and the ſame is hereby repealed and made void.

Perſons ſued for any Thing done in purſuance of this Act, may plead the General Iſſue, and recover Treble Coſts.

XL. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall at any Time or Times be ſued, moleſted, or proſecuted, for any Thing by him or them done or executed in purſuance of this Act, or of any Clauſe, Matter, or Thing, herein contained, ſuch Perſon or Perſons ſhall and may plead the General Iſſue, and give the ſpecial Matter in Evidence for his or their Defence; and if upon the Trial a Verdict ſhall paſs for the Defendant or Defendants, or the Plaintiff or Plaintiffs become nonſuited, then ſuch Defendant or Defendants ſhall have Treble Coſts awarded to him or them againſt ſuch Plaintiff or Plaintiffs.

## CAP. LII.

### An Act for taking off the Duty upon all Salt uſed in the curing of Pilchards, and laying a proportionable Duty upon all Pilchards conſumed at Home only.

Preamble. Recital of an Act 5 Geo. ‘WHEREAS, by an Act of Parliament, paſſed in the fifth Year of the Reign of his late Majeſty King *George* the firſt, intituled, *An Act for recovering the Credit of the* Britiſh *Fiſhery in foreign Parts, and for better ſecuring the Duties on Salt*, Pilchards cured for Exportation are exempted from the Payment of any Duty on Salt to his Majeſty, except the Cuſtoms payable on the Importation thereof: And whereas of late Times the Pilchard Fiſhery hath been ſo much increaſed, that the Demands of foreign Markets have been found inſufficient to take off and vend the Quantities of Pilchards cured at a Price adequate to encourage and preſerve a Fiſhery ſo valuable: And whereas, upon a ſerious View and Inveſtigation of the State of the ſaid Fiſhery, there is Reaſon to hope that the ſame

'may be preſerved, and carried on in its full Extent, if, under proper Regulations, a reaſonable Abate-
'ment were made in the Duty on Salt uſed in the curing of all ſuch Pilchards as may be appropriated for
'Home Conſumption;' be it thereſore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That, from and after the fifth Day of *July*, one thouſand ſeven hundred and ſeventy-nine, the Duties now payable on Salt uſed in curing of Pilchards for Home Conſumption, ſhall ceaſe, determine, and be no longer paid.

After July 5, 1779 Duties on Salt uſed in curing Pilchards for Home Conſumption, to ceaſe.

II. And be it further enacted by the Authority aforeſaid, That at the Beginning of every Fiſhing Seaſon for Pilchards, the Proprietor or Proprietors of the Salt delivered Duty-free for the curing of Pilchards for Exportation, purſuant to the ſaid Act, or his or their Agent or Agents, ſhall, inſtead of the Oath required by the ſaid Act, make Oath, in Writing, before the Officer for the Duty on Salt, at the Office neareſt to the Place where the Salt is lodged (who is hereby impowered to adminiſter the ſame), declaring the Quantity of the foreign or *Britiſh* Salt reſpectively lodged for the curing of Fiſh, and that all the ſaid Salt is intended for the curing of Fiſh for Exportation only, and ſhall not, by his or their Order, Conſent, or Connivance, directly or indirectly, be ſold, given away, or any Way delivered, but for the Purpoſe aforeſaid, except ſo much thereof as ſhall be uſed for curing ſuch Pilchards as ſhall be entered with the Officer of the Place for Home Conſumption, and charged with the Duties by this Act chargeable thereon.

New Oath to be taken by the Proprietors of Salt delivered Duty free at the Beginning of the fiſhing Seaſon for Pilchards, &c.

III. And be it enacted by the Authority aforeſaid, That every Curer of Pilchards, from and after the fifth Day of *July*, one thouſand ſeven hundred and ſeventy-nine, before he removes any Pilchards (except for Exportation) from the Office, Cellar, or Place, where the ſame ſhall be cured, ſhall, from Time to Time, make Entry thereof at the next Salt-office; and ſhall pay to his Majeſty, his Heirs and Succeſſors, a Duty of five Shillings and Two-pence Halfpenny for every Caſk or Barrel, containing fifty Gallons of cured Pilchards, ſo to be removed, and ſo in Proportion for a greater or leſs Quantity, in Lieu and full Satisfaction of any other Duty impoſed or laid on *Britiſh* or foreign Salt, to his Majeſty, in reſpect of Pilchards cured as aforeſaid, for Home Conſumption; and that no ſuch Curer ſhall ſell a leſs Quantity than twenty-five Gallons of Pilchards at any one Time; and that ſuch Pilchards ſhall be packed or put up in Caſks, each Caſk not containing leſs than twenty-five Gallons, and the Contents of ſuch Caſks ſhall be marked on the Heads thereof, by the proper Officer of the Commiſſioners of the Salt Duties; and upon Entry and Payment of the Duty, and marking ſuch Caſks as aforeſaid, a Permit ſhall be given *gratis* by the Salt-officer, expreſſing the Contents of the Caſks for which the Duty ſhall be paid, as aforeſaid, and the Marks of ſuch Caſks, and for what Place the ſame are intended, and whether to be ſent by Land or Water Carriage; on Pain of forfeiting all the Pilchards that ſhall be ſold in leſs Quantities than herein-before mentioned, or that ſhall be removed or carried away before Entry is made, and the Duty paid, and without the Caſks containing ſuch Quantity of Pilchards at the leaſt, and being marked, and ſuch Permit obtained as aforeſaid, and of the Caſk or Veſſel in which ſuch Pilchards ſhall be found, and alſo the Sum of forty Shillings for every twenty-five Gallons of Pilchards ſo ſold or removed, and ſo in Proportion for a greater or leſs Quantity, to be recovered from the Perſon or Perſons who ſhall ſo ſell, remove, or carry away, the ſame; one Moiety thereof for the Uſe of his Majeſty, his Heirs and Succeſſors, and the other Moiety to the Officer or Officers who ſhall ſeize, ſue, or inform for the ſame, to be ſued for, recovered, and levied, in ſuch Manner and Form, and with ſuch Power of Mitigation, as any Fine, Penalty, or Forfeiture, may be ſued for, recovered, levied, and mitigated, by any Law of Exciſe, or by Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*; and all and every Officer and Officers of his Majeſty's Cuſtoms, Exciſe, or Duties upon Salt, are hereby authoriſed and impowered to ſeize all ſuch Pilchards ſo ſold in leſs Quantities than herein-before mentioned, or removed or carried away before Entry and Payment of Duty, and all other Things performed as aforeſaid, and the ſaid Caſks or Veſſels wherein they ſhall be found.

Pilchards for Home Conſumption to be entered at the next Salt-office; and a Duty of 5 s. 2 d. Halfpenny to be paid for every Caſk of 50 Gallons.

No Curer to ſell leſs than 25 Gallons at a Time.

On Entry, and Payment of the Duty, &c. a Permit to be given gratis by the Salt-officer.

Penalty on ſelling in leſs Quantities than above-mentioned, &c.

IV. And be it further enacted, That no Perſon or Perſons purchaſing Pilchards to ſell by Retail ſhall, at any one Time, buy a leſs Quantity than twenty-five Gallons, and ſhall alſo be obliged, upon Demand, or Inquiry made of him or them for that Purpoſe, by any Officer or Officers of the Cuſtoms or Exciſe, in ſome reaſonable Time of the Day, to diſcover to ſuch Officer or Officers the Name or Names, and Place or Places of Abode, of the Curer or Vendor of any Quantity or Quantities of Pilchards then in his Poſſeſſion; and that if any ſuch Retailer ſhall purchaſe a leſs Quantity of Pilchards than is before mentioned, or ſhall, upon ſuch Demand or Inquiry, refuſe to diſcover the Name and Place of Abode of any ſuch Curer or Vendor, every Perſon ſo offending ſhall, in each Caſe, forfeit the Quantity or Quantities of Pilchards ſo purchaſed, or reſpecting which ſuch Demand or Inquiry ſhall be made, and the Caſk or Caſks (if any) wherein the ſame ſhall be contained, and alſo the Sum of forty Shillings, to be recovered by the Ways or Means, and in Manner herein-before mentioned or directed.

Retailers of Pilchards not to buy leſs than 25 Gallons at a Time, nor refuſe to diſcover the Names of the Curers.

Penalty.

V. And be it further enacted, That the Proprietor or Proprietors of the Salt delivered Duty-free for curing Pilchards for Exportation, his, her, or their Agent or Agents, ſhall in the Account which, after the End of every Fiſhing Seaſon, they are to deliver in Writing into the Salt-office, containing the Quantity of Fiſh exported, or entered and ſhipped to be exported, on which the Salt taken away, after its Delivery into the ſole Cuſtody of the ſaid Proprietor or Proprietors, his, her, or their Agent or Agents, has been uſed or conſumed, as by the former Law is directed (and under the Penalties thereby preſcribed), expreſs alſo the Quantity of Pilchards entered for Home Conſumption, on which ſuch Salt has been uſed or conſumed.

Proprietors of Salt delivered Duty-free for curing Pilchards for Exportation, are, in their Account at the End of the Seaſon, to expreſs the Quantity entered for Home Conſumption, on which ſuch Salt has been uſed.

VI. Provided always, and be it further enacted, That in caſe the Duties of Exciſe on Salt (which now amount to three Shillings and Four-pence *per* Buſhel on home-made Salt, and ſix Shillings and Eight-pence *per*

In caſe the Duties on Salt

*per* Buſhel on foreign Salt), or any of them, ſhall ceaſe, determine, or be redeemed by Parliament, then the Rate or Duty of five Shillings and Two-pence Halfpenny for every Caſk or Barrel, containing fifty Gallons, hereby impoſed upon cured Pilchards for Home Conſumption, ſhall ceaſe, or be leſſened in Proportion to the Duties on Salt that ſhall ſo ceaſe, determine, or be redeemed; any Thing herein contained to the contrary notwithſtanding.

ſhould be leſſened then the aforeſaid Rate on Pilchards ſhall be leſſened in Proportion.

## CAP. LIII.

### An Act for diſcontinuing the Duties on Cotton-wool, the Growth and Product of the *Britiſh* Colonies or Plantations in *America*, exported from this Kingdom.

'WHEREAS the Importation of Cotton-wool, the Growth and Product of the *Britiſh* Colonies and Plantations in *America*, may be increaſed, and the Manufacture thereof promoted and encouraged, if the Duties now payable on the Exportation thereof from this Kingdom are diſcontinued;' be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That, from and after the twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-nine, the Duties now payable upon Cotton-wool, the Growth or Produce of the *Britiſh* Colonies or Plantations in *America*, exported from this Kingdom to any Parts beyond the Seas, ſhall ceaſe, determine, and be no longer paid or payable; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Preamble.

After June 24, 1779, the Duties on the Exportation of Cotton-wool, the Growth of the Britiſh Colonies in America, ſhall ceaſe.

II. Provided always, and it is hereby further enacted by the Authority aforeſaid, That due Entries ſhall be made at the Cuſtom-houſe of all ſuch Cotton-wool, in the ſame Manner and Form, expreſſing the Quantities and Qualities thereof, as was uſed and practiſed before the making of this Act; and ſuch Cotton-wool ſhall be ſhipped outwards in the Preſence of the proper Officers of the Cuſtoms appointed for that Purpoſe; and the Exportation thereof ſhall be in *Britiſh*-built Ships or Veſſels, navigated according to Law; and on Failure of the ſaid Conditions and Directions, or any or either of them, the ſaid Cotton-wool ſhall be liable to the ſame Duty as if this Act had never been made; any Thing herein-before contained to the contrary notwithſtanding.

The aforeſaid Cotton-wool to be duly entered, and ſhipped in the Preſence of proper Officers, &c. or otherwiſe liable to the Duty.

## CAP. LIV.

An Act for further continuing, for a limited Time, an Act, made in the ſixteenth Year of the Reign of his preſent Majeſty, intituled, *An Act to authoriſe, for a limited Time, the Puniſhment, by Hard Labour, of Offenders who, for certain Crimes, are or ſhall become liable to be tranſported to any of his Majeſty's Colonies and Plantations.* [*Further continued to July* 1, 1779.]

## CAP. LV.

### An Act for enlarging the Times appointed for the Meetings of Commiſſioners or Truſtees for putting in Execution certain Acts of this Seſſion of Parliament.

'WHEREAS certain Acts may have been made and paſſed in this preſent Seſſion of Parliament, appointing the firſt Meetings of the Commiſſioners or Truſtees for putting ſuch Acts in Execution upon certain Days, which have elapſed before, or happened upon, the reſpective Days of paſſing ſuch Acts, and Doubts may ariſe, whether in ſuch Caſes the Commiſſioners or Truſtees appointed in and by ſuch Acts are authoriſed to meet and carry ſuch Acts into Execution;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That in caſe any Act or Acts of Parliament hath or have paſſed during this preſent Seſſion of Parliament, and the Commiſſioners or Truſtees for putting ſuch Act or Acts in Execution ſhall not have met and holden their firſt Meetings on the reſpective Days appointed by ſuch Acts reſpectively, or ſhall have met and holden any Meetings without ſufficient Authority ſo to do, it ſhall and may be lawful for ſuch Commiſſioners or Truſtees, or ſuch Number of them as by ſuch Acts are authoriſed to meet and to put ſuch Acts in Execution, to meet and proceed in the Execution of ſuch Acts reſpectively, on or before the Day Fortnight next after the End of this preſent Seſſion of Parliament; and all ſuch Meetings ſo had, ſhall and are hereby declared to be as good, valid, and effectual, to all Intents and Purpoſes whatſoever, as if the Commiſſioners or Truſtees had met and proceeded to put ſuch Acts in Execution on the Days appointed in and by ſuch reſpective Acts, or as if they had been authoriſed by ſuch reſpective Acts to have holden Meetings on the Days on which any Meetings may have been already holden, as aforeſaid; and all Acts, Matters, and Things, which ſhall be done by ſuch Commiſſioners or Truſtees in the Execution of ſuch Acts reſpectively, ſhall be as valid and effectual in all Reſpects, and to all Intents and Purpoſes whatſoever, as if their firſt Meetings had been held on the Days appointed by ſuch Acts reſpectively, or as if they had been authoriſed by ſuch reſpective Acts to have holden Meetings on the Days on which any Meetings may have been already holden as aforeſaid.

Preamble.

If the Commiſſioners or Truſtees appointed to execute any Act of this Seſſion, ſhall not have met as therein appointed, &c. they may meet on or before the Day Fortnight next after the End of this Seſſion.

## CAP. LVI.

An Act for altering, amending, and enforcing, ſo much of an Act, made in the ſeventeenth Year of the Reign of his preſent Majeſty, intituled, *An Act for granting to his Majeſty certain Duties on Licences to be taken out by all Perſons acting as Auctioneers; and certain Rates and Duties on all Lands, Houſes, Goods, and other Things, ſold by Auction; and upon Indentures, Leaſes, Bonds, Deeds, and other Inſtruments*; as relates to the Method of granting Licences to Auctioneers, and to the collecting the Duties on Eſtates and Goods ſold by Auction.

Preamble. 17 Geo. III. Cap. 50, recited.

'WHEREAS by an Act, made in the ſeventeenth Year of the Reign of his preſent Majeſty, intituled, *An Act for granting to his Majeſty certain Duties on Licences to be taken out by all Perſons acting as Auctioneers; and certain Rates and Duties on all Lands, Houſes, Goods, and other Things, ſold by Auction; and upon Indentures, Leaſes, Bonds, Deeds, and other Inſtruments*; certain Duties were impoſed on all Licences to be taken out by Perſons ſelling Eſtates, Goods and Chattels, by Auction, and on the Purchaſe-money of the Things ſo ſold: And whereas the Powers, Rules, and Regulations, therein preſcribed for aſcertaining, ſecuring, and collecting, the ſaid Duties, and for preventing Frauds therein, have been found ineffectual to ſecure the Payment thereof; and the ſaid Duties have, by reaſon of various Frauds and Evaſions, been greatly decreaſed or withheld; for Remedy thereof, and for the better ſecuring the Payment of the ſaid Duties,' be it enacted by the King's moſt excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That, from and after the fifth Day of *July*, one thouſand ſeven hundred and ſeventy-nine, the ſeveral Powers, Rules, Regulations, and Proviſions, by the ſaid Act given and directed, for granting Licences to Auctioneers, and for collecting and managing the Duties by the ſaid Act impoſed on Licences to be granted to Perſons ſelling by Auction, and on the Purchaſe-money of the Eſtates, Goods, and Effects ſo ſold, ſhall ceaſe and determine, and be no longer uſed, except in all Caſes relating to the Recovery of any Arrears which may at that Time remain unpaid of the ſaid Duties, or to any Penalty or Forfeiture which ſhall have been incurred upon, or at any Time before, the ſaid fifth Day of *July*, one thouſand ſeven hundred and ſeventy-nine, any Thing herein contained to the contrary notwithſtanding.

Part of the ſaid Act repealed.

The Duty granted by the former Act of 6 d. in the Pound out of the Purchaſe-money of Plate and Jewels, repealed;

'II. And whereas, by the ſaid recited Act, it is, amongſt other Things, enacted, That, from and after the twenty-ninth Day of *September*, one thouſand ſeven hundred and ſeventy-ſeven, there ſhall be raiſed, levied, collected, and paid, in ſuch Manner as in the ſaid Act is mentioned, to and for the Uſe of his Majeſty, his Heirs and Succeſſors, the Sum of Six-pence for every twenty Shillings, out of the Purchaſe-money ariſing by Sale at Auction of all Plate and Jewels: And whereas the ſaid Duty of Six-pence in every twenty Shillings, out of the Purchaſe-money of the ſaid Goods, has been found to prevent, in a great Meaſure, the Sale of the ſaid Goods by Auction, to the Prejudice of the Revenue intended to be raiſed by the ſaid Act;' be it therefore enacted by the Authority aforeſaid, That, from and after the ſaid fifth Day of *July*, one thouſand ſeven hundred and ſeventy-nine, the ſaid Duty of Six-pence in every twenty Shillings, out of the Purchaſe-Money of the ſaid Goods, ſhall be, and the ſame is hereby repealed;

and a Duty of 3 d. in the Pound ſubſtituted inſtead thereof.

and that the Sum of Three-pence for every twenty Shillings, out of the Purchaſe-money ariſing by Sale at Auction of all Plate and Jewels, ſhall be raiſed, levied, and collected, to and for the Uſe of his Majeſty, his Heirs and Succeſſors; the ſaid Duty to be paid, accounted for, recovered, and applied, in ſuch and the like Manner as the other Rates and Duties, granted by the ſaid recited Act upon Sales by Auction, are directed to be paid, accounted for, recovered, and applied; any Thing therein, or in this preſent Act, contained to the contrary notwithſtanding.

No Perſon to ſell Eſtates, Goods, &c. as an Auctioneer, without having taken out a Licence.

'III. And, for the better preventing the like Frauds, and for the more effectual ſecuring the Payment of the Duties by the ſaid Act impoſed,' be it further enacted by the Authority aforeſaid, That, from and after the ſaid fifth Day of *July*, one thouſand ſeven hundred and ſeventy-nine, no Perſon whatever, not already licenſed according to the ſaid Act, who now, or at any Time or Times hereafter doth or ſhall exerciſe the Trade or Buſineſs of an Auctioneer, or Seller by Commiſſion, at any Sale of any Eſtate, Goods, or Effects whatſoever, by Outcry, knocking down of Hammer, by Candle, by Lot, by Parcel, or by any other Mode of Sale at Auction, or whereby the higheſt Bidder is deemed to be the Purchaſer, or who ſhall act in ſuch Capacity, ſhall preſume to deal in, vend, or ſell, any Eſtate, Goods, or Effects whatſoever, by public Sale or otherwiſe, by way of Auction as aforeſaid, in any Manner whatſoever, without firſt taking out a Licence, in Manner herein-after mentioned, before he, ſhe, or they ſhall ſo put up to Sale, or ſell, any ſuch Eſtate, Goods, or Effects, by public Sale, by way of Auction, as aforeſaid; and in which Licence ſhall be ſet forth the true Name and real Place of Abode of the Perſon or Perſons taking out the ſame, for which he, ſhe, or they ſhall immediately, upon taking out thereof, pay down for each and every Licence, ſo to be taken out from Time to Time, the ſeveral Sums of twenty Shillings and five Shillings, by the ſaid Act granted, over and beſides any other Duties or Payments to which ſuch Perſon or Perſons may be liable for trading in, vending, or ſelling, any Gold or Silver Plate, or otherwiſe, in Manner following; that is to ſay, If ſuch Licenſes be taken out within the Limits of the Chief Office of Exciſe in *London*, then ſuch Licences, whether they be granted for ſelling by way of Auction within the ſaid Limits, or in any other Part of *England* or *Wales*, ſhall be granted under the Hands and Seals of two or more of his Majeſty's Commiſſioners for the Duties of Exciſe for the Time being, or of ſuch Perſon or Perſons as the Commiſſioners of Exciſe ſhall from Time to Time appoint for that Purpoſe, and the ſaid reſpective Duties ſhall be paid at the ſaid Chief Office of Exciſe in *London*; but if the Licence for ſelling by Auction, in the

Where Licences ſhall be taken out for England and Wales;

the Parts of *England* and *Wales* not within the ſaid Limits, ſhall be taken out without the Limits aforeſaid, then ſuch Licences ſhall be granted under the Hands and Seals of the ſeveral Collectors and Surveyors of Exciſe within their reſpective Collections and Diſtricts, and the ſaid Duty of five Shillings, by the ſaid Act impoſed, ſhall be paid for the ſame to the Collector of Exciſe who ſhall grant and deliver the ſame: And in caſe ſuch Licences ſhall be taken out within the Limits of the Chief Office of Exciſe in *Scotland*, ſuch Licences ſhall be granted under the Hands and Seals of two or more of his Majeſty's Commiſſioners of Exciſe in *Scotland* for the Time being, or of ſuch Perſon or Perſons as the Commiſſioners of Exciſe in *Scotland* ſhall appoint for that Purpoſe; and the Duty of five Shillings, by the ſaid Act impoſed for the ſame, ſhall be paid at the Chief Office of Exciſe in *Scotland*, in the ſame Manner as is herein-before deſcribed in regard to the Licences to be taken out within the Limits of the Chief Office of Exciſe in *London*; but if ſuch Licences ſhall be taken out in any Part of *Scotland*, not within the Limits of the Chief Office of Exciſe in *Scotland*, then ſuch Licences ſhall be granted under the Hands and Seals of the ſeveral Collectors and Surveyors of Exciſe in *Scotland*, within their reſpective Collections and Diſtricts, and the ſaid Duty, by the ſaid Act impoſed for the ſame, ſhall be paid, by each and every Perſon and Perſons ſo taking out ſuch Licences, to the Collector of Exciſe who ſhall ſo grant and deliver the ſame; and ſuch reſpective Commiſſioners of Exciſe, and the Perſons ſo to be appointed, as aforeſaid, by them reſpectively, and alſo ſuch Collectors are hereby reſpectively authoriſed and required to grant and deliver ſuch Licences to the Perſons who ſhall apply for the ſame, upon their paying the Duty by the ſaid Act directed to be paid for each and every ſuch Licence.

and where for Scotland.

IV. And be it further enacted by the Authority aforeſaid, That every Perſon or Perſons already licenſed, or who, after the ſaid fifth Day of *July*, one thouſand ſeven hundred and ſeventy-nine, ſhall take out any ſuch Licence as aforeſaid, is and are hereby required to take out a freſh Licence, ten Days at leaſt before the Expiration of twelve Calendar Months after taking out the firſt Licence, before he, ſhe, or they do preſume to vend or ſell, by way of Auction, as aforeſaid, and in the ſame Manner to renew every ſuch Licence from Year to Year, paying down the like Sum of twenty Shillings, or five Shillings, reſpectively, by the ſaid Act impoſed for each and every new or renewed Licence, at the Place and at the Times before mentioned: And if any Perſon or Perſons not already licenſed as aforeſaid, ſhall preſume or offer to vend or ſell by way of Auction as aforeſaid, without firſt taking out ſuch Licence, or without renewing the ſame yearly in Manner as aforeſaid, ſuch Perſon or Perſons ſhall, if the Offence ſhall be committed within the Limits of the Chief Office of Exciſe in *London*, forfeit and loſe, for every ſuch Offence, the Sum of one hundred Pounds; and if ſuch Offence ſhall be committed in any Place without the ſaid Limits, then ſuch Perſon or Perſons ſhall, for every ſuch Offence, forfeit and loſe the Sum of fifty Pounds.

Licences to be renewed annually.

Penalty on ſelling Goods, &c. by Auction without a Licence, or without duly renewing the ſame.

'V. And whereas, by the ſaid recited Act, a Rate or Duty of Three-pence is to be raiſed, levied, collected, and paid, for every twenty Shillings of the Purchaſe-money ariſing by Sale at Auction of any Intereſt, in Poſſeſſion or Reverſion, in any Freehold, Copyhold, or Leaſehold Lands, Tenements, Houſes, or Hereditaments, and of any Annuities or Sums of Money charged thereon, and of any Utenſils in Huſbandry and Farming Stock, Ships, and Veſſels, and of any reverſionary Intereſts in the Public Funds, and the Sum of Six-pence for every twenty Shillings out of the Purchaſe-money ariſing by Sale at Auction of all Fixtures, Furniture, Plate, Jewels, Pictures, Books, Horſes, and Carriages, and all other Goods and Chattels whatſoever: And whereas it may be doubted whether the ſaid reſpective Rates and Duties ſo impoſed as aforeſaid, are payable for any Part of ſuch Purchaſe-money not amounting to the Sum of twenty Shillings: Now, to obviate all ſuch Doubts,' it is hereby enacted and declared by the Authority aforeſaid, That the ſaid reſpective Rates and Duties of Three-pence and Six-pence ſo impoſed, as aforeſaid, was intended to be charged, and is hereby declared to be charged and chargeable, for every twenty Shillings of the ſaid Purchaſe-money, and in Proportion for any greater or leſſer Sum of the Purchaſe-money ariſing or to ariſe by Sales at Auction.

The ſeveral Duties of 3d. and 6d. in the Pound, granted by the former Act, are to be charged in Proportion for any greater or leſs Sum.

VI. And be it further enacted by the Authority aforeſaid, That from and after the ſaid fifth Day of *July*, one thouſand ſeven hundred and ſeventy-nine, the ſaid reſpective Rates and Duties of Three-pence and Six-pence by the ſaid Act impoſed, ſhall be, and are hereby declared to be, a Charge upon every Auctioneer or Seller by Commiſſion, immediately from and after the knocking down of the Hammer, or other cloſing of the Bidding, at every Sale by way of Auction, and that the Rates and Duties ſo charged ſhall be paid, by every ſuch Auctioneer or Seller by Commiſſion, in Manner and at the Times herein-after mentioned.

After July 5, 1779, the aforeſaid Duties ſhall be a Charge upon the Auctioneer immediately after the cloſing of every Sale.

VII. And be it further enacted by the Authority aforeſaid, That, from and after the ſaid fifth Day of *July*, one thouſand ſeven hundred and ſeventy-nine, every Perſon not already licenſed, acting as Auctioneer as aforeſaid, at any public Sale or Auction within the Limits of the Chief Office of Exciſe in *London*, ſhall, at the Time of receiving the Licence, give Security by Bond to his Majeſty, his Heirs and Succeſſors, in the Sum of two hundred Pounds, with two or more ſufficient Sureties, which Security the Commiſſioners for the Duty of Exciſe for the Time being, or any two or more of them, or ſuch Perſon or Perſons as the ſaid Commiſſioners of Exciſe ſhall from Time to Time appoint to deliver out the Licences as aforeſaid, is and are hereby authoriſed and impowered to take, that he will, within twenty-eight Days after each and every Sale by way of Auction, deliver, at the Chief Office of Exciſe in *London*, to the Perſon or Perſons who ſhall be appointed by the Commiſſioners of Exciſe to receive the ſame, an exact and particular Account in Writing of the total Amount of the Money bid at each Sale, and of the ſeveral Articles, Lots, or Parcels, which ſhall have been there ſold, and the Price of each and every ſuch Article, Lot, or Parcel; and at the ſame Time make Payment of all ſuch Sum and Sums of Money as ſhall be due and payable to his Majeſty, in purſuance of, and according to the true Intent and Meaning of this Act; which Sum or Sums of Money he is hereby authoriſed and impowered to retain out of the Produce ariſing by ſuch Sale, or Depoſit made at ſuch Sale, or otherwiſe recover the ſame by Action of Debt, or on the

Every Auctioneer within the Limits of the Exciſe-office in London, when he takes out his Licence, ſhall be bound to his Majeſty, in 200l. with Sureties, that he will, within 28 Days after each Sale, deliver, at the ſaid Office, a particular Account thereof, &c.

Caſe, againſt the Perſon or Perſons by whom ſuch Auctioneer ſhall be employed, or on whoſe Account ſuch Goods ſhall be ſo ſold; and every Perſon ſo acting as Auctioneer, or the Perſon who acted as his Clerk at ſuch Sale, if any, ſhall make Oath to the Truth of each and every ſuch Account before the Commiſſioners of Exciſe, or one of them, or before ſuch Perſon as the ſaid Commiſſioners of Exciſe ſhall appoint to receive the ſame; which Oath the ſaid Commiſſioners of Exciſe, or one of them, or other Perſon ſo to be appointed as aforeſaid, is and are hereby authoriſed and impowered to adminiſter: And in caſe the Auctioneer giving ſuch Bond ſhall neglect to deliver in his Account, or to make Payment of the Rates and Duties as herein directed; or if it ſhall appear that the Account delivered in by ſuch Auctioneer was not a true and juſt Account, or that the ſaid Auctioneer hath acted contrary to the true Intent and Meaning of ſuch Bond, and of this preſent Act, it ſhall and may be lawful for the ſaid Commiſſioners of Exciſe to cauſe ſuch Bond to be put in Suit, unleſs they ſhall find ſufficient Cauſe to forbear the ſame, and thereupon, in caſe of a Verdict or Judgment againſt the Defendant, ſuch Licence ſhall thenceforth become void to all Intents and Purpoſes.

and ſhall make Oath to the Truth of ſuch Account.

If Auctioneer ſhall not fulfil the Conditions of the Bond, Commiſſioners of Exciſe may put it in Suit.

VIII. And be it further enacted by the Authority aforeſaid, That each and every Perſon ſo acting as aforeſaid, at every ſuch public Auction, in any Part of *Great Britain* not within the Limits of the ſaid Chief Office of Exciſe in *London*, ſhall, at the Time of receiving ſuch Licence, as aforeſaid, give Security by Bond as aforeſaid, in the Sum of fifty Pounds, which Security ſhall be taken by the reſpective Commiſſioners of Exciſe in *Great Britain*, or any two or more of them, reſpectively, or by ſuch Perſon or Perſons as the ſaid Commiſſioners of Exciſe reſpectively ſhall appoint to deliver out the ſaid Licences, in like Manner as is herein-before mentioned and directed with regard to the Bonds to be given within the Limits of the Chief Office of Exciſe in *London*, that he will, within ſix Weeks after every Sale by Auction, deliver in an exact and particular Account, in Manner as is herein-before required to be delivered by Perſons ſelling by Auction within the Limits of the ſaid Chief Office of Exciſe in *London*; and ſhall, at the ſame Time, make Payment of all ſuch Sum and Sums of Money as ſhall be due and payable to his Majeſty, for and on account of each and every Sale by way of Auction by him made, from Time to Time, within ſuch ſix Weeks reſpectively; and all the Powers, Directions, Penalties, and Forfeitures, herein-before preſcribed or contained, for the better levying, ſecuring, or accounting for, the ſaid Rates or Duties within the Limits of the ſaid Chief Office of Exciſe in *London*, ſhall be obſerved in all other Parts of *Great Britain*, as if the ſame were again particularly repeated and re-enacted.

Every Auctioneer in Great Britain, not within the Limits of the Exciſe-office in London, ſhall give Security as aforeſaid in 50 l. that he will, within ſix Weeks after each Sale, deliver in a particular Account thereof, &c.

IX. And be it further enacted by the Authority aforeſaid, That, from and after the ſaid fifth Day of *July*, one thouſand ſeven hundred and ſeventy-nine, every ſuch Auctioneer, or Seller by Commiſſion, ſelling by Auction within the Limits of the ſaid Chief Office of Exciſe in *London*, ſhall, two Days at leaſt before he, ſhe, or they do begin any Sale by way of Auction, deliver, or cauſe to be delivered, at the ſaid Chief Office of Exciſe, to the Perſon who ſhall be appointed by the Commiſſioners of Exciſe to receive the ſame, a Notice in Writing, ſigned by ſuch Auctioneer, ſpecifying in ſuch Notice the particular Day when ſuch Sale by Auction is to begin; and ſhall, at the ſame Time, or within twenty-four Hours after, deliver, or cauſe to be delivered, to the Perſon ſo to be appointed as aforeſaid, a written or printed Catalogue, atteſted and ſigned by ſuch Auctioneer, or his known Clerk; in which Catalogue ſhall be particularly expreſſed and enumerated each and every Article, Lot, Parcel, and Thing, by ſuch Auctioneer intended to be ſold at ſuch Auction; and every ſuch Auctioneer, ſelling by Auction in any Part of *Great Britain*, not within the Limits of the ſaid Chief Office of Exciſe in *London*, ſhall, at leaſt three Days before he, ſhe, or they do begin any Sale by way of Auction, deliver, or cauſe to be delivered, to the Collector of Exciſe, in whoſe Collection ſuch Sale is intended to be, or at the Office of Exciſe next to the Place where ſuch Sale is intended to be, a like Notice in Writing, ſigned by ſuch Auctioneer, ſpecifying therein the particular Day when ſuch Sale is to begin; and ſhall, at the ſame Time, or within twenty-four Hours after, deliver, or cauſe to be delivered, to ſuch Collector, or at the Office of Exciſe next to the Place where ſuch Sale is intended to be, a written or printed Catalogue, atteſted and ſigned by ſuch Auctioneer, or his known Clerk; in which Catalogue ſhall be particularly expreſſed and enumerated each and every Article, Lot, Parcel, and Thing, by ſuch Auctioneer intended to be ſold at ſuch Auction: And if any ſuch Auctioneer ſhall preſume to ſell any Eſtate, Goods, or Effects, by way of Auction, without delivering the Notices and Catalogues herein-before required to be delivered, or ſhall, at any ſuch Sale, ſell any Eſtate, Goods, or Effects, not particularly expreſſed or enumerated in ſuch Catalogue, every ſuch Auctioneer ſhall, for every ſuch Offence, forfeit and loſe the Sum of twenty Pounds.

Auctioneers to deliver, at the Exciſe-office, &c. previous Notice of each Sale; and likewiſe an atteſted Catalogue containing an exact Enumeration of the Particulars to be ſold;

on Penalty of 20 l.

X. And be it further enacted by the Authority aforeſaid, That if any ſuch Auctioneer, ſo ſelling by Auction at any Place within *England* or *Wales*, not within the Limits of the ſaid Chief Office of Exciſe in *London*, ſhall not be prepared to deliver in the Account, by this Act required, to the Collector of Exciſe within whoſe Collection ſuch Notice was delivered, and ſuch Sale by Auction made, then, and in ſuch Caſe, ſuch Auctioneer ſhall, and he is hereby permitted and required to deliver in his Account of ſuch Sale, within ſix Weeks after every ſuch Sale, at the ſaid Chief Office of Exciſe in *London*, and to the Perſon appointed to receive the ſame, and ſhall, at the ſame Time, deliver to the ſame Perſon a true Copy of the Notice, and of the Catalogue by him before delivered to the ſaid Collector; and if any ſuch Auctioneer ſhall neglect to deliver ſuch Copy of the ſaid Notice, or of the ſaid Catalogue, every Auctioneer offending therein ſhall, for each Offence, forfeit and loſe the Sum of twenty Pounds.

Any Auctioneer in England or Wales, not within the Limits of the Exciſe-office in London, who ſhall not be prepared to deliver in his Account of any Sale to the Collector of Exciſe, ſhall, within ſix Weeks after ſuch Sale, deliver it at the Exciſe-office in London.

'XI. And whereas it may ſometimes happen that Sales at Auction of Eſtates or Goods may be rendered null and void, by reaſon that the Perſon, for whoſe Benefit the ſame ſhall be ſold, had no Title to, or no Right to diſpoſe of, the ſame;' be it further enacted by the Authority aforeſaid, That, from and after the ſaid fifth Day of *July*, one thouſand ſeven hundred and ſeventy-nine, if any Sale by Auction of any Eſtate, Goods, or Chattels, ſhall be rendered void, by reaſon that the Perſon for whoſe Benefit the ſame

If the Sale by Auction of any Eſtate, &c. ſhall be rendered void, owing to a defective Title, the

ſame was ſold had no Title to the ſame, or no Right to diſpoſe thereof, then, and in every ſuch Caſe, it ſhall and may be lawful for the Auctioneer, who paid the Duty for the Thing ſo ſold, or for the Perſon for whoſe Benefit the ſame was ſo ſold, to lay his, her, or their Complaint before the Commiſſioners of Exciſe, or Juſtices of the Peace, within whoſe Juriſdiction reſpectively ſuch Sale was made; and the ſaid Commiſſioners of Exciſe, or Juſtices of the Peace, reſpectively, upon ſuch Complaint to them made, by or on the Behalf of ſuch Auctioneer, or by or on the Behalf of the Perſon for whoſe Benefit the ſame was ſold, ſhall, and are required to hear and determine all ſuch Complaints, and examine the Witneſſes upon Oath which ſhall be produced, as well on the Behalf of the Party making ſuch Complaint, as on the Behalf of all and every other Party and Parties; which Oath they have hereby Power to adminiſter; and thereupon, or by other due Proof, to relieve the Party ſo complaining of ſo much of his, her, or their reſpective Payments, as ſhall be ſo made out before them to have been over-paid; any Thing in this Statute to the contrary notwithſtanding.

Auctioneer, &c. may complain to the Commiſſioners of Exciſe, or Juſtices of Peace; who ſhall hear and determine the ſame.

XII. Provided alſo, and it is hereby enacted by the Authority aforeſaid, That in caſe the real Owner of any Eſtate, Goods, or Effects, put up to Sale by way of Auction, ſhall become the Purchaſer, by means of his own Bidding, or the Bidding of any other Perſon on his Behalf, or for his Uſe, at ſuch Sale, without Fraud or Colluſion, then, and in ſuch Caſe, the reſpective Commiſſioners of Exciſe in *Great Britain*, and ſuch Collectors, Surviſors, and other Officers of Exciſe, as are hereby reſpectively authoriſed, within their reſpective Collections and Diſtricts, to receive the ſaid Duties, are hereby authoriſed and required to make an Allowance to ſuch Owner of the Duties ariſing by this Act upon ſuch Bidding; provided Notice be given to the Auctioneer before ſuch Bidding, both by the Owner and the Perſon intended to be the Bidder, of the latter being appointed by the former, and having agreed accordingly to bid at the Sale for the Uſe and Behoof of the Seller; and provided ſuch Notice be verified by the Oath of the Auctioneer, as alſo the Fairneſs and Reality of the ſaid Tranſaction, to the beſt of his Knowledge and Belief; and in caſe any Diſpute ſhall ariſe whether ſuch Purchaſe by the Owner was not made by Colluſion, or in order to leſſen the full Sum appointed by this Act to be paid, or concerning the Fairneſs of ſuch Tranſaction, then, and in ſuch Caſes, the Proof thereof ſhall lie upon the Perſon acting as Auctioneer; and on Failure therein, or in caſe of any unfair Practice, then no ſuch Allowance ſhall be made as aforeſaid; any Thing herein contained to the contrary notwithſtanding.

Where Owners of Eſtates, &c. bid themſelves, or employ others to bid for them, an Allowance of the Duties is to be made accordingly; provided Notice be given to the Auctioneer that ſuch Perſons are to bid for the Owners, &c.

XIII. Provided always, and it is hereby further enacted by the Authority aforeſaid, That nothing in this Act contained ſhall extend to any Sale or Sales, by way of Auction, of Eſtates or Chattels, made by any Rule, Order, or Decree, of his Majeſty's Court of Chancery, or of Exchequer in *England*, before the Maſter in Chancery, or the Deputy Remembrancer of the ſaid Court of Exchequer; or by any Order or Decree of the Courts of Great Seſſions in *Wales*, or by any Order or Decree of the Court of Seſſion or Exchequer in *Scotland* reſpectively; or to any ſuch Sales made by the *Eaſt India* Company, or the *Hudſon's Bay* Company; or by Order of his Majeſty's Commiſſioners for the Duties of Cuſtoms or Exciſe; or by Order of the Board of Ordnance, or Commiſſioners of the Navy or Victualling Offices; nor to the Sale by Auction of any Goods diſtrained for Rent, or for Nonpayment of Tithes; any Thing herein-before to the contrary notwithſtanding.

Certain Auctions to which this Act ſhall not extend.

XIV. Provided alſo, That nothing in this Act contained ſhall extend to any Auction to be held, on the Account of the Lord or Lady of any Manor, for the granting any Copyhold or Cuſtomary Meſſuages, Lands, or Tenements, for the Term of a Life or Lives, or any Number of Years; or to any Auction to be held for the letting or demiſing any Meſſuages, Lands, or Tenements, for the Term of a Life or Lives, or any Number of Years, to be created by the Perſon or Perſons on whoſe Account ſuch Auction ſhall be held; or to the Sale or Sales of any Woods, Coppices, Produce of Mines or Quarries, or to any Contract relating thereto, or to the cutting or working the ſame, or to the Sale of any Materials uſed in the working of ſuch Mines or Quarries reſpectively; or to the Sale of any Cattle, and live or dead Stock, or unmanufactured Produce of Land; ſo as ſuch Sale or Sales of Woods, Coppices, Produce of Mines or Quarries, Cattle, Corn, Stock, or Produce of Land, be made whilſt they continue on the Lands producing the ſame, and by the Owner or Owners of ſuch Lands, or Proprietor or Proprietors of, or Adventurer or Adventurers in, ſuch Mines, or Quarries reſpectively, or by his or their Steward or Agent, Stewards or Agents; any Thing herein contained to the contrary notwithſtanding.

Not to extend to Auctions for granting Copyhold or Cuſtomary Lands, &c.

XV. Provided alſo, and it is hereby further enacted by the Authority aforeſaid, That nothing in this or in the ſaid recited Act contained ſhall extend, or be conſtrued to extend, to charge with the ſaid Rate or Duty, any Eſtate, Goods, or Chattels, ſold at Auction, under the Authority of any Sheriff or Under-ſheriff, for the Benefit of Creditors, in Execution of any Judgment had or obtained; or any Eſtate or Effects of Bankrupts, ſold by Order of the Aſſignee or Aſſignees under any Commiſſion of Bankruptcy; or any Goods imported into this Kingdom, by way of Merchandize, from any *Britiſh* Colony or Plantation in *America*, the ſame being of the Growth, Produce, or Manufacture, of the ſaid Colonies or Plantation, on the firſt Sale of ſuch Goods, by or for the Account of the original Importer to whom the ſame were conſigned, and by whom they were entered at the Cuſtom-houſe at the Port of Importation, ſo as ſuch Sale be made within twelve Months after ſuch Goods ſhall be ſo imported; nor to any Ships, or their Tackle, Apparel, and Furniture, or the Cargoes thereof, which may be taken and condemned as Prize, which ſhall be ſold in this Kingdom, by or for the Benefit of the Captors thereof; nor to charge with the ſaid Rate or Duty any Ships or Goods that may be wrecked or ſtranded on the Coaſts of this Kingdom, and ſold by Auction for the Benefit of the Inſurers or Proprietors thereof, or which may be ſold, free of Duty, to defray the Charges of Salvage; nor to charge with the ſaid Rate or Duty any Goods damaged by Fire, and ſold by Order of and for the Benefit of the Inſurers of ſuch Goods; nor to Sales made by Truſtees choſen in purſuance of an Act, made in the twelfth Year of the Reign of his preſent Majeſty, intituled, *An Act for rendering the Payment of the Creditors of Inſolvent Debtors more equal and expeditious; and for regulating the Diligence of the Law by Arreſtment and Poinding; and for extending the Privilege of*

Neither this Act nor the former Act to extend to any Sale under a Sheriff's Authority for the Benefit of Creditors; nor to Effects of Bankrupts ſold by Order of Aſſignees, &c.

*Bills to Promiſſory Notes; and for limiting Actions upon Bills and Promiſſory Notes, in that Part of* Great Britain *called* Scotland; any Thing herein contained to the contrary notwithſtanding.

After July 5, 1779, Auctioneers ſelling any Effects, &c. ſeized by a Sheriff in Execution, ſhall enumerate the Particulars thereof in the Catalogue to be delivered by them, which ſhall be certified by the Sheriff, &c.;

And Auctioneers employed to ſell the Effects of any Bankrupt, ſhall enumerate the Particulars in the Catalogue as aforeſaid, which ſhall be certified by the Aſſignees, &c.

Penalty on Sheriff, &c. or Aſſignee, who ſhall ſuffer an Eſtate, &c. to be inſerted in the Catalogue which was not the Property of the Debtor or Bankrupt.

Auctioneers employed to ſell Goods damaged by Fire, for the Benefit of the Inſurers, ſhall enumerate the Particulars in the Catalogue, which ſhall be certified by the Inſurers.

Penalty on Inſurers who ſhall ſuffer to be inſerted in the Catalogue any Goods other than ſuch as were to be ſold for their Benefit, &c.

Penalties and Forfeitures how to be recovered and applied.

'XVI. And for the better and more effectual preventing Frauds which may be practiſed by Auctioneers 'ſelling Eſtates, Goods, or Chattels, under the Authority of Sheriffs, or their Under-ſheriffs, or under 'the Order and Direction of the Aſſignees under any Commiſſion of Bankruptcy;' be it further enacted by the Authority aforeſaid, That, from and after the ſaid fifth Day of *July*, one thouſand ſeven hundred and ſeventy-nine, every Auctioneer who ſhall ſell at Auction any Eſtates, Goods, or Chattels, that have been ſeized by any Sheriff or Under-ſheriff, or by their Authority, and by them, or either of them, taken for the Benefit of Creditors, in Execution of any Judgment had and obtained, ſhall ſpecify and enumerate, in the Catalogue by him to be delivered under the Directions of this Act, as well the particular Eſtates and Effects to be ſold, and alſo the exact Sum to be levied under ſuch Execution; and the Sheriff or Under-ſheriff reſpectively ſhall, and they are hereby required to ſubſcribe and ſign every ſuch Catalogue, and to certify at the Foot thereof, that all and every the Eſtates, Goods, and Effects, in ſuch Catalogue reſpectively ſpecified and enumerated, were really and truly the Property of the Perſon againſt whom ſuch Judgment was had and obtained, and that the ſame, and every Part thereof, were actually ſeized in Execution of the ſame Judgment; and every Auctioneer who ſhall be employed, by the Aſſignees under any Commiſſion of Bankruptcy, to ſell the Effects of any Bankrupt, ſhall likewiſe ſpecify and enumerate, in the Catalogue to be by him delivered as aforeſaid, the particular Goods and Effects then to be ſold; and the Aſſignees, or Aſſignee, if only one under ſuch Commiſſion, ſhall, and he and they is and are hereby required to ſubſcribe and ſign ſuch Catalogue, and to certify, at the Foot thereof, that all and every the Eſtates, Goods, Chattels, and Effects, in ſuch Catalogue reſpectively ſpecified and enumerated, were really and truly the Property of the ſaid Bankrupt at the Time of ſuing forth the ſaid Commiſſion; which reſpective Catalogue, ſo ſigned and certified as aforeſaid, ſhall be produced by every ſuch Auctioneer, to the Perſon to whom ſuch Auctioneer is by this Act directed to deliver his Account, before ſuch Auctioneer ſhall be permitted to paſs his Account, or to have the ſame allowed: And if ſuch Sheriff, Under-ſheriff, Aſſignee, or Aſſignees reſpectively, ſhall inſert, or ſuffer or permit to be inſerted, in any ſuch Catalogue ſo to be ſubſcribed, ſigned, and certified, as aforeſaid, any Eſtate, Goods, Chattels, or Effects whatſoever, other than ſuch as were really and truly the Property of the Debtor or Debtors, Bankrupt or Bankrupts, as aforeſaid, reſpectively; or if any Sheriff or Under-ſheriff ſhall omit or neglect to certify on ſuch Catalogue the true Sum to be levied, or ſhall certify thereon any falſe Sum to be levied, then, and in every ſuch Caſe, the Party offending ſhall, for every ſuch Offence reſpectively, forfeit and loſe the Sum of twenty Pounds.

XVII. And be it further enacted by the Authority aforeſaid, That, from and after the ſaid fifth Day of *July*, one thouſand ſeven hundred and ſeventy-nine, every Auctioneer who ſhall be employed to ſell any Goods damaged by Fire, ſold by Order of, and for the Benefit of, the Inſurer or Inſurers of ſuch Goods, ſhall ſpecify and enumerate, in the Catalogue to be by him delivered as aforeſaid, the particular Goods then to be ſold; and the Inſurers, or the Inſurer, if only one, ſhall, and he and they is and are hereby required to ſubſcribe and ſign ſuch Catalogue, and to certify, at the Foot thereof, that all and every the Goods in ſuch Catalogue reſpectively ſpecified and enumerated, were really and truly ſold for the Benefit of ſuch Inſurer or Inſurers; which Catalogue ſo ſigned and certified as aforeſaid, ſhall be produced by every ſuch Auctioneer, to the Perſon to whom ſuch Auctioneer is, by this Act, to deliver his Account, before ſuch Auctioneer ſhall be permitted to paſs his Account, or to have the ſame allowed: And if ſuch Inſurer or Inſurers reſpectively ſhall inſert, or ſuffer or permit to be inſerted, in any ſuch Catalogue ſo to be ſubſcribed, ſigned, and certified as aforeſaid, any Goods whatſoever other than ſuch as were really and truly to be ſold for the Benefit of him or them as aforeſaid; or if any Inſurer or Inſurers ſhall omit or neglect to certify on ſuch Catalogue the true Particular of the Goods to be ſold; then, and in every ſuch Caſe, the Party offending ſhall, for every ſuch Offence reſpectively, forfeit and loſe the Sum of twenty Pounds.

XVIII. And be it further enacted by the Authority aforeſaid, That all Fines, Penalties, and Forfeitures, impoſed by this Act, ſhall be ſued for, levied, recovered, or mitigated, by ſuch Ways, Means, and Methods, as any Fine, Penalty, or Forfeiture, is or may be recovered or mitigated, by any Law or Laws of Exciſe, or by Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, or in the Court of Exchequer in *Scotland*; and that one Moiety of every ſuch Fine, Penalty, or Forfeiture (all neceſſary Charges for the Recovery thereof being firſt deducted), ſhall be to his Majeſty, his Heirs and Succeſſors, and the other Moiety to him or them who ſhall diſcover, inform, or ſue for the ſame.

## CAP. LVII.

### An Act for the better providing of a Maintenance for the Vicar of the Pariſh of *The Trinity*, in the City of *Coventry*.

Preamble.

'WHEREAS in the City of *Coventry* there are two Pariſhes and Pariſh Churches, one whereof is the Pa-'riſh and Vicarage of *Saint Michael*, and the other the Pariſh and Vicarage of *The Trinity*: And whereas 'the King's Majeſty, in Right of the Crown of theſe Realms, is Patron of the ſaid Vicarage of *The Trinity*; 'and the Tythes, and other Vicarial Profits and Benefits, do principally ariſe from Rates or Aſſeſſments 'made by virtue of an Act, paſſed in the fourth and fifth Years of the Reign of King *Philip* and Queen *Mary*, 'intituled, *An Act for the Payment of Tythes in the City of* Coventry: And whereas, in Proceſs of Time, the 'Rates and Aſſeſſments made under or by virtue of the ſaid Act have been much diminiſhed from their 'true Value, and Differences and Suits have ariſen and taken place between the Vicar and the Inhabitants

'relative

'relative to the ſaid Rates and Aſſeſſments: Wherefore, in order to put an End to ſuch Controverſies, and 'that an Income may be provided in future ſufficient for the Maintenance of the Vicar of the ſaid Pariſh 'of *The Trinity*, to be in Lieu of all Tythes and other Eccleſiaſtical Dues, within thoſe Parts of the ſaid 'Pariſh which lie within the ſaid City of *Coventry* and Suburbs thereof, except ſuch Endowments, Be-'queſts, and Stipends, as have been heretofore or ſhall be hereafter beſtowed upon the Vicar of the ſaid 'Pariſh, and alſo except Surplice Fees:' May it pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Act, paſſed in the fourth and fifth Year of the Reign of King *Philip* and Queen *Mary*, intituled, *An Act for the Payment of Tythes in the City of* Coventry, ſhall, ſo far as the ſame relates to the Pariſh and Vicarage of *The Trinity*, in the City of *Coventry*, and Suburbs thereof, be, and the ſame is hereby declared to be repealed.

Act of Philip and Mary repealed.

II. And be it further enacted, That within thirty Days after the paſſing of this Act, and in *Eaſter* Week in every Year afterwards, one Rate or Aſſeſſment ſhall be made, laid, and aſſeſſed, by Aſſeſſors to be named and appointed as herein-after is mentioned, to be in Lieu of Tythes, and all Rates, Aſſeſſments, or other Eccleſiaſtical Dues and Payments claimed by the Vicar of the ſaid Pariſh or Vicarage, under or by virtue of the ſaid Act paſſed in the fourth and fifth Year of the Reign of King *Philip* and Queen *Mary* (*Eaſter* Offerings and Surplice Fees excepted), upon all and every Perſon and Perſons who do or ſhall inhabit, hold, or occupy, any Houſe, Garden-ground, or Orchard for Sale, Shop, Warehouſe, Dyehouſe, Malthouſe, Brewhouſe, Kilnhouſe, or Workhouſe, Yard, Barn, Stable, Shed, Cellar, Vault, or other Tenement, by whatſoever Name or Deſcription the ſame may be known, of the yearly Value of twenty Shillings or upwards, within thoſe Parts of the ſaid Pariſh of *The Trinity* which lie within the ſaid City of *Coventry*, and Suburbs thereof; which Rate or Aſſeſſment ſhall be collected quarterly, and made and laid to raiſe one Shilling in the Pound *per Annum*, and no more, upon all and every ſuch Premiſes reſpectively, according to the yearly Value thereof.

Rates in Lieu of Tythes.

III. Provided, That no ſuch Rate or Aſſeſſment ſhall be laid upon any Dwelling-houſe only, the annual Rent or Value whereof ſhall be under ſix Pounds.

Houſes under 6l. per Ann. not to be rated.

IV. Provided alſo, That no Meſſuages, or other Buildings, Yards, Gardens, Orchards, or other Hereditaments, ſhall be conſtrued or taken to be within the Suburbs of the ſaid City, as to the Purpoſes of this Act, the Situation or Situations whereof reſpectively is or are without and beyond the Limits of the ſeveral Wards of the ſaid City.

Proviſo relating to the Suburbs of the City.

V. And be it further enacted, That the Vicar for the Time being, and the Pariſhioners, of the ſaid Pariſh of *Trinity*, who are liable to be rated or aſſeſſed by virtue of this Act, ſhall meet at ſome Place in the ſaid City, on or before the fourteenth Day after the Day of paſſing this Act, and annually afterwards upon the twenty-fifth Day of *March*, or within two Days after, of which reaſonable Notice ſhall be given in the Church on the *Sunday* preceding; and at ſuch firſt and other Meetings, it ſhall be lawful for the Vicar and Pariſhioners then attending, and they are hereby required to nominate and appoint two Perſons, Inhabitants of the ſaid City, not being of the People called *Quakers*, to be Aſſeſſors of the Rates or Aſſeſſments hereby authoriſed to be made, laid, and aſſeſſed; one to be named by the Vicar, and one by the Majority of the Pariſhioners then aſſembled; and every ſuch Perſon ſo to be nominated and appointed Aſſeſſors as aforeſaid ſhall, before he preſumes to act in the Execution of the ſaid Office of Aſſeſſor, take an Oath in the following Form, before one or more Juſtice or Juſtices of the Peace of the ſaid City, who are hereby directed to adminiſter the ſame:

Two Aſſeſſors to be appointed annually.

Aſſeſſors to be ſworn.

'I *A. B.* do ſwear, That in the Rate or Aſſeſſment which I ſhall make upon the ſeveral Premiſes within 'thoſe Parts of the Pariſh of *The Trinity*, which lie within the City of *Coventry*, and Suburbs thereof, 'I will rate and aſſeſs each of ſuch Premiſes at the true annual Value, according to the beſt of my Skill and 'Judgment; and that I will truly and faithfully execute the Truſts repoſed in me by virtue of an Act of 'the nineteenth Year of his preſent Majeſty, *for the better providing of a Maintenance for the Vicar of the 'Pariſh of* The Trinity, *in the City of* Coventry.'

Their Oath.

And if any Perſon ſo to be appointed Aſſeſſor, ſhall preſume to act in the Execution of the ſaid Office, before he ſhall have taken the aforeſaid Oath, he ſhall forfeit and pay, for every ſuch Offence, the Sum of five Pounds, to be recovered in any Court of Record, by Action of Debt, Bill, Plaint, or Information, wherein no Eſſoin, Protection, or Wager of Law, or more than one Imparlance ſhall be allowed; and that the Forfeitures or Penalties ſo to be incurred (all neceſſary Charges for the Recovery thereof being firſt deducted) ſhall be diſtributed, one Moiety thereof to the Vicar of the ſaid Pariſh, and the other Moiety to him or her who ſhall inform or ſue for the ſame.

Penalty on Aſſeſſors acting before they ſhall be ſworn.

VI. And be it further enacted, That ſuch Perſons to be appointed Aſſeſſors as aforeſaid, do and ſhall, on or before the thirtieth Day after the Day of paſſing this Act, and in all future Years in *Eaſter* Week, or within three Days after, according to the beſt of their Skill and Judgment, aſcertain the full and juſt annual Value which every of the Premiſes, by this Act authoriſed and directed to be rated and aſſeſſed, is really and *bona fide* worth, to be let; and do and ſhall make one Aſſeſſment, according to the Rate herein-before ſet forth, upon the Inhabitants, Holders, or Occupiers, of every the Premiſes by this Act directed to be rated or aſſeſſed; and do and ſhall, by Writing under their Hands, certify the Houſes and other Premiſes charged by this Act, together with the annual Values, eſtimated and aſcertained as aforeſaid, for or in reſpect of the ſame reſpectively, and the Names of the ſeveral Inhabitants, Holders, or Occupiers thereof reſpectively, and the ſeveral Sums of Money charged and payable by them for or in reſpect of the ſame, by virtue of this Act; and likewiſe do and ſhall, on or before the ſaid thirtieth Day after the Day

Aſſeſſors Duty.

of paſſing this Act, and in future Years on or before the Expiration of three Days after *Eaſter* Week, deliver the Aſſeſſments made by them as aforeſaid unto two Juſtices of the Peace of the ſaid City.

Juſtices to ſign the Aſſeſſments, and deliver them to the Vicar.

VII. And be it further enacted, That the ſaid Juſtices to whom ſuch Aſſeſſments ſhall be delivered in purſuance of this Act ſhall, within the Space of one Calendar Month next after the Receipt of the ſame reſpectively, ſet their Hands to the ſaid Aſſeſſments, and ſhall forthwith deliver, or cauſe to be delivered, the ſame to the Vicar of the ſaid Pariſh for the Time being, or to his Order.

A Copy of the Aſſeſſments ſhall be lodged in the Pariſh Veſtry.

VIII. And be it further enacted, That every ſuch Aſſeſſor or Aſſeſſors ſhall deliver a Copy or Duplicate of ſuch Rate or Aſſeſſment to be made reſpectively as aforeſaid, fairly written, and ſubſcribed by them, unto the ſaid Vicar for the Time being, and another Copy or Duplicate thereof to the Churchwardens of the ſaid Pariſh, ſome or one of them, to be by them, ſome or one of them, lodged in the Veſtry of the ſaid Pariſh, for the Uſe and Inſpection of the Inhabitants of the ſame Pariſh who are liable to be rated or aſſeſſed by virtue of this Act.

Rate may be levied by Diſtreſs.

IX. And be it further enacted, That if any Perſon or Perſons ſo rated and aſſeſſed, who ſhall not appeal againſt ſuch Rate within the Time herein-after limited for ſuch Purpoſe, ſhall refuſe or omit to pay the Sum or Sums of Money which he, ſhe, or they ſhall be rated or aſſeſſed at, by virtue of this Act, for the Space of fourteen Days after perſonal Demand made thereof, or Demand in Writing, left at the Place of Abode, or Occupation, of ſuch Perſon or Perſons; then, and in every ſuch Caſe, it ſhall be lawful for one or more ſuch Juſtices, upon Oath of the Vicar for the Time being, or ſome Perſon acting for him, of ſuch Demand being made, by Warrant under his or their Hand and Seal, or Hands and Seals (which he or they are hereby required to grant), to authoriſe and direct ſuch Perſon or Perſons ſo acting for and under the ſaid Vicar, or any other Perſon to be therein named, to levy the Sum or Sums due, by Diſtreſs and Sale of the Goods and Chattels of ſuch Perſon or Perſons, rendering the Overplus (if any be), upon Demand, to the Owner or Owners of ſuch Goods and Chattels, the Charges and Expences of taking and making ſuch Diſtreſs and Sale being firſt deducted and paid.

Rate on divided Houſes how to be recovered;

'X. And whereas many Houſes within the ſaid Pariſh of *The Trinity* in *Coventry*, are or may, by the 'Owners, Proprietors, or Leſſees thereof, be divided, and let out in Tenements or Lodgings to divers Per-'ſons, whereby it may be difficult to recover the Rates or Aſſeſſments laid thereupon;' be it therefore further enacted, That it ſhall be lawful for the Aſſeſſors to be appointed for the Purpoſes of this Act, to rate and aſſeſs the Owners, Proprietors, or Leſſees of ſuch Houſes reſpectively as ſhall be let to or occupied by two or more Tenants, which Rate or Aſſeſſment ſhall be paid by or recovered of the Proprietor or firſt Taker thereof.

and from Perſons removing.

XI. And be it further enacted, That when any Perſon or Perſons, who hath or have been rated and aſſeſſed by virtue of this Act, ſhall quit his, her, or their Houſe or other Tenement, whereupon ſuch Rate or Aſſeſſment hath been made, before he, ſhe, or they ſhall have paid the ſame, and ſhall afterwards neglect or refuſe to pay the ſame when due, and demanded as aforeſaid by the Perſon or Perſons authoriſed and appointed to collect and receive the ſame; that then, and in every ſuch Caſe, it ſhall be lawful for ſuch Perſon or Perſons, having ſuch Warrant for levying the ſame as aforeſaid, in any Place within the reſpective Juriſdiction of the Juſtices granting ſuch Warrant, or out of the Limits thereof, ſuch Warrant being firſt backed or counterſigned by ſome Juſtice of the Peace in the County, City, or Place, where the Diſtreſs is ſo to be made, to diſtrain the Goods and Chattels of ſuch Perſon or Perſons ſo neglecting or refuſing, and the ſame to ſell, rendering the Overplus (if any be), after deducting the Amount of the Rate or Aſſeſſment, and the reaſonable Charges and Expences of ſuch Diſtreſs and Sale, to the Owner of ſuch Goods and Chattels demanding the ſame.

Aſſeſſors, &c. impowered to inſpect Pariſh Rates, for their information in laying Aſſeſſments.

'XII. And, for the better Information of the Perſons to be appointed Aſſeſſors as aforeſaid, with re-'ſpect to the annual Value of all Houſes, Tenements, or Premiſes, charged by this Act, and the better 'to enable them to perform their Duty;' be it further enacted by the Authority aforeſaid, That the ſaid Aſſeſſors, or any one or more of them, or any Perſon or Perſons authoriſed by any or either of them, ſhall have Liberty to inſpect, and to take Copies of or Extracts from, any Book or Books kept by any Pariſh Officer or Officers, or other Perſon or Perſons, of or concerning the Rates payable to the Poor, or any other public Taxes, Rates, or Aſſeſſments, within the ſaid Pariſh of *The Trinity*; and if any Perſon or Perſons, in whoſe Cuſtody or Power any of the ſaid Books ſhall be, ſhall refuſe or neglect to permit the ſaid Inſpection, or the Copies or Extracts to be made as aforeſaid, then, and in every ſuch Caſe, every Perſon who ſhall ſo refuſe or neglect ſhall, for every ſuch Offence, forfeit and pay the Sum of forty Shillings to the Vicar of the ſaid Pariſh.

Allowance to Aſſeſſors.

XIII. And be it further enacted, That, in Conſideration of the extraordinary Care and Pains requiſite in making and adjuſting the firſt Rate or Aſſeſſment by virtue of this Act, the Aſſeſſors ſhall have an Allowance for ſuch firſt Aſſeſſment of Three-pence for each Houſe rated or aſſeſſed by them, and the Sum of one Penny for each ſuch Houſe in every future Rate or Aſſeſſment; ſuch Allowances to be made and paid by the Vicar, at the Time of receiving ſuch Rates or Aſſeſſments.

Perſons aggrieved by the Rate may appeal to the Quarter Seſſions;

XIV. Provided always, and be it enacted, That if the ſaid Vicar for the Time being, or any Perſon or Perſons, ſhall think himſelf, herſelf, or themſelves aggrieved by any Rate or Aſſeſſment made in purſuance of this Act, ſuch Vicar, or other Perſon or Perſons, ſhall and may appeal to the Quarter Seſſion of the Peace to be holden for the City and County of *Coventry*, within ſix Calendar Months next after the making of ſuch Rate, ſuch Appellant or Appellants firſt giving, or cauſing to be given, eight Days Notice at the leaſt, in Writing, of his, her, or their Intention to bring ſuch Appeal, and of the Matter thereof, to the ſaid Aſſeſſors, and within four Days next after ſuch Notice entering, or cauſing a Recognizance to be entered into, before ſome Juſtice of the Peace for the ſaid City and County, by two ſufficient Perſons or Sureties, conditioned to try ſuch Appeal, and to abide the Order of, and to pay ſuch Coſts as ſhall be awarded by, the Juſtices in ſuch Quarter Seſſion; and the ſaid Juſtices, upon due Proof

of

of such Notice being given as aforesaid, and of the entering into such Recognizance, shall hear and determine the Causes and Matters of such Appeal in a summary Way, and award such Costs to the Party or Parties appealing, or appealed against, as they the said Justices shall think proper; and the Judgment of the said Justices, in their said Quarter Sessions, shall be conclusive upon all the Parties, to all Intents and Purposes whatsoever. whose Determination shall be final.

XV. Provided always, and be it enacted, That nothing herein contained shall extend, or be construed to extend, to repeal the said Act of *Philip* and *Mary*, so far as respects any Arrears of Tythes, or *Easter* Offerings, to the Vicar of *Trinity*, in the City of *Coventry*, that have become due or payable on or before the passing of this Act. Arrears of Tythes or Easter Offerings to be paid to the Vicar.

XVI. Provided always, and be it further enacted, That if any Person shall think himself or herself aggrieved by any Thing done in pursuance of this Act, and for which no particular Method of Relief hath been already appointed, such Person may appeal to the Justices of the Peace at any General Quarter Session of the Peace to be holden for the said City and County of *Coventry*, within four Calendar Months after the Cause of such Complaint shall have arisen, such Appellant first giving, or causing to be given, ten Days Notice at least, in Writing, of his or her Intention to bring such Appeal, and of the Matter thereof, to the Party meant to be appealed against, and, within four Days after such Notice, entering into Recognizance before some Justice of the Peace for the said City and County of *Coventry*, with two sufficient Sureties, conditioned to try such Appeal, and to abide the Order of, and to pay such Costs as shall be awarded by, the Justices at such Quarter Session; and the Justices at such Session, upon due Proof of such Notice being given as aforesaid, and of the entering into such Recognizance, shall hear and finally determine the Causes and Matters of such Appeal, in a summary Way, and award such Costs to the Parties appealing, or appealed against, as they the said Justices shall think proper; and the Determination of such Justices at such Quarter Session shall be final, binding, and conclusive to all Intents and Purposes. General Appeal to the Quarter-Sessions, on giving 10 Days Notice.

XVII. Provided always, and be it further enacted, That no Action or Suit shall be commenced against any Person or Persons, for any Thing done in pursuance of this Act, until twenty-one Days Notice shall be thereof given to the said Assessors, or after sufficient Satisfaction, or Tender thereof, hath been made to the Party or Parties aggrieved, or after six Calendar Months after the Fact committed; and every such Action or Suit shall be laid or brought in the County or Place where the Matter shall arise, and not elsewhere; and the Defendant or Defendants, in every such Action or Suit, shall or may, at his or their Election, plead specially, or plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act: And if the same shall appear to be so done, or if such Action or Suit shall be brought before twenty-one Days Notice shall be thereof given as aforesaid, or after a sufficient Satisfaction made or tendered as aforesaid, or after the Time limited for bringing the same as aforesaid, or shall be brought in any other County, then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her, or their Action or Suit after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, then the Defendant or Defendants shall recover Treble Costs, and have such Remedy for the same as any Defendant or Defendants hath or have in other Cases by Law. Limitation of Actions. General Issue. Treble Costs.

XVIII. And be it further enacted, That this Act shall be deemed, adjudged, and taken to be a Public Act; and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons whomsoever, without being specially pleaded. Public Act.

## CAP. LVIII.

### An Act for preserving the Navigation of the River *Lee*, in the Counties of *Hertford*, *Essex*, and *Middlesex*.

'WHEREAS by an Act of Parliament, made in the twelfth Year of the Reign of his late Majesty King *George* the Second, *for ascertaining, preserving, and improving, the Navigation of the River* Lee, *from the Town of* Hertford *to the Town of* Ware, *in the County of* Hertford; *and for preserving and improving the said River, from the said Town of* Ware, *to the New Cut or River made by the Mayor, Commonalty, and Citizens of* London; and for other Purposes therein mentioned; the Governor and Company of the *New River*, in Consideration of a Quantity of Water supplied out of the said River *Lee*, for the Use of the said *New River*, are directed to pay to certain Trustees appointed in and by the said Act, for the Care and Management of the Navigation of the River *Lee*, two annual Sums of Money, amounting together to the Sum of three hundred and Fifty Pounds, to be applied in preserving and improving the Navigation of the said River *Lee*: And whereas, by an Act made in the seventh Year of the Reign of his present Majesty, *for improving the Navigation of the River* Lee, *from the Town of* Hertford *to the River* Thames; *and for extending the said Navigation to the Flood-gates belonging to the Town Mill, in the said Town of* Hertford; certain Persons therein named, together with the Trustees appointed in or by virtue of the said Act of the twelfth Year of his late Majesty, were appointed Trustees for putting the said Act of the seventh Year of his present Majesty in Execution, and divers Powers and Authorities are given and granted to the said Trustees, for making, extending, improving, and maintaining the said Navigation, and for making and maintaining certain new Cuts or Canals to communicate with the said River *Lee*; and by the said Act of the seventh Year of his present Majesty, the said annual Sum of three hundred and fifty Pounds is vested in the said Trustees, together with certain Rates and Duties thereby granted, for the Purposes of the said Acts; and the said Navigation hath been completed for several Years, and is found beneficial to the Public: And whereas the said Trustees have charged the Rates or Duties, Preamble. Recital of an Act 12 Geo. II. and 7 Geo. III.

'and other Monies arising by virtue of the said Acts, with the Payment of the Principal Sum of forty-'four thousand three hundred Pounds, and also with the Payment of Annuities for the Lives of certain 'Persons, to the Amount of three thousand four hundred Pounds, or thereabouts; and there will be like-'wise due to several Persons for Arrears of Interest, Annuities, Rents, Compensations, and Purchase of 'Lands, and for Workmen's Bills, and other annual Expences of carrying on the said Navigation, at '*Midsummer* next, the Sum of ten thousand six hundred Pounds, or thereabouts: And whereas the Mo-'ney arising by virtue of the said Acts is not sufficient to pay and discharge the Interest of the said Principal 'Money, and also to pay the said Annuities, and other Monies, due and owing as aforesaid; and, unless 'some additional Rates and Duties are allowed to be collected upon the said Navigation, several Persons 'who have lent and advanced Money upon the Credit of the said Acts will be very great Sufferers, and 'the Navigation of the said River will be totally lost, to the great Detriment of the Public: Wherefore, 'in order to preserve the said Navigation, and for Relief of the said several Annuitants, and other Cre-'ditors;' May it please your Majesty that it may be enacted; and be it enacted by the King's most excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, from and after the *Monday* Sevennight next after passing of this Act, there will be paid, at such Place and Places, and in such Manner and Proportions, as herein-after mentioned, to the Collector or Collectors appointed by the said Trustees, or any seven or more of them, by all and every Person and Persons who shall carry or convey any Goods, Wares, Merchandises, or Commodities whatsoever, up or down the said River, or the said Cuts or Canals (over and above the Rates and Duties payable by virtue of the said Act of the seventh Year of the Reign of his present Majesty), the several additional Rates and Duties herein after mentioned; (that is to say)

The Trustees authorised to collect the following

**Additional Rates.** For every Ton of Malt passing through *King's Weir*, or the Lock nearest thereto, the Sum of one Shilling and Three-pence; and passing through *Newman's Weir*, or the Lock nearest thereto (the Rates and Duties for the same not having been paid at *King's Weir*, or the Lock nearest thereto, as aforesaid), the Sum of Eleven-pence; and passing through *Lee Bridge*, or any Lock in the new Cut below the said Bridge (the Rates and Duties for the same not having been paid at *King's Weir*, or *Newman's Weir*, or the Locks nearest the said Weirs, as aforesaid), the Sum of Five-pence; and passing on any Part of the Cut between *Bromley Lock* and the River *Thames* (the Rates and Duties not having been paid for the same above *Bromley Lock* aforesaid), the Sum of Two-pence; and so in Proportion for any less Quantity than a Ton:

For every Ton of Flour that shall be carried or conveyed through *King's Weir* aforesaid, or the Lock nearest the same, the Sum of Four-pence Halfpenny; and through *Newman's Weir*, or the Lock nearest the same, the Sum of Four-pence Halfpenny; and through *Lee Bridge*, or any Lock in the new Cut below the said Bridge, the Sum of Three-pence; and so in Proportion for any less Quantity than a Ton:

For every Chaldron of Coals, Culm, or Cinders, carried or conveyed through *Newman's Weir*, or the Lock nearest the same, the Sum of Six-pence; and through *Lee Bridge* aforesaid, or any Lock in the said Cut below the said Bridge, the Sum of Seven-pence; and so in Proportion for any less Quantity than a Chaldron:

For every Ton of other Goods, Wares, Merchandises, and Commodities whatsoever, that shall be carried or conveyed through *King's Weir*, or the Lock nearest the same, the Sum of Six-pence; and through *Newman's Weir*, or the Lock nearest the same, the Sum of Six-pence; and through *Lee Bridge*, or any Lock in the said Cut below the said Bridge, the Sum of Three-pence; and between *Bromley Lock* and the *Thames*, the Sum of Two pence; and so in Proportion for any less Quantity than a Ton:

For every Pleasure Boat which shall pass through any of the said Locks or Places, or on the said Cut between *Bromley Lock* and the *Thames*, the Sum of one Shilling; and for every empty Boat, Barge, Lighter, or other Vessel, passing along the said Cut from *Bromley Lock* towards the *Thames*, after having delivered any Lading for which the said Rates and Duties shall not have been paid, or passing along the said Cut from the River *Thames* towards *Bromley Lock*, and not having been to deliver any Lading for which the Rates and Duties shall have been paid, the Sum of five Shillings:

Which said additional Rates and Duties hereby granted, shall be collected, levied, and recovered, by such and the like Ways, Means, and Methods, as the Rates and Duties granted by the said Act of the seventh Year of the Reign of his present Majesty can or may, by virtue thereof, be collected, levied, and recovered, and as if the additional Rates and Duties hereby granted were inserted in the Body of the said Act; and the same shall be applied to and for the several Uses, Intents, and Purposes, as the Rates and Duties granted by the said Act are thereby directed to be applied.

**Additional Rates to be a Security for Money due on the Credit of the former Acts.** II. And be it further enacted, by the Authority aforesaid, That the said additional Rates and Duties herein-before granted, are hereby declared to be a Security for the Payment of all the Principal Monies borrowed and due as aforesaid, and all Interest due and to become due for the same, and also for the Payment of the several Annuities granted and now payable as aforesaid, and of all other Monies whatsoever due and owing on the Credit of the said former Acts; and the several Persons intitled thereto shall have the same Powers and Remedies for the Recovery thereof, out of the Rates and Duties hereby granted, as are by the said recited Act given for the Recovery of any Money charged upon the Rates and Duties thereby granted.

**The Rates to be reduced in certain Proportions as the Annuities fall in.** III. Provided always, and be it further enacted by the Authority aforesaid, That from Time to Time, as the Annuities granted by the said Trustees shall fall in, the Rates and Duties hereby granted shall be reduced, in the Proportions following; (that is to say) When the said Annuities shall be reduced to two thousand four hundred Pounds, no more than three fourth Parts of the Rates and Duties hereby granted

shall

ſhall be demanded or taken; and when the ſaid Annuities ſhall be reduced to one thouſand four hundred Pounds, no more than one Half of the ſaid Rates and Duties ſhall be demanded or taken; and that when the ſaid Annuities ſhall be reduced to four hundred Pounds, no more than one fourth Part of the ſaid Rates and Duties ſhall be demanded or taken; any Thing in this Act contained to the contrary hereof notwithſtanding.

All Aſhes, Breeze, and Materials not uſed for Manure, to be ſubject to the Rates;

'IV. And whereas Aſhes, Breeze, and other Materials uſed in making Bricks, are frequently conveyed upon the ſaid River, under the Pretence of being for manuring of Land, whereby the Payment of the Rates and Duties is evaded;' be it therefore enacted by the Authority aforeſaid, That all Aſhes, Breeze, and other Materials and Things which ſhall not be uſed for manuring of Land, ſhall be liable to the Payment of the like Rates and Duties as are by the ſaid recited Act of the ſeventh Year of the Reign of his preſent Majeſty, and this Act, granted for any Goods, Wares, Merchandiſes, and Commodities (except Coals, Culm, or Cinders); and it ſhall and may be lawful for the Collector or Collectors appointed by the ſaid Truſtees, or any five or more of them, to demand, collect, and recover the ſaid Rates and Duties for all ſuch Aſhes, Breeze, and other Materials and Things, as ſuch Collector ſhall have Reaſon to apprehend are not intended to be uſed for manuring of Land, in ſuch Manner, and by the ſame Ways and Means, as the Rates and Duties herein-before granted can or may be demanded, collected, and recovered; any Thing in the ſaid former Act to the contrary notwithſtanding.

but if uſed for Manure, the Rates ſhall be returned.

V. Provided nevertheleſs, That in caſe it ſhall afterwards be made appear to ſuch Collector, that the Aſhes, Breeze, or other Materials or Things for which the ſaid Rates and Duties ſhall have been paid as aforeſaid, were for the manuring of Land, that then the Rates and Duties ſo paid ſhall be returned by ſuch Collector to the Owner or Owners of ſuch Aſhes, Breeze, or other Materials or Things, or his or their Agents or Servants, upon Demand.

Every Lading of Wood ſhall be deemed 25 Tons.

'VI. And, for the better aſcertaining the Tonnage of Timber and Wood, to be charged with the Payment of the Rates or Duties granted by the ſaid recited Act, and this Act;' be it enacted and declared by the Authority aforeſaid, That whenever any Boat, Barge, Lighter, or other Veſſel, navigated upon the ſaid River, Cuts, or Canals, ſhall be laden with Timber or Wood only, ſuch Lading ſhall, for the Purpoſes of the ſaid recited Act of the ſeventh Year of the Reign of his preſent Majeſty, and of this Act, be deemed Twenty-five Tons, although the ſame may actually be a greater or leſs Quantity; any Thing in the ſaid recited Act, or in this Act, or any Uſage or Cuſtom, to the contrary hereof notwithſtanding.

So much of the former Act as requires Steerſmen to deliver Bills of Lading, repealed.

VII. And be it further enacted by the Authority aforeſaid, That, from and after the twenty-ninth Day of *September*, one thouſand ſeven hundred and ſeventy-nine, ſo much of the ſaid recited Act of the ſeventh Year of the Reign of his preſent Majeſty, as requires Perſons having the Charge of any Boat, Barge, Lighter, or other Veſſel, to give an Account in Writing, as therein is mentioned, of the Quantity, Quality, and Weight, of the Goods, Wares, Merchandiſes, and Commodities, which ſhall be in ſuch Boat, Barge, Lighter, or other Veſſel, and alſo of the Quantity, Quality, and Weight, of the Goods, Wares, Merchandiſes, and Commodities, which ſhall have been diſcharged or taken out of ſuch Boat, Barge, Lighter, or other Veſſel, before the Arrival thereof at the Place where ſuch Account is to be given, and as inflicts any Penalty on ſuch Perſons for not giving ſuch Account, or for giving a falſe Account, ſhall be, and is hereby repealed.

Owners of Goods, or Perſons delivering any on their Behalf, ſhall give Bills of Lading to the Steerſmen, who are to produce the ſame to the Collectors of the Tolls.

Penalty on Neglect, &c.

VIII. Provided nevertheleſs, and be it further enacted by the Authority aforeſaid, That, from and after the twenty-ninth Day of *September*, one thouſand ſeven hundred and ſeventy-nine, the Owners of, or Perſons ſelling any Goods, Wares, or Merchandiſe, or any Perſon who ſhall deliver any Goods, Wares, or Merchandiſe, on Account of ſuch Owners or Perſons ſelling the ſame, on board any Boat, Barge, Lighter, or other Veſſel, to be carried or conveyed upon the ſaid River, Cuts, or Canals, ſhall, and are hereby required to give a true Account, in Writing under their reſpective Hands, of the Quantity, Quality, and Weight, of all ſuch Goods, Wares, and Merchandiſe, to the Steerſman or other Perſon having the Care, Charge, or Management of the Boat, Barge, Lighter, or other Veſſel, on board of which ſuch Goods, Wares, or Merchandiſe ſhall be delivered, together with the Date of the Delivery thereof; and the ſaid Steerſman or other Perſon ſhall produce the ſaid Account to the Collector or Collectors of the ſaid Rates or Duties, and deliver a true Copy thereof to every ſuch Collector; and in caſe any ſuch Steerſman or other Perſon ſhall not produce ſuch Account, and deliver a Copy thereof as aforeſaid, every ſuch Steerſman or other Perſon ſhall forfeit and pay the Sum of ten Pounds; and in caſe any ſuch Steerſman or other Perſon ſhall produce a falſe Account to any ſuch Collector or Collectors as aforeſaid, the Perſon who ſhall have ſigned ſuch falſe Account ſhall forfeit and pay the Sum of five Pounds.

All Veſſels to be marked with graduated Figures, denoting their Burthen;

'IX. And, for the better enabling the Collectors of the ſaid Rates or Duties to judge of the Truth of the Accounts of Lading to be produced as aforeſaid;' be it enacted by the Authority aforeſaid, That, from and after the firſt Day of *January*, one thouſand ſeven hundred and eighty, all Boats, Barges, Lighters, and other Veſſels, which ſhall be navigated upon the ſaid River, Cuts, or Canals, ſhall be painted or marked, in three different Places on each Side thereof, with graduated Figures or Marks, of proper Dimenſions, at ſuch Diſtances, and upon ſuch Parts of the Boat, Barge, Lighter, or other Veſſel, as the ſaid Truſtees, or any five or more of them, ſhall order, under the Direction of ſome proper and ſkilful Perſon; and ſo from Time to Time, as Occaſion ſhall require; and the ſame ſhall at all Times be kept ſo marked, in a plain and legible Manner; and that, after the ſaid firſt Day of *January*, one thouſand ſeven hundred and eighty, if any Boat, Barge, Lighter, or other Veſſel, ſhall be navigated upon the ſaid River, Cuts, or Canals, not being painted or marked in a plain and legible Manner as aforeſaid, according to the true Intent and Meaning of this Act, the Owner, or Perſon having the Care, Charge, or Management, of ſuch Boat, Barge, Lighter, or other Veſſel, ſhall forfeit and pay the Sum of five Pounds.

on Penalty of 5l.

So much of the former Act as directs the Truſt-

'X. And whereas it might tend to the better Execution of the ſaid recited Acts, and this Act, if the ſaid Truſtees were obliged to hold more than one General Meeting in every Year;' be it therefore enacted

ees to meet on the first Monday in June yearly, repealed.

acted by the Authority aforesaid, That, from and after the passing of this Act, so much of the said recited Act of the seventh Year of the Reign of his present Majesty, as directs a General Meeting of the Trustees to be holden on the first *Monday* in *June* in every Year, and Notice to be given thereof, shall be, and is hereby repealed.

First Meeting of the Trustees.

XI. And be it further enacted, That the said Trustees, or any five or more of them, shall hold a Meeting for carrying the Purposes of the said recited Acts, and this Act, into Execution, at the Sign of the *Rose and Crown*, at *Enfield Highway*, in the Parish of *Enfield*, in the said County of *Middlesex*, upon the *Monday* Sevennight after the passing this Act, and may adjourn such Meeting from Time to Time previous to their first General Meeting (to be holden as herein-after mentioned), as they shall think proper; and that the said Trustees, or any five or more of them, shall hold three General Meetings in every Year, at or within the respective Times and Places herein-after mentioned; (that is to say) In the Town of *Hertford*, upon the last *Monday* in *July*, or within six days afterwards; in the Parish of *Waltham Holy Cross*, in the said County of *Essex*, on the last *Monday* in *October*, or within six Days afterwards; and in the City of *London*, on the last *Monday* in *January*, or within six Days afterwards; and the said Trustees, or any five or more of them, shall, at such respective General Meetings, appoint the Day, and the House or Place (being within the respective Times, and at the respective Places, aforesaid) upon and at which their then next General Meeting shall be holden; and the Clerk to the said Trustees for the Time being shall, at such respective General Meetings, lay before the Trustees then assembled, a full State of the Accounts relative to the Execution of the said recited Acts, and this Act, up to such of the Days following, *videlicet*, *Midsummer-day*, *Michaelmas-day*, and *Christmas-day*, as shall happen next before the Day of holding such respective Meetings, in order that the same may be audited and settled; and the said Trustees, at such General Meetings, are hereby required to examine and pass the said Accounts; and after the same shall be examined and passed, an Abstract thereof shall be made out, and signed by five or more of the said Trustees, and the same shall be fairly entered in the Book of Proceedings of the said Trustees; and all Persons interested in the said Navigation may, at all convenient Times, have a Copy of such Abstract, upon paying to the Clerk to the said Trustees the Sum of two Shillings and Six-pence; and in case the said Trustees shall not settle and pass the said Accounts at any such General Meeting, then such Meeting shall be adjourned to the seventh Day then next following, and so from Time to Time, until the said Accounts shall be settled and passed, and an Abstract thereof made and signed as aforesaid; and after the said Accounts shall be completed as aforesaid, the said Trustees may adjourn such respective Meetings to such Place and Time, previous to the Time of holding their next General Meeting, as the said Trustees, or any five or more of them, shall think proper.

Three General Meetings to be held in every Year;

at which they shall audit and settle the Accounts, and cause an Abstract thereof to be made and entered in the Book of their Proceedings.

After two Years, the Trustees shall settle the Accounts at two several Meetings in every Year.

XII. Provided nevertheless, That after the Expiration of two Years from the passing of this Act, the said Trustees shall be obliged to examine and settle the said Accounts at two at least of the said three General Meetings in every Year, any Thing herein-before contained to the contrary hereof notwithstanding.

No Money to be borrowed till the Accounts are settled.

XIII. Provided also, That no Money shall be borrowed by the said Trustees, until the said Accounts shall have been settled, and entered as aforesaid.

Securities for Money borrowed, and Annuities granted, to be valid.

'XIV. And whereas Doubts may arise touching the Validity of some of the Securities granted by 'the said Trustees; to obviate such Doubts, and to secure the several Creditors who have, *bona fide*, lent 'and advanced their Money for the Purposes of the said Navigation;' be it enacted by the Authority aforesaid, That the several Principal Sums of Money so lent and advanced to the said Trustees, and the Annuities granted by them, shall be, and they are hereby respectively declared to be charged upon the Rates or Duties granted and made payable by the said recited Act of the seventh Year of the Reign of his present Majesty, and also upon the Rates or Duties by this Act granted and made payable; and that the several Securities given and granted for the Payment thereof, are hereby declared to be valid and effectual in the Law, to all Intents and Purposes.

Trustees impowered to pay off any Principal Money now due;

'XV. And whereas Doubts have arisen touching the Power of the said Trustees to pay off any parti-'cular Securities for Money at Interest already granted, in case they find it necessary so to do;' be it therefore enacted and declared by the Authority aforesaid, That it shall and may be lawful for the said Trustees, or any seven or more of them, from Time to Time, as they shall think proper, to pay off any of the Principal Money borrowed and due upon the Credit of the said Rates and Duties; provided three Calendar Months Notice thereof, at the least, shall be given in Writing, signed by them, to the Person or Persons intitled to the Money so to be paid off, and of the Day and Place at and upon which such Money will be paid; and in case the Securities given for such Money shall not be produced at the Time and Place to be mentioned in such Notice, and upon Tender of the Principal Money, and all Interest then due thereon, shall not be delivered up to the said Trustees, or to their Clerk, that then the Interest of all such Principal Money shall from thenceforth cease, and be no longer paid or payable.

giving three Months Notice.

Proviso.

XVI. Provided nevertheless, That the Principal Money in respect whereof such Notice shall be given, and also the Interest for the same up to the Time mentioned in such Notice for the Payment thereof, shall still remain due and payable, until the same shall be received by the Person intitled to the same.

All Monies secured by the former Acts, shall also be charged upon the present and former Rates, &c.

XVII. Provided always, and be it further enacted and declared by the Authority aforesaid, That all Payments to be made, and also the Monies due and owing on the Credit of the said former Acts, shall be payable as well out of the Rates and Duties created by this Act, as out of the Rates and Duties created by the said former Acts, in the like Course of Payment, and with the same Priority, and with the like Remedies for Recovery thereof, as are directed in and by the said former Acts; any Thing in this Act to the contrary notwithstanding.

Trustees not to grant any Annuities for the future.

XVIII. And be it further enacted by the Authority aforesaid, That no Annuity or Annuities shall hereafter be granted upon the Credit of the Rates and Duties authorised to be collected by virtue of the said

recited Act of the seventh Year of the Reign of his present Majesty, or by this Act; any Thing in the said recited Act to the contrary hereof notwithstanding.

No Money to be hereafter borrowed, unless 21 Trustees shall concur therein;

XIX. And be it further enacted, That no Money shall hereafter be borrowed upon the Credit of the Rates and Duties authorised to be collected on the said River, or any of them, unless twenty-one Trustees at the least shall be present, and shall concur therein, and unless seven of such Trustees shall be resident in the said County of *Hertford*, seven within the said County of *Essex*, and seven within the said County of *Middlesex* and City of *London*, or one of them; and that no such Money shall be so borrowed, but at a Meeting to be holden for that Purpose; of which Meeting one Calendar Month's Notice at the least shall be given in some of the public Newspapers circulated in the said Counties, at least three Times before the borrowing any such Money; any Thing in the said recited Act of the seventh Year of the Reign of his present Majesty to the contrary hereof notwithstanding.

and then not more than 20,000 l.

XX. Provided nevertheless, and it is hereby declared, That no more than the Sum of twenty thousand Pounds, over and above the said Sum of forty-four thousand three hundred Pounds Principal Money, already charged on the said Rates, shall hereafter be borrowed on the Credit of the said former Act, or this present Act; any Thing in the said former Act, or this Act, to the contrary hereof notwithstanding.

Trustees authorised to assign over the Rates for Payment of all Arrears of Interest and Annuities, &c.

XXI. Provided nevertheless, and it is hereby enacted and declared by the Authority aforesaid, That it shall and may be lawful for the said Trustees, or any seven or more of them, if they think fit, at the Request of any Person or Persons to whom any Arrears of Interest, or any Arrears of Annuities, shall, on the twenty-fourth Day of *June*, one thousand seven hundred and seventy-nine, be due and owing on the Credit of the said Rates or Duties, to assign over the said Rates or Duties, or any Part thereof, for securing the Payment of all such Arrears, together with Interest for the same; and all such Assignments shall be good, valid, and effectual in the Law, for the Payment of the Money thereby secured, and all Interest to grow due for the same, any Thing herein-before contained to the contrary hereof in anywise notwithstanding: Provided also, That the Sum for which the said Rates and Duties shall be assigned, as herein-before mentioned, shall be construed and taken to be Part of the Sum of twenty thousand Pounds, which the Trustees are authorised to raise by virtue of this Act.

Collectors required to keep the Gates of Locks, near the Places of Collection, shut; and not to suffer any Vessel to pass till the Rates are paid. Penalty on Neglect.

'XXII. And, in order to prevent any Waste of Water at any of the Locks, at or near the Places appointed for collecting the said Rates or Duties, and for the better Collection thereof;' be it enacted by the Authority aforesaid, That the Collectors of the said Rates or Duties shall, and are hereby authorised and required, at all Times hereafter, to keep the Gates of the Locks, at or near the several Places appointed for collecting the said Rates or Duties, properly shut and locked, or otherwise fastened, so as not to suffer any unnecessary Waste of Water through the same (except only at such Times, and for so long as shall be necessary for Boats, Barges, Lighters, and other Vessels, to pass through such Locks, and in Times of Flood); and no Boat, Barge, Lighter, or other Vessel, shall be suffered to pass through any such Lock until the whole Rates or Duties authorised to be collected shall be paid to such Collector; and in case any Collector shall not keep the Gates of the Lock, at or near the Place where he shall be appointed to collect the said Rates or Duties, properly shut and locked, or otherwise fastened, so as not to suffer any unnecessary Waste of Water through the same, or if such Collector shall permit or suffer any Boat, Barge, Lighter, or other Vessel, to pass through any such Lock as aforesaid, before the full Rates or Duties which ought to be collected shall have been paid, every such Collector offending in either of the Cases aforesaid shall, for every Offence, forfeit and pay any Sum not exceeding forty Shillings.

Trustees to keep the Locks and Works in Repair, to prevent Waste of Water.

'XXIII. And, for the more effectual preventing the Waste of Water in any of the said Cuts or Canals, 'to the Prejudice of any Mill,' be it further enacted and declared by the Authority aforesaid, That in case any of the Locks or other Works made or erected, or to be made or erected, by the said Trustees, shall be out of Repair, and any Mill shall be prejudiced thereby, then, and in every such Case, upon Notice thereof in Writing, given by the Occupier of such Mill to the Surveyor to the said Trustees, such Surveyor is hereby required forthwith to inspect into and consider the same, and report such Notice, and his Opinion thereof, to the said Trustees, at their next Meeting; and the said Trustees, or any five or more of them, shall, and are hereby required, at their said next Meeting, to take the same into Consideration, and as soon as may be to cause such Locks and Works to be put into good and sufficient Repair, so as to prevent the Waste of Water as aforesaid; and in case such Surveyor shall refuse or neglect to inspect into and survey such Defect or Want of Repair in any of the said Locks or other Works, or make such Report as aforesaid, he shall forfeit and pay any Sum not exceeding ten Pounds, nor less than forty Shillings.

Persons navigating Vessels required to shut the upper Gates of the Locks as soon as the Vessels are passed, except some other Vessel is in Sight.

XXIV. And be it further enacted, That no Steersman, or other Person having the Care, Charge, or Management, of any Boat, Barge, Lighter, or other Vessel, upon the said River, Cuts, or Canals, and passing with such Boat, Barge, Lighter, or other Vessel, through any Lock upon the said River, Cuts, or Canals, shall suffer the Water to remain in the Lock longer than is necessary for such Boat, Barge, Lighter, or other Vessel, to pass through the same; and that every such Steersman, or other Person, in going down the said River, Cuts, or Canals, shall shut the lower Gates of such Lock before he shall draw the Cloughs of the upper Gates thereof; and after he shall have brought such Boat, Barge, Lighter, or other Vessel, into the said Lock, shall shut close the upper Gates before he shall draw the Cloughs of the lower Gates thereof; and in going up the said River, Cuts, or Canals, shall, so soon as he shall have passed with such Boat, Barge, Lighter, or other Vessel, out of the said Lock, shut the upper Gates of the said Lock, and afterwards draw the Cloughs of the lower Gates, unless there shall be then a Boat, Barge, Lighter, or other Vessel, in Sight from the said Lock, coming down the said River, Cuts, or Canals, in which Case the lower Gates of the said Lock shall be left shut, and the upper Gates shall be left open; and every Person who shall not act agreeable to the Directions herein-before mentioned, shall, for every Offence, forfeit and pay any Sum not exceeding forty Shillings.

XXV. And

So much of the former Act as requires the Names to be put on the Bows of Veſſels, repealed.

XXV. And be it further enacted by the Authority aforeſaid, That ſo much of the ſaid recited Act of the ſeventh Year of the Reign of his preſent Majeſty, as requires the Owners of Boats, Barges, Lighters, or other Veſſels, to cauſe their Names, and alſo the Names of the Steerſmen, or other Perſons having the Care or Charge of ſuch Boats, Barges, Lighters, or other Veſſels, and their reſpective Places of Abode, to be placed and ſet on the upper Part of the Bow on both Sides of ſuch Boats, Barges, Lighters, or other Veſſels, and as inflicts a Penalty for Default therein, ſhall be, and is hereby repealed.

Names and Places of Abode of Owners and Steerſmen to be put on the Sterns of Veſſels;

on Penalty of 5 l.

XXVI. Provided nevertheleſs, and it is hereby declared, That, from and after the twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-nine, the Owner or Owners of every Boat, Barge, Lighter, or other Veſſel, paſſing upon the ſaid River, Cuts, or Canals, ſhall cauſe his, her, or their Name or Names, and alſo the Name of the Steerſman, or other Perſon having the Care or Charge of every ſuch Boat, Barge, Lighter, or other Veſſel, and their reſpective Places of Abode, to be placed and ſet at full Length, in white Letters upon a black or dark Ground, ſuch Letters to be four Inches long, and of a proportional Breadth, and made on ſome conſpicuous Part of the Stern of every ſuch Boat, Barge, Lighter, or other Veſſel, and to be kept at all Times plain and legible; and in caſe any Boat, Barge, Lighter, or other Veſſel, ſhall, at any Time after the ſaid twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-nine, be navigated on the ſaid River, Cuts, or Canals, not having the Name or Names of the Owner or Owners thereof, and alſo the Name of the Steerſman, or other Perſon as aforeſaid, and alſo their reſpective Places of Abode, placed and ſet on the Stern of every ſuch Boat, Barge, Lighter, or other Veſſel, and kept plain and legible, according to the true Intent and Meaning of this Act; or if any Steerſman or other Perſon ſhall cover or conceal the ſame, or uſe any Means whatſoever to prevent any Perſon from reading the ſame; every Perſon offending in any of the Caſes aforeſaid ſhall, for every ſuch Offence, forfeit and pay the Sum of five Pounds.

Penalty on floating of Timber.

XXVII. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall, after the twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-nine, float, or cauſe any Timber to be floated, upon the ſaid River, Cuts, or Canals, every ſuch Perſon ſhall forfeit and pay the Sum of fifty Shillings for every Time he or they ſhall float, or cauſe any Timber to be floated, upon the ſaid River, Cuts, or Canals.

Penalty on Perſons aſſaulting the Collectors, or obſtructing them in their Duty.

XXVIII. And be it further enacted by the Authority aforeſaid, That if any Perſon ſhall aſſault, interrupt, or obſtruct, any Collector, or other Perſon employed by the ſaid Truſtees, or any five or more of them, in collecting the ſaid Rates or Duties, or otherwiſe in the Execution of his Office, every ſuch Perſon ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding forty Shillings, nor leſs than ten Shillings.

Proviſo.

XXIX. Provided always, That nothing herein contained ſhall prevent, or be conſtrued to prevent, any ſuch Collector, or other Perſon, having his Remedy, for any ſuch Offence, in any of his Majeſty's Courts of Law, by Action, Indictment, or otherwiſe.

Tottenham Mill Stream to be uſed as Part of the Navigation for ever, ſubject to a certain annual Payment.

'XXX. And whereas a certain navigable Stream or Cut belonging to *James Townſend*, Eſquire, called '*Tottenham Mill Stream*, hath been uſed as Part of the ſaid Navigation, for the Paſſage of Boats, Barges, 'Lighters, and other Veſſels, for which the ſaid Truſtees have paid to the ſaid *James Townſend* the annual 'Sum of ten Pounds ten Shillings; and the ſaid *James Townſend* is conſenting that the ſaid Stream or Cut 'ſhould be uſed as Part of the ſaid Navigation for ever, ſubject to the ſame annual Rent; but the ſame 'being no Part of the Navigation deſcribed in the ſaid Act, the Uſe of the ſaid Stream cannot be ſecured 'to the Public, unleſs ſome further Powers are granted for that Purpoſe;' be it therefore enacted and declared by the Authority aforeſaid, That the ſaid Stream or Cut, together with a proper Towing-path on the Weſt Side thereof, ſhall for ever hereafter be uſed as Part of the ſaid Navigation; and that the Owners of all Boats, Barges, Lighters, and other Veſſels, ſhall have Liberty to navigate along the ſaid Stream or Cut, and to make uſe of the ſaid Towing-path, in like Manner as if the ſaid Stream or Cut had been Part of the Navigation deſcribed in the ſaid Act; and the ſaid Truſtees, or any ſeven or more of them, ſhall, and have hereby full Power and Authority, from Time to Time, to ſcour, cleanſe, deepen, and do ſuch other Works in the ſaid Stream or Cut, and repair the ſaid Towing-path, as they ſhall think fit, for the Purpoſes of the ſaid Navigation, without any Hindrance, Moleſtation, or Interruption, from the ſaid *James Townſend*, or any Perſon or Perſons who may hereafter be entitled to the ſaid Stream or Cut, and Towing-path, ſo that no Damage be done thereby to *Tottenham* Mills, by preventing the Water flowing to the ſame as it now doth.

Nothing to be done to prejudice Tottenham Mills.

XXXI. Provided always, Thet nothing herein contained ſhall authoriſe the ſaid Truſtees, or any of them, or any other Perſon or Perſons acting under their Authority, to contract the ſaid Stream or Cut, or prevent the Occupier of *Tottenham* Mills from penning a Head of Water to the ſaid Mills, or to obſtruct, hinder, or prevent the navigating or paſſing of Boats, Barges, Lighters, and other Veſſels, to and from the ſaid Mills.

The Occupiers of the Mills not to draw the Water below a certain Height.

XXXII. Provided alſo, That the Occupier or Occupiers of the ſaid Mills, or any other Perſon or Perſons, ſhall not, upon any Account or Pretence, cauſe the Water to be let or drawn out of the ſaid Stream or Cut, ſo as to reduce the ſame below the Height of two Feet on the preſent Sill of the Waſte-gate of the ſaid Mills, to be aſcertained by a Stone put down and marked for that Purpoſe: And the ſaid Truſtees are hereby required at all Times to keep the Gates of the Lock near the ſaid Stream or Cut of an equal Height with the Banks of the ſaid Mill Stream at the Mill Head, for keeping a full Head of Water to the ſaid Mills; and the ſaid Truſtees ſhall, at all Times, repair, and keep in good Repair, the Bridge built acroſs the new Cut near the ſaid Mill Stream.

The Truſtees to keep the Gates of the Lock near the Stream of an equal Height with the Banks; and to repair the Bridge.

How the Rent payable for the Uſe of Totten-

XXXIII. And be it further enacted, That the ſaid Truſtees, or any ſeven or more of them, ſhall, and they are hereby authoriſed and required, out of any Money ariſing by virtue of the ſaid recited Acts, and this

this Act, to pay, or cause to be paid, to the said *James Townsend*, and the Owner of the said Stream or Cut, and Towing-path, for the Time being, the annual Rent of ten Pounds ten Shillings, of lawful Money of *Great Britain*, free and clear of and from all Taxes and Deductions whatsoever, on the twenty-fifth Day of *March* in every Year, the first Payment to be made on the twenty-fifth Day of *March*, one thousand seven hundred and eighty; and in case the said yearly Rent shall not be paid for the Space of twenty-one Days next after the Day herein-before appointed for the Payment thereof, that then the said *James Townsend*, and the Owner for the Time being of the said Stream or Cut, and Towing-path, shall have such and the same Remedies for recovering the same yearly Rent, and all Costs and Expences attending the Recovery thereof, as are in the said recited Act of the seventh Year of the Reign of his present Majesty provided for the Payment of any Rents or Annuities granted and made payable by virtue thereof.

ham Mill Stream, may be recovered.

'XXXIV. And whereas, by the said recited Act of the seventh Year of the Reign of his present Majesty, the said Trustees are required to pay to Sir *William Wake* Baronet, and *Peter Floyer* Esquire, their Heirs and Assigns, the Sum of one Penny *per* Ton on all Goods, Wares, Merchandizes, or Commodities, which should be carried or conveyed down the said River, through the Cut or Canal made from the said River, above *King's Weir*, to the West Tail Stream of the Powder Mills near *Waltham Abbey*: And whereas it is apprehended that, by laying the additional Rates or Duties herein-before granted, their Property may be injured:' Be it therefore enacted and declared by the Authority aforesaid, That in case the said Sum of one Penny *per* Ton shall not hereafter produce to the said Sir *William Wake* and *Peter Floyer*, their respective Heirs and Assigns, the clear annual Sum of one hundred and sixty Pounds, that then the said Trustees, or any seven or more of them, shall, and they are hereby authorised and required, from Time to Time, to make up the Deficiency to the said Sir *William Wake* and *Peter Floyer*, their respective Heirs and Assigns, and the same shall be paid to the said Sir *William Wake* and *Peter Floyer*, their respective Heirs and Assigns, at the End of every Year in which any such Deficiency shall happen; and in case of Nonpayment thereof, for the Space of ten Days after the same shall be due, the said Sir *William Wake* and *Peter Floyer*, their Heirs and Assigns, shall and may have and take such and the like Powers and Remedies for receiving and recovering the same, and all Costs and Charges attending the Recovery thereof, as are in the said recited Act given for Recovery of the said one Penny *per* Ton.

In case the Tonnage made payable to Sir William Wake and Mr. Floyer, by the former Act, shall not amount to 160*l.* per Annum, the Deficiency shall be made up to them by the Trustees.

'XXXV. And whereas it would be for the Benefit of the said Navigation, and of certain Mills, called *Dicker Mills*, situate near the said Town of *Hertford*, and also of certain Works for supplying the said Town with Water, belonging to the Mayor and Aldermen of the said Town, if the Water in *Dicker Mill* Stream was always kept up to a certain Height;' be it therefore enacted, That the said Trustees, or any five or more of them, shall, and they are hereby required, within forty Days next after their first Meeting to be holden in pursuance of this Act, to give Notice to the Owner and Occupier of the said Mills, and to the Mayor of the said Town of *Hertford*, directing each of them to appoint an Engineer, to meet an Engineer to be appointed by the said Trustees, on a certain Day, to be mentioned in such Notice, in order to examine the said Mill Stream, and to agree upon and settle to what Height the Water in the said Mill Stream ought to be kept up for the future, and to order and direct proper Stones or Posts to be fixed or set up in or on the Banks of the said Stream, and also near the said Water-works, with proper Marks thereon denoting such Height; and the Determination of the said Engineers, or any two of them, shall be final and conclusive.

The Height at which the Water is to be kept in Dicker Mill Stream, to be ascertained by Engineers.

XXXVI. Provided always, That in case Engineers shall not be appointed as aforesaid, or being so appointed, shall neglect or refuse to act, or shall not agree therein within three Calendar Months after the Day to be appointed for the Meeting of the said Engineers as aforesaid, that then the Justices of the Peace, at their General Quarter Sessions to be holden for the said County of *Hertford*, upon Application made to them for that Purpose on Behalf of the said Trustees, or of the Owner or Occupier of the said Mills, shall, and they are hereby required to name and appoint some able Engineer to examine, settle, and determine touching the Matters aforesaid, and his Determination shall be final and conclusive; and after such Determination as aforesaid, the said Trustees, or any five or more of them, shall, and they are hereby required to cause such Stones or Posts as aforesaid to be forthwith fixed or set up, with proper Marks thereon, and at such Place and Places as the said Engineers or Engineer (as the Case may be) shall direct, in order to denote and fix the Height to which the Water in the said Stream ought to be kept up; and the said Trustees shall from Time to Time support and keep such Stones or Posts fixed, with such Mark or Marks as aforesaid; and all the Charges and Expences attending the appointing and employing the said Engineers, and also of erecting and fixing such Stones or Posts, and keeping and supporting the same as aforesaid, shall be borne, paid, and defrayed by the said Trustees, out of any Money arising by virtue of the said former Act, or of this Act; and that after the said Stones or Posts shall be fixed or set up, and marked as aforesaid, it shall not be lawful for the Occupier of the said Mills, or the Person having the Care of the said Water-works, to suffer the said Mills, or Water-works, to work, or for the Person having the Care of the Navigation there to keep open the Cistern or Lock near the said Mills, when the Water shall be reduced below the Mark or Marks upon the said Stones or Posts; and in case the Water within the said Stream shall at any Time be reduced below the said Mark or Marks, and the Occupier of the said Mills shall not immediately shut down the said Mills, or the Person having the Care of the said Water-works shall not immediately shut down the said Works, or the Person having the Care of the Navigation there as aforesaid shall not immediately shut the said Cistern or Lock, so as to raise and keep up the Water to the said Mark or Marks, according to the true Intent and Meaning of this Act (Notice having been given to them respectively so to do), every such Occupier, and other Person aforesaid, so offending, shall, for every such Offence, forfeit and pay any Sum not exceeding forty Shillings, nor less than ten Shillings; and in case any Person or Persons shall break, raise, pull up, sink lower, or destroy, or in anywise alter any of the Stones or Posts which shall be so fixed or set up as aforesaid, or obliterate, deface, change, or alter, any Letters,

In case the said Engineers shall not agree within three Months after their Appointment, the Quarter Sessions for Hertfordshire shall appoint another Engineer to settle the same.

The Mills, &c. not to work when the Water shall be below the Marks on the Stones or Posts.

Penalty on altering Marks, &c.

Letters, Figures, or Marks, which ſhall be inſcribed thereon, every ſuch Perſon ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding five Pounds, nor leſs than forty Shillings.

Nothing to be done to prejudice Dicker Mills, &c.

XXXVII. Provided always, and it is hereby declared, That in aſcertaining the Height at which the Water in *Dicker Mill* Stream aforeſaid ſhould be kept for the future, or in fixing or ſetting up any ſuch Poſts or Stones as aforeſaid, nothing ſhall be done to the Prejudice of *Dicker Mills*, or of the Occupier thereof, or of the ſaid Water-works, or of certain Mills called *Hertford Town Mills*, or any Occupier thereof.

Proviſo.

XXXVIII. Provided alſo, That no Occupier of the ſaid Mills called *Dicker Mills*, or Perſon having the Care of the ſaid Water-works, ſhall be ſubject to the Penalty aforeſaid, for not keeping the Water in *Dicker Mill* Stream up to ſuch Height as aforeſaid, whenever any of the Works of the ſaid Navigation, above the Mouth of the Cut or Canal in *King's Mead*, ſhall be out of Repair.

Truſtees may leaſe the Rates after the End of Five Years.

XXXIX. And be it further enacted by the Authority aforeſaid, That, from and after the Term of five Years from and after the paſſing of this Act, the ſaid Truſtees, or any ſeven or more of them, ſhall have full Power and Authority, by Writing under their Hands and Seals, to let or demiſe the Rates and Duties authoriſed to be collected upon the ſaid River, Cuts, or Canals, for any Term, not exceeding two Years at any one Time, for the higheſt Rent they can get for the ſame, by public Bidding or otherwiſe, the ſame to be payable at ſuch Times, and under ſuch Covenants, as the ſaid Truſtees, or any ſeven or more of them, ſhall think fit (the ſaid Truſtees taking proper Security from the Perſon or Perſons to whom the ſaid Tolls ſhall be leaſed or demiſed, for Payment of the Rent or Rents, and Performance of the Covenants); which Rent and Rents ſhall be paid to the ſaid Truſtees, or any ſeven or more of them, or to ſuch Perſon or Perſons as they ſhall appoint to receive the ſame, and ſhall be applied and diſpoſed of in the ſame Manner as the ſaid Rates and Duties are by the ſaid recited Act of the ſeventh Year of the Reign of his preſent Majeſty, and this Act, directed to be applied and diſpoſed of.

Public Notice thereof to be given.

XL. Provided always, That one Calendar Month's previous Notice, at the leaſt, be given in ſome of the public Newſpapers circulated in the ſaid Counties of *Hertford*, *Eſſex*, *Middleſex*, and the City of *London*, of the Intention of the ſaid Truſtees to leaſe or demiſe the ſaid Rates and Duties.

If the Truſtees leaſe the Tolls, they ſhall employ a Perſon, to be approved of by Sir William Wake and Mr. Floyer, to take an Account of the Tonnage of all Goods paſſing through the Lock near King's Weir.

XLI. Provided alſo, That in caſe the ſaid Truſtees ſhall at any Time let the ſaid Rates and Duties, they ſhall, and are hereby required, during ſuch Time as the Rates and Duties ſhall continue to be let as aforeſaid, to keep conſtantly employed, at their own Coſts and Charges, ſome proper Perſon, to be approved of by the ſaid Sir *William Wake* Baronet, and *Peter Floyer* Eſquire, their reſpective Heirs and Aſſigns, and ſuch Perſon is hereby required to take and keep an exact and faithful Account in Writing of the Tonnage of all Goods, Wares, and Merchandizes, which ſhall paſs, from Time to Time, through the ſaid Lock, in the Cut near to *King's Weir* aforeſaid; and the ſaid Sir *William Wake* Baronet, and *Peter Floyer* Eſquire, their reſpective Heirs and Aſſigns, ſhall have free Liberty, from Time to Time, to inſpect ſuch Accounts, and to take Copies or Extracts thereof; and it ſhall and may be lawful for the ſaid Sir *William Wake* Baronet, and *Peter Floyer* Eſquire, and their reſpective Heirs and Aſſigns, within twenty Days before the Expiration of every Year, to compare the ſame with the Account kept by the Leſſee of the ſaid Tolls ariſing at *King's Weir*; and in caſe ſuch Leſſee ſhall refuſe to produce his Account to the ſaid Sir *William Wake* Baronet, and *Peter Floyer* Eſquire, and their reſpective Heirs and Aſſigns, for the Space of ten Days after Notice given for that Purpoſe, that then and in that Caſe his Leaſe ſhall, at the Expiration of the Year, ceaſe and determine.

The Truſtees under the former Act to have full Power to carry this Act into Execution.

XLII. Provided always, and be it enacted and declared by the Authority aforeſaid, That the Truſtees appointed or elected, or who ſhall hereafter be appointed or elected, by or in purſuance of the ſaid Act of the ſeventh Year of the Reign of his preſent Majeſty, and all, every, or any of them, ſhall have full Power and Authority to act in the Execution of this preſent Act of Parliament, in all Reſpects, and to all Intents and Purpoſes, as fully and effectually as if the ſeveral Proviſions contained in this Act were inſerted in the Body of the ſaid recited Act.

Penalties and Forfeitures how to be recovered and applied.

XLIII. And be it further enacted, That the ſeveral Penalties and Forfeitures by this Act impoſed, ſhall be levied and recovered in the ſame Manner as any Penalties or Forfeitures are, by the ſaid recited Act of the ſeventh Year of the Reign of his preſent Majeſty, directed to be levied and recovered, and ſhall be applied for the Purpoſes of the ſaid recited Acts, and this Act.

Perſons aggrieved may appeal to the Quarter Seſſions.

XLIV. Provided always, and be it further enacted, That all Perſons who ſhall think themſelves aggrieved by the Order or Judgment of any Juſtice or Juſtices of the Peace, upon account of any Offence committed, or ſuppoſed to be committed, againſt this Act, may appeal to the Juſtices of the Peace for either of the ſaid Counties where the Offence was committed, or ſuppoſed to be committed, at any General Quarter Seſſions of the Peace to be held within the Space of ſix Calendar Months after ſuch Cauſe of Appeal ſhall happen, the Perſon or Perſons ſo appealing firſt giving Security, to the Satisfaction of the ſaid Juſtice or Juſtices, to proſecute ſuch Appeal with Effect, and to pay the Coſts which ſhall be aſcertained by the ſaid General Quarter Seſſions, in caſe ſuch Order or Judgment ſhall be affirmed; and the Juſtices at ſuch General or Quarter Seſſions are hereby authoriſed and required to hear and determine ſuch Appeal, and to make ſuch Orders therein, and to award Coſts, as to them ſhall appear juſt; which Orders ſhall be final and concluſive to all Parties, and ſhall not be removed or removeable, by any Writ of *Certiorari* or otherwiſe, into any of his Majeſty's Courts of Record at *Weſtminſter*, or elſewhere; and that no Order or Proceeding to be had by or before any Juſtice or Juſtices of the Peace, relating to the Execution of this Act, ſhall be quaſhed or vacated for want of Form only.

Limitation of Actions.

XLV. And be it further enacted, That if any Action, Suit, or Information, ſhall be brought or commenced againſt any Perſon or Perſons, for any Thing done in purſuance of this Act, every ſuch Action, Suit, or Information, ſhall be commenced within ſix Calendar Months next after the Fact committed, and not afterwards, and ſhall be laid or brought in the Counties of *Hertford*, *Eſſex*, or *Middleſex*, and not elſewhere;

where; and the Perſon or Perſons ſo ſued or proſecuted, may plead the General Iſſue, and give this Act, and the ſpecial Matter, in Evidence at any Trial to be had thereupon, and that the ſame was done in purſuance and by the Authority of this Act: And if it ſhall appear to have been ſo done, or if any Action, Suit, or Information, ſhall be brought after the Time before limited for bringing the ſame, or ſhall be brought in any other County or Place than as aforeſaid, that then the Jury ſhall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs ſhall become nonſuited, or ſuffer a Diſcontinuance of his, her, or their Action, Suit, or Information, after the Defendant or Defendants ſhall have appeared, or if in any ſuch Action, Suit, or Information, Judgment ſhall be given againſt the Plaintiff or Plaintiffs, the Defendant or Defendants ſhall have Treble Coſts, and ſhall have ſuch Remedy for the ſame, as any Defendant or Defendants hath or have for Coſts of Suit in other Caſes by Law.

General Iſſue.

Treble Coſts.

XLVI. And be it further enacted by the Authority aforeſaid, That all the Coſts, Charges, and Expences incident to and attending the obtaining and paſſing this Act, ſhall be paid out of the firſt Monies which ſhall be collected or received by virtue of the ſaid former Acts or this preſent Act.

Expences of this Act how to be paid.

XLVII. And be it further enacted, That this Act ſhall be adjudged, deemed, and taken to be a Public Act; and all Judges, Juſtices, and other Perſons whomſoever, are hereby required to take Notice thereof as ſuch, without ſpecially pleading the ſame.

Public Act.

## CAP. LIX.

An Act for repealing the Duties on all inhabited Houſes, impoſed by an Act made in the laſt Seſſion of Parliament, and for granting to his Majeſty other Duties upon all inhabited Houſes in *Great Britain*, and for amending the ſaid Act; and alſo for amending ſo much of an Act, made in the ſeventeenth Year of the Reign of his preſent Majeſty, as impoſes a Duty upon all Servants retained or employed in the ſeveral Capacities therein mentioned.

Preamble. Recital of 18 Geo. III. Cap. 26.

'WHEREAS, by an Act, made in the laſt Seſſion of Parliament, intituled, *An Act for granting to his Majeſty certain Duties upon all inhabited Houſes within the Kingdom of* Great Britain, certain yearly Rates and Duties were granted upon all inhabited Houſes within the Kingdom of *Great Britain*, to be paid by the Occupiers thereof; (that is to ſay) a Duty of Sixpence in the Pound on all Dwelling-houſes, with the Houſehold Offices therewith occupied, worth the yearly Rent of five Pounds, and under the yearly Rent of fifty Pounds; and of one Shilling in the Pound on all Dwelling-houſes, with the Houſehold Offices therewith occupied, worth the yearly Rent of fifty Pounds and upwards; to be eſtimated and aſcertained in Manner therein expreſſed: And whereas the ſaid Rates and Duties do not bear a proper Proportion to each other, and the Payment thereof hath been greatly evaded;' we, your Majeſty's moſt dutiful and loyal Subjects, the Commons of *Great Britain*, in Parliament aſſembled, do therefore think that it will be for the Advantage of the Public to repeal the preſent Rates and Duties on inhabited Houſes, and to grant unto your Majeſty the ſeveral new Rates and Duties on inhabited Houſes herein-after mentioned, to be applied to the Uſes and Purpoſes which the ſaid Rates and Duties, granted by the above-mentioned Act, made in the laſt Seſſion of Parliament, are now applicable unto; and do moſt humbly beſeech your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That, from and after the fifth Day of *July*, one thouſand ſeven hundred and ſeventy-nine, the Rates and Duties granted by the Act, made in the laſt Seſſion of Parliament, intituled, *An Act for granting to his Majeſty certain Duties upon all inhabited Houſes within the Kingdom of* Great Britain, ſhall ceaſe, determine, and be no longer paid or payable, except only ſuch Monies as ſhall have become due in reſpect of the ſaid Rates and Duties, aſſeſſed at any Time on or before the ſaid fifth Day of *July*, one thouſand ſeven hundred and ſeventy-nine, and which ſhall be in Arrear and unpaid.

After July 5, 1779, the Duties granted by the recited Act to ceaſe.

II. And be it further enacted by the Authority aforeſaid, That, from and after the ſaid fifth Day of *July*, one thouſand ſeven hundred and ſeventy-nine, there ſhall be charged, raiſed, levied, and paid, unto his Majeſty, his Heirs and Succeſſors, the ſeveral and reſpective Rates and Duties upon all inhabited Houſes, with their Appurtenances, herein-after mentioned, by the Occupiers thereof reſpectively; (that is to ſay) Upon and for every Dwelling-houſe inhabited, together with the Offices, Courts, Yards, and Gardens, as herein-after expreſſed, therewith occupied, which now are, or hereafter ſhall be, erected within the Kingdom of *Great Britain*, and which are, or for the Time being ſhall be, worth the yearly Rent of five Pounds and upwards, and under the yearly Rent of twenty Pounds, the yearly Sum of Sixpence in the Pound; and upon and for every Dwelling-houſe inhabited, together with the Offices, Courts, Yards, and Gardens, as herein-after expreſſed, therewith occupied, which now are, or hereafter ſhall be, erected within the Kingdom of *Great Britain*, and which are, or for the Time being ſhall be, worth the yearly Rent of twenty Pounds and upwards, and under the yearly Rent of forty Pounds, the yearly Sum of Nine-pence in the Pound; and upon and for every Dwelling-houſe inhabited, together with the Offices, Courts, Yards, and Gardens, as herein-after expreſſed, therewith occupied, which now are, or hereafter ſhall be, erected within the Kingdom of *Great Britain*, and which are, or for the Time being ſhall be, worth the yearly Rent of forty Pounds and upwards, the yearly Sum of one Shilling in the Pound, to be eſtimated and aſcertained in the Manner in the ſaid Act and this preſent Act expreſſed.

New Duties to be paid; videlicet,

For all inhabited Dwelling-houſes, &c. from 5 l. to 20 l. a Year, 6 d. in the Pound; from 20 l. to 40 l., 9 d. in the Pound; and for all at 40 l. a Year, and upwards, 1 s. in the Pound.

III. And be it further enacted and declared by the Authority aforeſaid, That, in all Pariſhes and Places where the Aſſeſſments were made for three Quarters of a Year, from the fifth Day of *July*, one thouſand ſeven

Where the Aſſeſſments for the former Rates

were made for three Quarters of a Year, a further Aſſeſſment of one Quarter ſhall be made, up to July 5, 1779. Sixpenny Rates on Houſes of 20 l. a Year and upwards, made for any Time after July 5, 1779, to be void. Aſſeſſments for new Duties to be made out for three Quarters of a Year, up to April 6, 1780;

ſeven hundred and ſeventy-eight, to the fifth Day of *April*, one thouſand ſeven hundred and ſeventy-nine, at the Rates preſcribed by the former Act, a further Aſſeſſment ſhall be made at the ſame Rates for one Quarter, from the ſaid fifth Day of *April*, one thouſand ſeven hundred and ſeventy-nine, to the fifth Day of *July* following; and that if any Rate or Aſſeſſment, at Six-pence in the Pound, on the Value of any Houſe and Houſehold Offices therewith occupied, worth the yearly Sum of twenty Pounds and upwards, hath been, or ſhall be made, in purſuance of the ſaid Act for raiſing the ſaid Rate and Duty thereby granted, for and in reſpect of the Quarter, Half Year, or any other Time, after the ſaid fifth Day of *July*, one thouſand ſeven hundred and ſeventy-nine, every ſuch Rate or Aſſeſſment, ſo far as the ſame relates to the raiſing ſuch Rate and Duty, in reſpect of ſuch Quarter, Half Year, or other Term, after the fifth Day of *July*, ſhall be null and void.

and after that Time to be made out annually, &c.

IV. Provided always, and be it further enacted by the Authority aforeſaid, That Aſſeſſments ſhall be made out for raiſing the Duties by this preſent Act impoſed, from the fifth Day of *July*, one thouſand ſeven hundred and ſeventy-nine, to the ſixth Day of *April*, one thouſand ſeven hundred and eighty; which Aſſeſſments ſhall be certified by the Aſſeſſors, and returned by them to the ſaid Commiſſioners, on or before the tenth Day of *September*, one thouſand ſeven hundred and ſeventy-nine; and that the Surveyors ſhall and may, on or before the ſixteenth Day of *November* following, certify their Surcharges for raiſing the ſaid Duties for the ſaid three Quarters, to the ſaid Commiſſioners; and that all Appeals, in reſpect to the ſaid three Quarters Aſſeſſments, ſhall and may be heard and determined between the tenth Day of *December*, one thouſand ſeven hundred and ſeventy-nine, and fourth Day of *January*, one thouſand ſeven hundred and eighty; and that from and after the fifth Day of *April*, one thouſand ſeven hundred and eighty, the ſaid Duties ſhall be aſſeſſed annually for one whole Year, to commence from the fifth Day of *April* in each Year; and that in all future Years the Aſſeſſments ſhall be made out and certified, and the Surcharges certified, and the Appeals heard, at the ſame Times as the Aſſeſſments, Surcharges, and Appeals, are made, certified, and heard, on the Duties on Houſes and Windows.

Coach-houſes, &c. and Gardens not exceeding one Acre, to be valued together with the Dwelling-houſes.

V. And be it further enacted and declared, That every Coach-houſe, Stable, Brewhouſe, Waſh-houſe, Laundry, Woodhouſe, Bakehouſe, Dairy, and other Offices, and all Yards, Courts, and Curtilages, and Gardens, not exceeding one Acre, belonging to, and occupied with, any Dwelling-houſe, chargeable to the Rates and Duties impoſed by this Act, ſhall be valued together with ſuch Dwelling-houſe, and be liable to, and charged and aſſeſſed with, the Rates and Duties impoſed by this Act.

If the Commiſſioners in England or Wales ſhall neglect to appoint Aſſeſſors, &c. the Surveyors may perform their Duty.

'VI. And, for the more effectual levying and collecting the Duty impoſed by this Act, in that Part of '*Great Britain* called *England* and *Wales*,' be it enacted and declared, That in caſe at any Time the Commiſſioners for putting in Execution this preſent Act, ſhall neglect to appoint Aſſeſſors, or in caſe the Aſſeſſors by them appointed ſhall neglect to perform what is required of them, by the ſaid Act of the laſt Seſſion of Parliament, and this preſent Act; that then, and in ſuch Caſe, it ſhall and may be lawful to and for the Surveyor or Surveyors, appointed or to be appointed in that Behalf, to do and perform ſuch and the like Services as are by the ſaid Acts required from ſuch Aſſeſſors.

Part of the recited Act repealed.

VII. And be it further enacted by the Authority aforeſaid, That that Part of the ſaid recited Act, whereby the Commiſſioners thereby appointed for putting the ſame in Execution have Power to enlarge, alter, abate, or diminiſh, the Aſſeſſments to be delivered to the ſaid Commiſſioners, before ſuch Commiſſioners ſhall have ſet their Names to ſuch reſpective Aſſeſſments, teſtifying their Allowance thereof, ſhall be, and the ſame is hereby repealed.

After July 5, 1779, no Aſſeſſments which ſhall be made or delivered to the Commiſſioners, ſhall be altered before the Time for hearing Appeals.

VIII. And it is hereby further enacted, That, from and after the fifth Day of *July*, one thouſand ſeven hundred and ſeventy-nine, no Aſſeſſments which ſhall be made or delivered to the ſaid Commiſſioners, or any three or more of them, purſuant to the ſaid Act, or this preſent Act, ſhall be altered or diminiſhed before the Time for hearing and determining Appeals, and then only upon the Commiſſioners hearing the Matter of the Appeal particularly relating thereto, or concerning the ſame, upon a general Appeal Day.

All Shops and Warehouſes attached to the Dwelling-houſe ſhall be charged to the Rates, together with ſuch Dwelling-houſe: Except thoſe of Wharfingers.

'IX. And whereas the ſaid Act recited, That ſeveral Manufactures, Trades, Occupations, and Call-'ings, neceſſarily require Warehouſes and Buildings requiſite for carrying them on, by reaſon whereof, the 'Perſons concerned therein are obliged to pay large Rents, or have laid out conſiderable Sums thereon, and 'that it might be a great Hardſhip upon ſuch Perſons to be rated to the full Extent of their reſpective Rents, 'or of the Value of the Premiſes above mentioned; and it was thereby enacted and declared, That ſuch 'Premiſes ſhould not be liable to the Duty impoſed by the ſaid Act, but that the Aſſeſſment ſhould be made 'on the Dwelling-houſe only, with the Houſehold Offices belonging to it: And whereas, under Colour of 'the ſaid Exemption, the Payment of the ſaid Rates and Duties hath been greatly eluded;' it is therefore hereby enacted, That all Shops and Warehouſes, which are attached to the Dwelling-houſe, or have any Communication therewith (except ſuch Warehouſes and Buildings upon or near adjoining to Wharfs, which are occupied by Perſons who carry on the Buſineſs of Wharfingers, and who have Dwelling-houſes upon the ſaid Wharfs for the Reſidence of themſelves or Servants employed upon the ſaid Wharfs, and who are to be rated in reſpect of the ſaid Dwelling-houſes only), ſhall be charged with the Rates and Duties granted by this Act, together with the Dwelling-houſe and the Houſehold and other Offices thereto belonging; any Thing in the ſaid recited Act to the contrary notwithſtanding.

No Warehouſe which is a diſtinct Building from the Dwelling-houſe and Shop, ſhall be charged with the Rates.

X. Provided always, and be it further enacted by the Authority aforeſaid, That no Warehouſe, being a diſtinct and ſeparate Building, and not Part or Parcel of the Dwelling-houſe or Shop, but employed ſolely for the Purpoſe of lodging Goods, Wares, and Merchandiſe, or for carrying on ſome Manufacture (although the ſame may adjoin to, or have an internal Communication with, the Dwelling-houſe), ſhall be charged with the Rates and Duties granted by this Act; any Thing herein contained to the contrary notwithſtanding.

All inhabited Houſes of 5 l. a

'XI. And whereas it is declared by the ſaid Act of the laſt Seſſion of Parliament, That no Houſes ſhall, 'within the Intention of that Act, be deemed or taken to be inhabited Houſes, except the ſame ſhall be

'inhabited by the Owner, or by a Tenant renting the ſame: And whereas Doubts have ariſen, whether 'Houſes inhabited by Perſons who pay no Rent for the ſame are within the Meaning of the ſaid Act;' be it further enacted by the Authority aforeſaid, That all Houſes within the Kingdom of *Great Britain*, of the annual Value of five Pounds and upwards, inhabited by any Perſon or Perſons whatſoever, ſhall be ſubject to the Duty impoſed by this Act, except ſuch as are expreſsly excepted by the ſaid recited Act: Provided always, That no Houſe ſhall be conſidered as an inhabited Houſe, in which a Servant or other Perſon only reſides to take care of the ſame.

Year or upwards, to be ſubject to the Duties, except ſuch as are expreſsly excepted by the recited Act. No Houſe to be deemed inhabited in which only one Perſon reſides to take Care thereof.

XII. And be it further enacted and declared, That where any Houſe ſhall be divided into different Stories or Tenements, let in different Apartments to ſeveral Perſons, and ſubject by the ſaid recited Act to the Duties thereby granted as if the ſame was inhabited by one Perſon or Family only, the Landlord or Owner of every ſuch Houſe ſhall be deemed and taken to be the Occupier of ſuch Dwelling-houſe, and ſhall be charged with and liable to pay the Duties impoſed by this Act; any Thing in the ſaid recited Act contained to the contrary notwithſtanding.

Where Houſes are let in different Tenements, the Landlord ſhall be deemed the Occupier.

XIII. And be it likewiſe enacted and declared by the Authority aforeſaid, That all and every Hall and Office whatſoever belonging to any Perſon or Perſons, or to any Bodies Politic or Corporate, that are or may be lawfully charged with the Payment of any other Taxes or Pariſh Rates, ſhall be ſubject to the Duties granted by this Act, and ſhall be reſpectively charged as inhabited Houſes within the true Intent and Meaning of this Act; and the Perſon or Perſons, Bodies Politic or Corporate, to whom the ſame ſhall belong, ſhall be charged and aſſeſſed as the Occupiers thereof.

All Halls and Offices chargeable to other Taxes or Pariſh Rates, to be ſubject to the Duties granted by this Act.

XIV. Provided always, and be it enacted by the Authority aforeſaid, That no Perſon ſhall preſume to act as a Commiſſioner in the Execution of the ſaid recited Act, or of this preſent Act, or of ſuch Part of the before recited Act of the ſeventeenth Year of his preſent Majeſty as relates to the granting to his Majeſty a Duty upon all Servants retained or employed in the ſeveral Capacities therein mentioned, or any of the Powers therein or herein contained, until he hath firſt taken (beſides the Oaths required to be taken by any other Act or Acts of Parliament) an Oath, or, being one of the People called *Quakers*, made and ſubſcribed his ſolemn Affirmation, in the following Manner:

Commiſſioners to be ſworn before they execute this Act, or the recited Acts.

'I *A. B.* do ſwear *(or* affirm, *as the Caſe may require)*, That I will truly and faithfully execute the Office 'of a Commiſſioner, and will determine upon all Appeals which ſhall be brought before me according 'to the beſt of my Skill and Judgment, purſuant to the Acts of Parliament in that Behalf.

'*So help me* GOD.'

The Oath.

XV. Provided always, and be it further enacted by the Authority aforeſaid, That no Perſon ſhall be capable of acting as a Commiſſioner in the Execution of the ſaid recited Acts, or of this preſent Act, or any of the Powers therein or herein contained, within the City of *London* and Liberty of *Saint Martin le Grand*, nor within the City and Liberty of *Weſtminſter*, unleſs ſuch Perſon be poſſeſſed of Lands, Tenements, or Perſonal Eſtate, to the Amount or Value of two thouſand Pounds at leaſt, after the Payment of all his Debts, any Thing therein contained to the contrary notwithſtanding; which Qualification they ſhall ſwear to previous to their acting as aforeſaid, or, being one of the People called *Quakers*, make and ſubſcribe his ſolemn Affirmation, in the following Form:

Commiſſioners for the City of London, &c. to be ſworn as to their Qualification.

'I *A. B.* do ſwear *(or* affirm, *as the Caſe may require)*, That I truly and *bona fide* have ſuch an Eſtate, 'conſiſting of *(ſpecifying the ſame)*, of the clear Value of two thouſand Pounds, over and above what 'will ſatisfy and diſcharge all my Debts.

'*So help me* GOD.'

The Oath.

And if any Perſon ſhall preſume to act as a Commiſſioner in the Execution of the ſaid recited Acts, or of this preſent Act, or any of the Powers therein or herein contained, before he ſhall have taken ſuch Oaths, or made ſuch Affirmations, as herein directed, he ſhall forfeit, for every ſuch Offence, the Sum of two hundred Pounds; one Moiety thereof ſhall be paid to his Majeſty, his Heirs and Succeſſors, and the other Moiety to any Perſon or Perſons who will inform or ſue for the ſame.

Penalty on Commiſſioners acting before they have taken the Oaths.

'XVI. And whereas, by the ſaid recited Act of the ſeventeenth Year of his preſent Majeſty, it is pro- 'vided, That in caſe any Maſter or Miſtreſs ſhall neglect or refuſe to make out, ſign, and deliver, to the 'Aſſeſſor or Aſſeſſors to be appointed by virtue of the ſaid Act, a Liſt of his or her Servants, as by the ſaid 'Act is required; or in caſe, in any Liſt delivered, any Servant or Servants ſhall, by the ſaid Aſſeſſor or 'Aſſeſſors, be found to be omitted, then, and in either of the ſaid Caſes, ſuch Aſſeſſor or Aſſeſſors are 'by the Act authoriſed and impowered to make, upon ſuch Maſter or Miſtreſs ſo neglecting or refuſing to 'deliver a Liſt, or delivering a deficient Liſt, of his or her Servants, an Aſſeſſment of the Number of Ser- 'vants retained or employed by ſuch Maſter or Miſtreſs, as in the ſaid Act is mentioned, diſtinguiſhing 'their Chriſtian and Surnames, and their reſpective Employments; and the Surveyor or Surveyors, in the 'ſaid Act mentioned, are by the ſaid Act authoriſed and required to examine every Liſt and Aſſeſſment, 'and if he or they ſhall diſcover that any Maſter or Miſtreſs, who ſhould and ought to be charged with 'the ſaid Duty, ſhall have been omitted to be charged therewith, or ſhall have been under-rated, he or 'they are directed to certify, as in the ſaid Act mentioned, ſuch Servant or Servants as have been omitted, 'together with the Chriſtian and Surname, and the Employment, of each Servant, by way of Surcharge: 'And whereas great Difficulties have occurred to the Aſſeſſors and Surveyors, in making ſuch Aſſeſſments 'and Surcharges, in diſcovering the Names and Employments of the Servants, in reſpect of whom the

Recital of Part of the Servants Act, 17 Geo. III.

'Maſter

No Aſſeſſment or Surcharge, made by any Aſſeſſor, &c. ſhall be impeached for any Miſtake in the Servants Names, &c.

'Maſter or Miſtreſs ought to be aſſeſſed and charged;' be it therefore enacted by the Authority aforeſaid, That no Aſſeſſment or Surcharge, made or to be made, by any Aſſeſſor or Aſſeſſors, Surveyor or Surveyors, by virtue of the ſaid Act, or this preſent Act, ſhall be impeached or affected by reaſon of any Miſtake or Variance in the Chriſtian or Surname, or either of them, of any Servants, or in the Deſcription of their Employments; but that all ſuch Aſſeſſments and Surcharges ſhall be valid and effectual, to all Intents and Purpoſes, notwithſtanding any ſuch Miſtake or Variance, provided the Perſon or Perſons intended to be deſcribed ſhall be a Servant or Servants, in reſpect of whom the Maſter or Miſtreſs ought to be aſſeſſed within the Meaning of the ſaid Act.

Regulations relating to Maſters, &c. who have different Places of Reſidence.

'XVII. And whereas, by the ſaid Act of the ſeventeenth Year of his preſent Majeſty, Notice is taken, 'that many Maſters and Miſtreſſes have, or may have, different Places of Reſidence, or may have Servants, 'in reſpect of whom ſuch Maſters or Miſtreſſes may be liable to be rated or aſſeſſed, ſtationed or reſiding 'in different Places, and Relief is therein provided to prevent ſuch Maſters and Miſtreſſes from being aſ- 'ſeſſed in more Places than one for their reſpective Servants, which has been found to be attended with 'conſiderable Difficulties, and afforded Occaſion for many Evaſions;' be it further enacted by the Authority aforeſaid, That every ſuch Maſter or Miſtreſs, when he or ſhe is called upon by the Aſſeſſors for a Liſt of his or her Servants, in each Pariſh or Diſtrict where he or ſhe has a Place of Reſidence, as directed by the ſaid recited Act, ſhall at the ſame Time return a Liſt, or make a Declaration, ſigned by him or her, of the Number of Servants they mean to pay for at every other Place, ſpecifying the particular Pariſh or Pariſhes wherein he or ſhe means to pay for ſuch other Servant or Servants; and the ſaid Aſſeſſors ſhall enter the ſame at the End of their ſeveral Aſſeſſments, and deliver them to the Surveyor for the Diſtrict, that he may tranſmit the Particulars thereof to the Commiſſioners for managing the Affairs of Taxes; and on Failure of the Delivery of ſuch Liſt, or making a Declaration, in the Manner above-mentioned, by any Maſter or Miſtreſs, the Aſſeſſors or Surveyors ſhall, and are hereby required to ſurcharge ſuch Maſter or Miſtreſs for every Servant who has been retained by any Maſter or Miſtreſs reſpectively, within the Pariſh for which the Aſſeſſment is made, during the Year ending the fifth Day of *April* preceding the making ſuch Aſſeſſment.

Penalty on Maſters for not returning Servants in one Pariſh, according to Liſts, &c. delivered in another.

XVIII. And it is hereby further enacted and declared, That if it ſhall be diſcovered that any Servant or Servants have not been returned by a Maſter or Miſtreſs in one Pariſh, according to the Liſts or Declarations delivered in another, in order to their being brought regularly into Charge by the Aſſeſſors, the Maſter or Miſtreſs of ſuch Servant or Servants ſhall forfeit and pay the Sum of forty Pounds, one Half to his Majeſty, his Heirs and Succeſſors, and the other to the Perſon or Perſons who ſhall ſue for the ſame.

All the Powers, Rules, Penalties, &c. in the recited Acts (not hereby altered), to be obſerved in executing the ſaid Acts, and this Act.

XIX. And be it further enacted by the Authority aforeſaid, That all and every the Powers, Authorities, Rules, Directions, Penalties, Forfeitures, Clauſes, Matters, and Things, not hereby altered, contained in the ſaid recited Acts, made in the ſeventeenth Year of his preſent Majeſty, and in the laſt Seſſion of Parliament, or either of them, for raiſing, levying, collecting, and paying the Duties thereby granted, ſhall be in full Force, and be duly obſerved, practiſed, and put in Execution, throughout the whole Kingdom of *Great Britain*, for raiſing and levying, collecting and paying, the ſeveral Rates and Duties on Servants, and on inhabited Houſes, by the ſaid Acts, and this preſent Act granted, as fully and effectually, to all Intents and Purpoſes, as if the ſame or the like Powers, Authorities, Rules, Directions, Penalties, Forfeitures, Clauſes, Matters, and Things, were particularly repeated and re-enacted in the Body of this preſent Act.

Penalties and Forfeitures how to be recovered.

XX. Provided always, and be it enacted, That all Penalties and Forfeitures to be incurred for any Offences againſt this Act, for which there is no particular Way of levying herein preſcribed or appointed, ſhall be recovered in any of his Majeſty's Courts of Record at *Weſtminſter*, with Coſts of Suit, by Action of Debt, or on the Caſe, Bill, Suit, or Information, wherein no Eſſoin, Protection, Wager of Law, or more than one Imparlance, ſhall be allowed.

Perſons ſued in executing this Act, may plead the General Iſſue, and recover Treble Coſts.

XXI. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall, at any Time or Times, be ſued, moleſted, or proſecuted, for any Thing by him or them done or executed in purſuance of this Act, or of any Clauſe, Matter, or Thing herein contained, ſuch Perſon or Perſons ſhall and may plead the General Iſſue, and give the ſpecial Matter in Evidence, for his or their Defence; and if, upon the Trial, a Verdict ſhall paſs for the Defendant or Defendants, or the Plaintiff or Plaintiffs become nonſuited, then ſuch Defendant or Defendants ſhall have Treble Coſts awarded to him or them againſt ſuch Plaintiff or Plaintiffs.

## CAP. LX.

An Act for eſtabliſhing certain Payments to be made to the Vicar of the Pariſh of *Saint Michael* in the City of *Coventry* for the Time being in Lieu of Tithes; and for repealing ſo much of an Act of the fourth and fifth of *Philip* and *Mary* as relates to the Payment of Tithes in the ſaid Pariſh.

Preamble.

'WHEREAS the King's Majeſty, in Right of the Crown of theſe Realms, is Patron of the Vicar- 'age of the Pariſh and Pariſh Church of *Saint Michael* in the City of *Coventry*: And whereas there 'have been certain Rates and Payments made to the now Vicar, and his Predeceſſors Vicars of the ſaid 'Pariſh of *St. Michael*, which compoſe the principal and almoſt the whole of the Emoluments ariſing to 'the ſaid Vicar; but the ſame are now become an incompetent Proviſion, and inadequate to the Duty re- 'quired to be performed in the ſaid Pariſh: And whereas, by a Statute paſſed in the fourth and fifth

'Years

'Years of the Reign of King *Philip* and Queen *Mary*, intituled, *An Acte for the Payment of Tythes in the Citie of* Coventrye, a Sum of two Shillings in the Pound was charged upon the Occupiers of all Houſes, Buildings, and Gardens, within the ſaid City and Suburbs, and made payable to the Vicars of the reſpective Pariſhes therein; but no Payment or Claim hath ever been made under the ſaid Act within the ſaid Pariſh of *Saint Michael*, and, if enforced, would now become an intolerable Burthen on the Inhabitants of the ſaid Pariſh, and a Subject of endleſs Expence and Litigation: And whereas the preſent Vicar and Pariſhioners of the ſaid Pariſh have come to an Agreement between themſelves to raiſe by a Rate, in thoſe Parts of the ſaid Pariſh which lie within the ſaid City and Suburbs, certain Sums of Money to be paid to him the ſaid Vicar, and his Succeſſors Vicars of the ſaid Pariſh, in Lieu of the ſaid ancient Rates and Payments, and of all Rights and Claims that can or may ariſe under the ſaid Act:' May it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That all and every the ſaid ancient Rates and Payments made to the ſaid Vicar, and his Predeceſſors Vicars of the ſaid Pariſh, ſhall, and it is hereby declared that the ſame ſhall, from the Time of the Commencement of the Rate hereafter by this Act eſtabliſhed and made payable inſtead thereof, ceaſe, determine, and be void, and be no longer paid or payable within ſuch Parts of the ſaid Pariſh which are within the ſaid City and Suburbs; and that the ſaid Act, paſſed in the fourth and fifth Years of the Reign of King *Philip* and Queen *Mary*, intituled, *An Acte for the Payment of Tithes in the Citie of* Coventrye, ſhall, ſo far as the ſame relates to the ſaid Pariſh and Vicarage of *Saint Michael*, be, and the ſame is hereby declared to be repealed.

*Ancient Payments, and Act of 4th and 5th of Philip and Mary, repealed, with reſpect to this Pariſh.*

II. And be it further enacted, That, within fourteen Days after the paſſing of this Act, and within one Calendar Month next after *Eaſter Tueſday* in every Year afterwards for ever, a Rate or Aſſeſſment ſhall be made, laid, and aſſeſſed, by Aſſeſſors to be nominated and appointed as herein-after mentioned, upon all and every Perſon and Perſons who do or ſhall inhabit, hold, or occupy, any Houſe, Garden, or Building, by whatſoever Name or Deſcription the ſame may be known, within thoſe Parts of the Pariſh of *Saint Michael* which lie within the City and Suburbs of *Coventry* aforeſaid; which ſaid Rate or Aſſeſſment ſhall be made and laid to raiſe one Shilling in the Pound *per Annum*, and no more, upon all and every ſuch Premiſes reſpectively which are, or for the Time being ſhall be, of the yearly Rent or Value of ten Pounds and upwards, and Six-pence in the Pound *per Annum*, and no more, upon all and every ſuch Premiſes reſpectively which are, or for the Time being ſhall be, of the yearly Rent or Value of ſix Pounds and upwards, and under the yearly Rent of ten Pounds; and which ſaid Rate or Aſſeſſment ſhall be in Lieu and full Diſcharge of all ancient Payments, *Eaſter* Offerings, Tithes, and other Eccleſiaſtical Dues, Claims, and Demands whatſoever, heretofore paid or payable to the ſaid Vicar (except Surplice Fees, and ſuch Stipends, Donations, and Bequeſts, as have been heretofore or ſhall be hereafter beſtowed upon the Vicar of the ſaid Pariſh for the Time being).

*A Rate to be made in Lieu of ancient Payments, Tithes, &c.*

III. Provided always, and it is hereby enacted by the Authority aforeſaid, That no ſuch Rate or Aſſeſſment ſhall be laid upon any Houſe, Garden, or Building, the annual Rent or Value whereof ſhall be under ſix Pounds, if the ſame be not let upon a beneficial or repairing Leaſe, with Fine or Foregift paid or taken for the ſame, but of which Dwelling-houſe, Garden, or Building, the true annual Rent or Value ſhall *bona fide* be under ſix Pounds; nor ſhall any ſuch Rate or Aſſeſſment be laid upon any public Building, Garden Ground occupied by Gardeners for the Purpoſe of ſelling the Produce thereof, or Gardens not contiguous to the Dwellings of the Occupiers thereof.

*Houſes, &c. under 6 l. per Annum, and public Buildings, &c. not to be rated.*

IV. And be it further enacted by the Authority aforeſaid, That the ſaid Rate or Aſſeſſment ſhall be laid and charged only upon the Inhabitants or Occupiers for the Time being of the reſpective Houſes, Gardens, and Buildings, hereby made liable to the ſaid Rate or Aſſeſſment, and not on the Landlord or Landlords who let or demiſe the ſame.

*Rate to be laid on Occupiers only.*

V. And be it further enacted by the Authority aforeſaid, That within fourteen Days after the paſſing of this Act, and upon *Eaſter Tueſday* in each and every Year for ever after the paſſing of the ſame, or within fourteen Days next after every ſuch *Eaſter Tueſday*, the Vicar for the Time being, and the Pariſhioners of the ſaid Pariſh of *Saint Michael*, who are liable to be rated or aſſeſſed by virtue of this Act, ſhall meet in the Veſtry-room of and belonging to the ſaid Pariſh, or in ſuch other Place where the Buſineſs of the ſaid Pariſh is uſually tranſacted; which reſpective Days of Meeting ſhall be appointed by the ſaid Vicar for the Time being, and ſhall be held between the Hours of Ten of the Clock in the Forenoon and Two of the Clock in the Afternoon of ſuch reſpective Days; and of each and every of which Meetings Notice ſhall be by him, or by ſome Perſon by his Direction, publicly given in the Church of *Saint Michael* aforeſaid, immediately after Divine Service in the Forenoon of the *Sunday* next preceding the Day of each and every of ſuch Meetings; and the ſaid Vicar for the Time being ſhall at ſuch reſpective Meetings appoint, by Writing under his Hand, one or more Perſon or Perſons, not exceeding the Number of Six, being Inhabitants of the ſaid Pariſh and liable to the ſaid Rate or Aſſeſſment, and not being of the People called *Quakers*; and the Majority of ſuch Inhabitants ſo met or aſſembled in purſuance of ſuch Notice as aforeſaid, ſhall and may, and are hereby impowered to appoint, on Behalf of themſelves and the reſt of the Pariſhioners of the ſaid Pariſh, an equal Number of Perſons with the ſaid Vicar for the Time being, Inhabitants of the ſaid Pariſh, and liable to the ſaid Rate or Aſſeſſment as aforeſaid, and not being of the People called *Quakers*; which laſt-mentioned Appointment ſhall be ſigned by three at leaſt of the ſaid Pariſhioners, if ſo many ſhall be then and there preſent; and in caſe there ſhall not be three of the ſaid Inhabitants, liable to the ſaid Rate or Aſſeſſment, preſent at ſuch Meeting, then the ſaid Vicar for the Time being, and ſuch other Perſon or Perſons, Inhabitants of the ſaid Pariſh and liable as aforeſaid, as ſhall be then preſent, ſhall and are hereby impowered to make ſuch Appointment in Manner aforeſaid; and if none of the ſaid Inhabitants of the ſaid Pariſh ſo liable as aforeſaid ſhall be preſent at ſuch Meeting, or being preſent

*Inhabitants to meet annually for chuſing Aſſeſſors.*

*How they ſhall be choſen.*

ſhall

ſhall neglect or refuſe to appoint ſuch Aſſeſſor or Aſſeſſors in Manner aforeſaid, then the ſaid Vicar for the Time being ſhall, and is hereby authoriſed and impowered alone to appoint two or more Perſons, not exceeding the Number of Six, being Inhabitants of the ſaid Pariſh and liable as aforeſaid in Manner and Form as before mentioned, which ſaid Perſons ſo appointed in Manner aforeſaid by the ſaid Vicar for the Time being, and the Inhabitants of the ſaid Pariſh, or by the ſaid Vicar alone, as the Caſe may be, ſhall and are hereby declared to be Aſſeſſors for the Purpoſes of making the Rates or Aſſeſſments, by this Act authoriſed and directed to be made, and ſhall continue in ſuch Office for the Term of one Year.

Aſſeſſors to have perſonal Notice of their Appointment. Penalty on Aſſeſſors refuſing or neglecting to execute the Office.

VI. And be it further enacted by the Authority aforeſaid, That, immediately after the ſaid Appointments or Appointment, a Duplicate or Copy of ſuch Appointments or Appointment ſhall be delivered perſonally to the ſeveral Perſons appointed as aforeſaid.

VII. And be it further enacted by the Authority aforeſaid, That every Perſon appointed as aforeſaid, and refuſing to take upon him the ſaid Office of Aſſeſſor, or neglecting duly to execute the ſame, ſhall, for every ſuch Offence, forfeit and pay the Sum of five Pounds, which ſhall be recovered from him and them reſpectively in like Manner and by the Means hereafter appointed for the Recovery of the Rates and Aſſeſſments hereby directed to be made, and ſhall be paid to the Churchwardens and Overſeers of the Poor of the ſaid Pariſh of *Saint Michael*, to be by them applied in Aid of the Rates for the Relief of the Poor of the ſaid Pariſh.

No Perſon compellable to ſerve a ſecond Time for 7 Years.

VIII. And be it further enacted by the Authority aforeſaid, That every Perſon and Perſons who ſhall duly execute the ſaid Office of Aſſeſſor, or ſhall pay the aforeſaid Penalty for not executing the ſame, ſhall not be compelled or compellable to execute the ſame again for the Term or Space of ſeven Years then next following.

Saint John's Pariſh to be conſidered as Part of Saint Michael's.

IX. Provided always, and be it further enacted by the Authority aforeſaid, That the Pariſh of *Saint John Baptiſt* within the City and Suburbs aforeſaid ſhall, as to any Rates or Aſſeſſments to be made by virtue of this Act, and the Appointment of Aſſeſſors to aſſeſs or make the ſame, and all and every other Matters and Things herein contained, be deemed and taken to be Part of the Pariſh of *Saint Michael*.

Houſes, &c. without the Limits of the ſeveral Wards, not deemed within the Suburbs.

X. Provided alſo, and be it further enacted by the Authority aforeſaid, That no Meſſuages, or other Buildings, Yards, Gardens, Orchards, or other Hereditaments, ſhall be conſtrued or taken to be within the Suburbs of the ſaid City as to the Purpoſes of this Act, the Situation or Situations whereof reſpectively is or are without and beyond the Limits of the ſeveral Wards of the ſaid City.

How Aſſeſſors are to be paid.

XI. And be it further enacted by the Authority aforeſaid, That for and in Conſideration of the extraordinary Trouble that the Aſſeſſors will have in making and adjuſting the firſt Aſſeſſment to be made under and by virtue of this Act, the ſaid Aſſeſſors ſhall have an Allowance for ſuch firſt Aſſeſſment of Threepence for each Houſe aſſeſſed by them reſpectively; and the Aſſeſſors appointed yearly afterwards in Manner herein-before directed, ſhall alſo have an Allowance, for each and every Rate or Aſſeſſment made by them in purſuance of this Act, of one Penny for each Houſe ſo aſſeſſed by them reſpectively; ſuch reſpective Allowances to be paid to the ſaid Aſſeſſors reſpectively, by the Vicar of the ſaid Pariſh for the Time being, upon the Delivery of ſuch Aſſeſſments in Manner herein-after directed.

How Rates to be paid where Occupiers remove, or for intermediate Time.

XII. And be it further enacted by the Authority aforeſaid, That where any Perſon or Perſons ſhall come into or occupy any Houſe, Garden, or Building, rated or aſſeſſed, or liable to be rated or aſſeſſed, by virtue of this Act, out of or from which any other Perſon aſſeſſed ſhall be removed, or which at the Time of making any Rate or Aſſeſſment in purſuance of this Act was empty or unoccupied, that then every Perſon ſo removing from, and every Perſon ſo coming into or occupying the ſame, ſhall be liable to pay to ſuch Rate in Proportion to the Time that ſuch Perſon occupied the ſame reſpectively, in the ſame Manner, and under the like Penalty of Diſtreſs as if ſuch Perſon ſo removing had not removed, or ſuch Perſon ſo coming into and occupying ſuch Houſe, Garden, or Building, had been originally rated and aſſeſſed in ſuch Rate; which ſaid Proportion, in caſe of Diſpute, ſhall be finally ſettled and aſcertained by the Juſtices of the Peace for the ſaid City in a ſummary Way, by Examination of Witneſſes upon Oath or Affirmation (which Oath or Affirmation they are hereby impowered and required to adminiſter), at their then next General Quarter Seſſions of the Peace, or any Adjournment thereof, to be held within one Month next after ſuch Diſpute ſhall ariſe; and the ſaid Juſtices are hereby authoriſed and required, upon Application to them for that Purpoſe, finally to ſettle and aſcertain the ſame in Manner aforeſaid.

Rates to be made by Aſſeſſors, and delivered to the Vicar and Churchwardens.

XIII. And be it further enacted by the Authority aforeſaid, That ſuch Perſons ſo appointed Aſſeſſors as aforeſaid do and ſhall, within two Months after perſonal Notice of ſuch Appointment, and ſuch other Perſons who ſhall be afterwards appointed Aſſeſſors in Manner aforeſaid do and ſhall, within one Month after perſonal Notice of every ſuch Appointment, eſtimate and aſcertain, according to the beſt of their Skill and Judgment, the full and juſt yearly Rent or Value of every ſuch Dwelling-houſe, Garden, and Building, hereby charged and chargeable as aforeſaid, within thoſe Parts of the ſaid Pariſh of *Saint Michael* which lie within the ſaid City and Suburbs, and do and ſhall make a Rate or Aſſeſſment in Writing of one Shilling in the Pound, according to ſuch Eſtimate and Valuation, upon the Occupier or Occupiers of every Dwelling-houſe, Garden, and Building, of the yearly Value of ten Pounds and upwards, in reſpect thereof, and of Six-pence in the Pound, according to ſuch Eſtimate or Valuation, upon the Occupier or Occupiers of every ſuch Dwelling-houſe, Garden, and Building, of the yearly Value of ſix Pounds and upwards, in reſpect thereof; and which ſaid firſt Rate or Aſſeſſment ſo to be made in purſuance of this Act ſhall be made for one whole Year, commencing at the Feaſt of *Eaſter*, one thouſand ſeven hundred and ſeventy-nine; and do and ſhall, within one Week after ſuch Rates and Aſſeſſments ſhall have been made in the Year one thouſand ſeven hundred and ſeventy-nine, and in the ſame Manner within one Week after the Rates and Aſſeſſments ſhall have been made in all ſucceeding Years, deliver a Copy or Duplicate of ſuch Rates or Aſſeſſments to be made reſpectively as aforeſaid, fairly written and ſubſcribed by them, unto the ſaid Vicar for the Time being, and another Copy or Duplicate thereof to the

the Churchwardens of the ſaid Pariſh, ſome or one of them, to be by them, ſome or one of them, lodged in the Veſtry of the ſaid Pariſh for the Uſe and Inſpection of the Inhabitants of the ſame who are liable to be rated or aſſeſſed by virtue of this Act.

Aſſeſſments to be verified on Oath.

XIV. Provided always, and be it further enacted by the Authority aforeſaid, That every ſuch Aſſeſſor ſhall, before the Delivery of the Duplicates of ſuch Aſſeſſment to the ſaid Vicar and Churchwardens in Manner aforeſaid, produce ſuch Aſſeſſment and Duplicates thereof to ſome one of the Juſtices of the Peace in and for the ſaid City; and at the Time of ſuch Production make Oath before ſuch Juſtice, in the Form or to the Effect following; *videlicet*,

Form of Oath.

'I *A. B.* do ſwear, That in the Aſſeſſment, and Duplicates of the ſame, now produced by me of the Houſes, Gardens, and Buildings, ſituate in thoſe Parts of the Pariſh of *Saint Michael* which lie within the City and Suburbs of *Coventry*, under and by virtue of an Act of the nineteenth Year of the Reign of his preſent Majeſty, *for eſtabliſhing certain Payments to be made to the Vicar of the Pariſh of* Saint Michael *in the City of* Coventry, I have rated each Houſe, Garden, and Building, at their true annual Rent or Value, according to the beſt of my Skill and Judgment.

*So help me* GOD.'

Which Oath each and every Juſtice of the Peace in and for the ſaid City is hereby impowered and required to adminiſter upon Application to him for that Purpoſe, and to certify at the Foot of ſuch Aſſeſſment, and the Duplicates thereof, that ſuch Oath as above mentioned was duly taken before him by the Aſſeſſors making ſuch Aſſeſſment.

Notice of Rates to be given in the Pariſh Church.

XV. And be it further enacted by the Authority aforeſaid, That Notice of every ſuch Rate or Aſſeſſment being made and verified in the Manner aforeſaid ſhall be given in the ſaid Pariſh Church of *Saint Michael* immediately after Divine Service in the Forenoon of the *Sunday* next after the ſame is delivered in ſo verified as aforeſaid, to the ſaid Vicar and Churchwardens, and alſo a printed or written Notice that ſuch Rate or Aſſeſſment is ſo made and verified as aforeſaid, ſhall on the ſame *Sunday* be affixed on the Door of the ſaid Pariſh Church; in which ſaid Notices the Time within which any Perſon or Perſons, who ſhall apprehend him, her, or themſelves to be aggrieved by any ſuch Rate or Aſſeſſment, muſt appeal, ſhall be expreſſed and declared.

If Aſſeſſors refuſe to make Aſſeſſment, the Vicar to aſſeſs.

XVI. Provided always, and be it further enacted by the Authority aforeſaid, That if the major Part of the Aſſeſſors, ſo to be appointed, ſhall neglect or refuſe to make ſuch Aſſeſſment within the Time limited by this Act for making the ſame, then the ſaid Aſſeſſment ſhall and may be made by the other Aſſeſſors or Aſſeſſor only; and if all and every ſuch Aſſeſſors or Aſſeſſor ſhall neglect or refuſe to make ſuch Aſſeſſment within the Time aforeſaid, then and in ſuch Caſe it ſhall be lawful for the ſaid Vicar or his Succeſſors to make the ſame; and that all and every Perſon and Perſons who ſhall be mentioned in the Aſſeſſment or Aſſeſſments ſo to be made by the ſaid other Aſſeſſors or Aſſeſſor, or by the ſaid Vicar or his Succeſſors, ſhall be liable to pay the ſeveral Sums for which he, ſhe, or they ſhall be ſo rated, as fully as if the ſame had been made by all the ſaid Aſſeſſors; any Thing herein contained to the contrary thereof in anywiſe notwithſtanding.

Rate to be collected by the Vicar quarterly.

XVII. And be it further enacted by the Authority aforeſaid, That all and every of the ſaid Rates or Aſſeſſments, after the ſame ſhall be ſo made, verified, and publiſhed as aforeſaid, ſhall or may be collected by the Vicar of the ſaid Pariſh for the Time being, or any Perſon or Perſons acting for him and under his Direction and by his Appointment, quarterly, at the four moſt uſual Days of Payment; *videlicet*, the Nativity of Saint *John the Baptiſt*, the Feaſt of Saint *Michael the Archangel*, the Nativity of our Lord *Chriſt*, and the Feaſt of *Eaſter*, by equal Portions; and the Money ariſing thereby ſhall be to the ſole Uſe and Benefit of the Vicar of the ſaid Pariſh of *Saint Michael* in *Coventry* for the Time being, and ſhall be accepted and taken in Lieu of, and in full Satisfaction and Compenſation for, all ancient Rates and Payments, and all Manner of Tithes, Moduſes in Lieu of Tithes, Mortuaries, *Eaſter* Offerings, and other Eccleſiaſtical Dues and Demands of any Nature or Kind whatſoever, heretofore paid or payable to the ſaid Vicar, and his Predeceſſors Vicars of the ſaid Pariſh, within thoſe Parts of the ſaid Pariſh which lie within the ſaid City and Suburbs (Surplice Fees excepted, which ſhall remain due and payable as heretofore, and alſo except all ſuch Endowments, Bequeſts, and Stipends, as have been heretofore or ſhall hereafter be beſtowed upon the Vicar of the ſaid Pariſh for the Time being).

Rates to be recovered by Diſtreſs and Sale of the Goods and Chattels of Perſons neglecting or refuſing to pay.

XVIII. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſo rated and aſſeſſed as aforeſaid, who ſhall not appeal from ſuch Rate or Aſſeſſment within the Time herein-after limited for that Purpoſe, ſhall refuſe, neglect, or omit to pay to the Vicar of the ſaid Pariſh for the Time being, or to ſuch Perſon or Perſons acting for him, and under his Direction, and by his Appointment, the Sum and Sums of Money, which he, ſhe, or they ſhall be rated or aſſeſſed at by virtue of this Act; or if any Perſon or Perſons, appealing in Manner hereafter directed, ſhall refuſe, neglect, or omit to pay to the ſaid Vicar, or ſuch Perſon or Perſons ſo to be appointed by him as aforeſaid to receive the ſame, ſuch Sum or Sums of Money as upon the Determination of ſuch Appeal ſhall be found to be due and payable to the ſaid Vicar for the Time being, for the Space of ten Days after perſonal Demand made thereof, or Demand in Writing left at the uſual Place of Abode or Occupation of ſuch Perſon or Perſons reſpectively; then, and in every ſuch Caſe, it ſhall and may be lawful to and for any one or more Juſtice or Juſtices of the Peace of the ſaid City, upon Oath of the ſaid Vicar for the Time being, or ſome Perſon acting for and under him (which Oath they are hereby impowered and required to adminiſter without Fee or Reward), of any ſuch Demand and Nonpayment, by Warrant under his or their Hand and Seal or Hands and Seals (which he or they are hereby impowered and required to grant), to authoriſe and direct ſuch Perſon or Perſons ſo acting for and under the ſaid Vicar, and any other Perſon to be therein named, to levy, as ſoon as may be, ſuch Rate or Monies ſo in Arrear and refuſed or neglected to be paid, together with the Coſts attend-

ing the same, to be ascertained by such Justice or Justices, not exceeding the Sum of twenty Shillings, by Distress and Sale of the Goods and Chattels of every such Person or Persons so in Arrear, and refusing or neglecting to pay as aforesaid, wherever such Goods and Chattels can be found, not only in the said Parish of *Saint Michael*, but in any other Parish or Place within the City or County of the City of *Coventry*, rendering the Overplus (if any be) to the Party or Parties so distrained, or leaving the same, for his, her, or their Use, at the Place where such Distress shall be made.

Houses, where Part let out to Lodgers, to be paid for by principal Occupier.

'XIX. And whereas many Persons, Occupiers of Houses within the said Parish of *Saint Michael*, do 'or may let out Part or Parts thereof to divers Persons as Lodgers or Inmates only, of whom it might be 'difficult to recover the Rates or Assessments laid thereupon;' be it therefore further enacted by the Authority aforesaid, That in such case it shall be lawful for the Assessors to be appointed for the Purposes of this Act, and they are hereby required to rate and assess the principal Occupier and Occupiers, whether Owners, or Tenants under the Owners of such Houses respectively, of which such Part or Parts shall be so let out to Lodgers or Inmates for the Whole of such House and Houses; which Rate or Assessment shall be paid by and recovered of such principal Occupier and Occupiers respectively.

Houses, &c. let without Rent reserved on account of Fine, or at less than real Value, on account of Covenant for Improvement, to be assessed at the real Value.

XX. And be it further enacted by the Authority aforesaid, That in case any House, Garden, or Building, by whatsoever Name or Description the same may be known, within the said Parish of *Saint Michael* (except as herein-before excepted), shall be let on Lease without any Rent reserved thereby, on account of Fore-gift or Fine having been paid for the same; or at a less Rent than the real annual Value thereof, on account of any Covenant therein contained for Improvement of the same; then, and in every such Case, every such Dwelling-house, Garden, and Building as aforesaid, shall for the Purposes of this Act be assessed according to the real annual Rent that the same shall at the Time of making such Assessment appear to the Assessors to be worth to let; and they are hereby authorised and required to assess the same accordingly.

Rent reserved without Fine, &c. to be conclusive Evidence of the Value of the Premises.

XXI. And be it further enacted by the Authority aforesaid, That when a Rent is, *bona fide*, reserved upon any Lease of a House, Garden, or Building, without any Fine or Fore-gift paid for the same, or any Covenant therein contained for Improvement of the Premises, such Rent shall, and the same is hereby declared to be conclusive Evidence of the annual Value of such Premises.

Provision against Fraud or Collusion between Landlords and Tenants.

XXII. Provided always, and it is hereby also enacted, That, in order to prevent any Fraud or Collusion between Landlords and Tenants, no House, Garden, or Building which, on the first Day of *January*, one thousand seven hundred and seventy-eight, was let at the yearly Rent of ten Pounds or upwards, shall thereafter be rated or assessed at less than that Sum, unless the yearly Rent thereof shall be, *bona fide*, reduced to nine Pounds or under; and that no House, Garden, or Building, which at the Time aforesaid was let at the yearly Rent of six Pounds or upwards, shall thereafter be rated or assessed at less than that Sum, unless the yearly Rent thereof shall be, *bona fide*, reduced to five Pounds or under.

Persons aggrieved by the Rates may appeal to the Justices in Session, within one Month after Publication.

Witnesses to be examined on Oath.

XXIII. Provided always, and it is hereby further enacted by the Authority aforesaid, That if the said Vicar for the Time being, or any Person or Persons rated or liable to be rated or assessed by virtue of this Act, shall apprehend him, her, or themselves aggrieved by any Rate or Assessment made in pursuance thereof, it shall and may be lawful for such Vicar or other Person and Persons to appeal from such Rate or Assessment to the Justices of the Peace at any General or Quarter Session of the Peace to be held for the said City of *Coventry*, or at any Adjournment thereof, within one Month next after Publication of such Rate or Assessment shall have been made in Manner aforesaid; and the said Justices, other than and except such Justices as may be interested in the Premises, shall, and they are hereby impowered and required, at such General Quarter Session of the Peace, or Adjournment thereof, to hear and determine the Causes and Matter of every such Appeal in a summary Way, by the Examination of Witnesses, upon Oath or Affirmation (which Oath or Affirmation they are hereby impowered and required to administer and take), and to alter and amend such Rate or Assessment in the Articles complained of according to the Justice of the Case, and to award to the Party or Parties for whom any such Appeal shall be determined, such Costs as to them in their Discretion shall seem reasonable, not exceeding the Sum of five Shillings; which Costs and Sum, inserted in the said Rate by the said Justices upon an Appeal, shall be recovered in like Manner and by the Means herein-before appointed for the Recovery of the Rates and Assessments hereby directed to be made.

No Abatement to be made in, or Addition to, the Rate, unless it shall appear upon Oath that the Party is over-rated or under-rated.

XXIV. Provided also, and be it further enacted by the Authority aforesaid, That the said Justices shall not, upon the hearing of any Appeal, make any Abatement or Defalcation in, or Addition to, the Charge made upon any Person by such Rate or Assessment as aforesaid, but the same shall stand good and remain Part of the annual Assessment, unless it shall then appear to the said Justices, by Examination of the Circumstances of the Case upon Oath, that such Person is over-rated or under-rated in and by such Rate or Assessment, in which Case the said Justices are hereby authorised and impowered upon every such Appeal to abate and diminish, or to add and to raise, any such Rate or Assessment to be made as aforesaid, agreeable to the true Intent and Meaning of this Act.

Three Days Notice of Appeal to be given by Appellant.

XXV. Provided also, and be it further enacted by the Authority aforesaid, That if any Occupier or Occupiers, rated or assessed by virtue of this Act, shall appeal from any such Rate or Assessment in Manner aforesaid, he, she, or they shall give, or cause to be given, three Days Notice at the least of his, her, or their Intention of appealing, and of the Matter and Cause thereof, to the Vicar of the said Parish for the Time being; and that if the Vicar for the Time being shall appeal from any such Rate or Assessment in Manner aforesaid, he shall give or cause to be given the like Notice in Writing of such his Intention, and of the Matter and Cause thereof, to the Occupier or Occupiers of the Premises in respect of which he shall so appeal against the said Rate or Assessment.

How Witnesses to be compelled to attend.

'XXVI. And whereas it may be difficult to procure the Attendance of Witnesses upon Appeals made in 'pursuance of the Powers in that Behalf in this Act contained;' be it further enacted by the Authority aforesaid, That each and every Justice of the Peace in and for the said City is hereby impowered and required, upon

Application for that Purpoſe, to iſſue and grant a Summons or Summonſes for the Attendance of any Witneſs or Witneſſes upon hearing of any ſuch Appeal on the Behalf of the Appellant or Reſpondent, as the Caſe may be; and every ſuch Witneſs refuſing or neglecting to appear and give Evidence according to ſuch Summons upon the Hearing of any ſuch Appeal (unleſs prevented by Sickneſs, or other lawful Excuſe to be allowed by the ſaid Juſtices) ſhall, upon Proof of the Service of ſuch Summons requiring his Attendance, and of ſuch Refuſal or Neglect upon Oath before ſuch Juſtices of the Peace in and for the ſaid City in Seſſion aſſembled, forfeit and pay, to the Uſe of the Party on whoſe Behalf ſuch Witneſs was ſummoned to appear, ſuch Sum as ſhall by ſuch Juſtices be thought reaſonable, not exceeding the Sum of twenty Shillings, to be recovered in caſe of Nonpayment thereof from every ſuch Witneſs reſpectively, by the Party to whom the ſame ſhall be forfeited, in like Manner and by the Means herein-before appointed for the Recovery of the Rates and Aſſeſſments by this Act directed to be made.

For recovering Arrears due between Eaſter, 1778, and Eaſter, 1779.

XXVII. And be it further enacted by the Authority aforeſaid, That the preſent Vicar of the ſaid Pariſh ſhall be intitled to and ſhall receive from all and every Perſon and Perſons who did inhabit, uſe, or occupy, any Houſe, Garden, or Building (except as before excepted), in the ſaid Pariſh within the City aforeſaid, and the Suburbs thereof, at any Time between the Feaſts of *Eaſter*, one thouſand ſeven hundred and ſeventy-eight, and one thouſand ſeven hundred and ſeventy-nine, ſuch Proportions of the ſeveral Sums of one Shilling in the Pound upon every ſuch Premiſes of the yearly Rent or Value of ten Pounds and upwards, and Sixpence in the Pound upon every ſuch Premiſes of the yearly Rent or Value of ſix Pounds, and under the yearly Rent or Value of ten Pounds, according to the Time ſuch Perſons reſpectively did inhabit, uſe, or occupy, any of ſuch Premiſes reſpectively; the ſame to be aſcertained according to the Rate that ſhall be firſt made in purſuance of this Act, with the like Liberty of appealing, and with the like Powers of recovering the ſame, as are herein-before eſtabliſhed in reſpect to the ſaid Rate.

Churchwardens and Overſeers, after Eaſter, 1780, may levy annually, by a Pound Rate, from 280 to 300 l.;

which ſhall be paid quarterly to the Vicar,

in full Satisfaction of all his Demands under this Act.

XXVIII. Provided always, and be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Churchwardens and Overſeers of the Poor of the ſaid Pariſh for the Time being, or the greater Part of them (if they ſhall think fit), to raiſe and levy yearly and every Year, from and after the Feaſt of *Eaſter* which will be in the Year of our Lord one thouſand ſeven hundred and eighty, by a Pound Rate to be aſſeſſed and made by them, or the greater Part of them, according to the Proportions herein-before preſcribed, and ſubject to the ſame Remedies for the Recovery thereof, and to the like Appeal and Relief in caſe of any Grievance ariſing therefrom, any Sum or Sums of Money, not exceeding the Sum of three hundred Pounds, or leſs than the Sum of two hundred and eighty Pounds, and to pay the ſame over annually to the ſaid Vicar for the Time being, and his Succeſſors for ever, at the four moſt uſual Feaſts or Days of Payment in the Year; *videlicet*, The Nativity of *Saint John* the Baptiſt, the Feaſt of *Saint Michael* the Archangel, the Nativity of our Lord *Chriſt*, and the Feaſt of *Eaſter*, by equal Portions, clear of all Taxes, Deductions, Charges, and Expences whatſoever, parochial, parliamentary, or otherwiſe howſoever; which ſaid Sum of two hundred and eighty Pounds, to be paid in Manner aforeſaid, the Vicar for the Time being is hereby required to accept and take in full Satisfaction and Diſcharge of all his Claims and Demands under and by virtue of this Act; any Thing herein-before contained to the contrary notwithſtanding: And then and in ſuch Caſe, during the Payment of the ſaid two hundred and eighty Pounds in Manner aforeſaid, the Powers hereby given for appointing Aſſeſſors, and for their making a Rate or Aſſeſſment in Manner herein-before preſcribed, ſhall ceaſe; but in caſe the Churchwardens and Overſeers of the Poor of the ſaid Pariſh for the Time being ſhall neglect or refuſe to pay to the ſaid Vicar for the Time being the ſaid clear annual Sum or Payment of two hundred and eighty Pounds at the Days and Times, and in Manner herein-before appointed for Payment thereof, or for one Calendar Month next after any or either of the ſaid Days of Payment, then and in ſuch Caſe the ſaid Vicar for the Time being, and the ſaid Pariſhioners, or the ſaid Vicar alone, as the Caſe may be, ſhall and may, and they are hereby authoriſed, impowered, and required to appoint Aſſeſſors from Time to Time, and to make or cauſe to be made a Rate or Aſſeſſment for the Benefit of the ſaid Vicar for the Time being, as in this Act is before directed concerning the ſame, and as they might have done if this Clauſe had not been inſerted therein.

Expences of this Act to be paid before any Money ſhall be levied by virtue thereof.

XXIX. Provided always, that the ſaid Churchwardens and Overſeers of the Poor for the Time being ſhall not raiſe or levy any Money by virtue of this Act, or of any Powers or Authority thereby given them, until all the Expences of obtaining this Act, together with all other Charges and Expences incident to the obtaining thereof, and incurred previous to the Petition for the ſaid Act, ſhall have been raiſed and paid according to ſuch Rates, Aſſeſſments, and Directions, as are herein-after mentioned and enacted for that Purpoſe.

How the Expences of this Act ſhall be defrayed.

XXX. And be it further enacted by the Authority aforeſaid, That one Half Part of the Expences of obtaining this Act ſhall be paid and defrayed by the preſent Vicar of the ſaid Pariſh of *Saint Michael* by and out of the firſt Monies by him collected under and by virtue of the ſame, or in caſe of his Death before Payment thereof, by his Executors or Adminiſtrators; and the ſaid Rate or Aſſeſſment made payable to the ſaid Vicar by virtue hereof ſhall and is hereby declared to be ſubject and liable to the Payment of the ſame; and that the other Half Part of ſuch Expences, together with all other Charges and Expences incident to the obtaining thereof, and incurred previous to the Petition for the ſaid Act, ſhall be raiſed and paid immediately after the paſſing thereof by a like Rate or Aſſeſſment, and ſhall be collected and recoverable in the ſame Manner as the Rates and Aſſeſſments hereby directed to be made for the ſaid Vicar.

Inhabitants may be Witneſſes.

XXXI. And be it further enacted by the Authority aforeſaid, That in all Appeals, Cauſes, and Proceedings whatſoever, relating to and concerning the Execution of this Act, any Inhabitant within thoſe Parts of the ſaid Pariſh of *Saint Michael* which lie within the ſaid City and Suburbs, ſhall and may be admitted to give Evidence, the Rate or Aſſeſſment charged or to be charged as aforeſaid upon any ſuch Inhabitant by virtue of this Act notwithſtanding.

No Settlement to be gained by paying the Rate.

XXXII. And be it further enacted by the Authority aforeſaid, That no Perſon who ſhall be charged with or pay to any Rate or Aſſeſſment to be made in purſuance of this Act, ſhall thereby gain any legal Settlement in the ſaid Pariſh of *Saint Michael*.

Diſtreſs not unlawful for want of Form, &c.

XXXIII. And be it further enacted by the Authority aforeſaid, That where any Diſtreſs and Sale ſhall be made by virtue of this Act, ſuch Diſtreſs and Sale ſhall not be unlawful, nor the Party or Parties making or doing the ſame reſpectively be deemed a Treſpaſſer or Treſpaſſers, on account of any Defect or Want of Form, or other Irregularity, in any Warrant or other Proceeding whatſoever, relating to or concerning any ſuch Diſtreſs and Sale; nor ſhall the Party or Parties making ſuch Diſtreſs and Sale be deemed a Treſpaſſer or Treſpaſſers *ab initio* on account of any Irregularity which ſhall afterwards be done or tranſacted in any ſuch Caſe by him or them; but the Perſon or Perſons aggrieved by any ſuch Irregularity ſhall and may, by Action of Treſpaſs, or on the Caſe, recover Satisfaction for the ſpecial Damages only, and in every ſuch Action ſhall have no more Coſts than Damages, unleſs ſuch Damages ſhall exceed the Sum of forty Shillings.

Limitation of Actions.

XXXIV. Provided always, That no Action or Suit whatſoever ſhall be commenced or proſecuted againſt any Perſon or Perſons, for any Thing done or to be done in purſuance of this Act, or any Clauſe, Power, or Thing herein contained, until after fourteen Days Notice in Writing, ſigned by the Party aggrieved, ſhall be given to the Perſon or Perſons againſt whom the ſaid Action or Suit is intended to be brought; nor after a ſufficient Satisfaction, or a Tender thereof, hath been made to the Party or Parties ſo alleging him, her, or themſelves to be aggrieved, nor after ſix Calendar Months next following ſuch Grievance, and the Fact committed; and every ſuch Action ſhall be laid in the County of the City of *Coventry*, and not elſewhere; and the Defendant or Defendants in every ſuch Action or Suit ſhall and may plead at his Election ſpecially, or the General Iſſue, and give this Act, and the ſpecial Matter, in Evidence at any Trial to be had thereupon, and that the ſame was done in purſuance of this Act, and by Force of ſome or one of the Powers and Authorities hereby given: And if the ſame ſhall appear to be ſo done, or that ſuch Action or Suit ſhall be brought before fourteen Days Notice had been thereof given, or after ſufficient Satisfaction made or tendered, or after the Time limited for bringing the ſame, as is herein-before directed, or ſhall be laid in any other County or Place than as aforeſaid, then the Jury in every ſuch Caſe ſhall find a Verdict for the Defendant or Defendants; and in every ſuch Action, if a Verdict ſhall be found for the Defendant or Defendants, or if the Plaintiff or Plaintiffs ſhall be nonſuited, or diſcontinue his, her, or their Action or Actions after the Defendant or Defendants ſhall have appeared, or if, upon Demurrer, Judgment ſhall be given againſt the Plaintiff or Plaintiffs, then the Defendant or Defendants ſhall and may recover Treble Coſts, and have ſuch Remedy for the ſame, as any Defendant or Defendants hath or have in other Caſes by Law.

General Iſſue.

Treble Coſts.

Public Act.

XXXV. And be it enacted by the Authority aforeſaid, That this Act, and every Thing herein contained, ſhall be deemed, adjudged, and taken to be a Public Act; and ſhall be judicially taken Notice of as ſuch by all Judges, Juſtices, and other Perſons whomſoever, without ſpecially pleading the ſame.

## CAP. LXI.

An Act for continuing in the Poſſeſſion of the United Company of Merchants of *England* trading to the *Eaſt Indies*, for a limited Time, and under certain Conditions, the Territorial Acquiſitions and Revenues lately obtained in the *Eaſt Indies*; and for continuing, for a limited Time, ſo much of an Act, made in the thirteenth Year of the Reign of his preſent Majeſty, intituled, *An Act for eſtabliſhing certain Regulations for the better Management of the Affairs of the* Eaſt India *Company, as well in* India *as in* Europe, as will expire in the Courſe of the preſent Year.

Preamble.

Recital of 13 Geo. III. Cap. 64.

'WHEREAS by an Act, paſſed in the thirteenth Year of the Reign of his preſent Majeſty, intituled, *An Act for granting to his Majeſty a Sum of Money, to be raiſed by Exchequer Bills; and to be advanced and applied in the Manner, and upon the Terms, therein mentioned, for the Relief of the United Company of Merchants of* England *trading to the* Eaſt Indies; it was directed, That the Commiſſioners of his Majeſty's Treaſury, or the Lord High Treaſurer for the Time being, ſhould cauſe to be prepared and made any Number of Exchequer Bills, not exceeding in the Whole the Amount of one million four hundred thouſand Pounds, to be lent, advanced, and iſſued, as in the ſaid Act was directed, for the Relief of the United Company of Merchants of *England* trading to the *Eaſt Indies*: And whereas by the ſaid Act it was declared, That in the then Circumſtances of the *Eaſt India* Company, it would not be in their Power to provide for the Repayment of the Loan aforeſaid, and for eſtabliſhing their Affairs upon a more ſecure Foundation for the Time to come, unleſs the Public ſhould agree to forego, for the then preſent Time, all Participation in the Profits ariſing from the territorial Acquiſitions and Revenues lately obtained in the *Eaſt Indies*; and therefore it was by the ſaid Act enacted, That until the aforeſaid Sum of one million four hundred thouſand Pounds ſhould be repaid, and the Bond Debt of the Company be reduced to the Sum of one million five hundred thouſand Pounds, the whole clear Profits ariſing from the aforeſaid territorial Acquiſitions and Revenues, after defraying the Charges and Expences attending the ſame, together with all the clear Revenue and Profits of the ſaid Company, after providing for the current Payments of Intereſt, and other Outgoings, Charges and Expences, of the ſaid Company, ſhould, from Time to Time, be diſpoſed of and applied in the Manner as in the ſaid Act was directed; (that is to ſay,) Until the aforeſaid Sum of one million four hundred thouſand Pounds ſhould be repaid, and ſo long as the ſaid Sum, or any Part thereof, ſhould remain unpaid, there ſhould, in the firſt Place, be ſet-

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'apart and applied, out of the ſaid clear Revenues and Profits, ſuch a Sum as might be ſufficient for anſwering a Dividend to the Proprietors of the Stock of the ſaid Company, not exceeding the Rate of ſix Pounds *per Centum per Annum* upon the Capital Stock of the ſaid Company; and all the Surplus of the ſaid clear Revenues and Profits ſhould be applied in Diminution of the ſaid Sum of one Million four hundred thouſand Pounds, or ſuch Part thereof as ſhould be remaining unpaid, and for defraying the Charges incurred in reſpect thereof; and after the Repayment of the Whole of the Money ſo advanced and applied as aforeſaid, and until the Bond Debt of the ſaid Company ſhould be reduced to the Sum of one million five hundred thouſand Pounds, there ſhould in like Manner be ſet apart and applied, in the firſt Place, out of the ſaid clear Revenues and Profits, ſuch Sum as might be ſufficient for anſwering a Dividend, not exceeding the Rate of ſeven Pounds *per Centum per Annum* upon the Capital Stock of the ſaid Company; after which all the Surplus of the ſaid clear Revenues and Profits ſhould be applied in reducing the Bond Debt of the ſaid Company: And whereas the ſaid Sum of one million four hundred thouſand Pounds has been repaid, and fully diſcharged, and all the Charges incurred in reſpect thereof have been defrayed, and the Bond Debt of the ſaid Company has been reduced to, or under, the Sum of one million five hundred thouſand Pounds, whereby the Circumſtances, in Conſideration whereof it was in the aforeſaid Act declared that the Public ſhould agree to forego, for the then preſent Time, all Participation in the Profit ariſing from the territorial Acquiſitions and Revenues lately obtained in the *Eaſt Indies*, have ceaſed and are determined; but whereas notwithſtanding it may be expedient that the aforeſaid territorial Acquiſitions and Revenues ſhould, for a limited Time, and under certain Conditions and Reſtrictions, remain in the Poſſeſſion of the United Company of Merchants of *England* trading to the *Eaſt Indies*:' May it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That all the territorial Acquiſitions and Revenues, lately obtained in the *Eaſt Indies*, ſhall remain in the Poſſeſſion of the United Company of Merchants of *England* trading to the *Eaſt Indies*, and their Succeſſors, for and during the Term of one Year, to be computed from the fifth Day of *April*, in the Year of our Lord one thouſand ſeven hundred and ſeventy-nine.

All the territorial Acquiſitions and Revenues, lately obtained in the East Indies, to remain in Poſſeſſion of the Company till April 5, 1780.

II. Provided always, and be it further enacted by the Authority aforeſaid, That, for and during the ſaid Term, the whole clear Profits ariſing from the ſaid territorial Acquiſitions and Revenues, after defraying the Charges and Expences attending the ſame, together with all the clear Revenue and Profits of the ſaid Company, after providing for the current Payments of Intereſt, and other Outgoings, Charges, and Expences, of the ſaid Company, ſhall be diſpoſed of and applied in Manner following; that is to ſay, it ſhall and may be lawful, out of the ſaid clear Revenues and Profits, to ſet apart and apply, in the firſt Place, ſuch Sum as may be ſufficient for anſwering a Dividend to the Proprietors of the Stock of the ſaid Company, not exceeding the Rate of eight Pounds *per Centum per Annum* upon the Capital Stock of the ſaid Company, after which the whole Surplus of the ſaid clear Revenues and Profits ſhall be reſerved and await any future Agreement that may be made between the Public and the ſaid Company.

No Dividend to be made by the Company, before April 5, 1780, of more than Eight per Cent. per Ann.

III. And be it further enacted by the Authority aforeſaid, That during the Continuance of this Act, the ſaid United Company do cauſe, and they are hereby directed and required to cauſe to be made up half-yearly, with as much Accuracy as the Nature of the Caſe will admit, a Statement or Account of the Profit and Loſs upon the Whole of the Trade and Revenues of the ſaid Company, together with a State of the Debts of the ſaid Company in *England*, excluſive of their Bond Debt, to the firſt Day of *September*, and the firſt Day of *March*; the firſt of ſuch Statements or Accounts to be made up from the firſt Day of *March* to the firſt Day of *September*, one thouſand ſeven hundred and ſeventy-nine; and to tranſmit ſuch Statement or Account fairly written, and ſigned by two or more of the Directors of the ſaid United Company, within twenty-one Days after the Day to which ſuch Statement or Account ſhall be made up reſpectively, to the Commiſſioners of his Majeſty's Treaſury, or the High Treaſurer for the Time being.

The Company are to cauſe to be made up half yearly, during the Continuance of this Act, an Account of the Profit and Loſs upon their Trade, &c. which ſhall be tranſmitted to the Commiſſioners of the Treaſury.

IV. And be it further enacted by the Authority aforeſaid, That during the Continuance of this Act, it ſhall and may be lawful for the ſaid United Company, or their Succeſſors, or any of their Officers or Servants on their Account, to accept or otherwiſe bind the ſaid Company or their Succeſſors, for the Payment of any Bill or Bills of Exchange, drawn by any of their Officers or Servants, at any of their Preſidencies in the *Eaſt Indies*, for any Sum exceeding the Sum of three hundred thouſand Pounds, excluſive of Certificates, to the Amount of eight thouſand Pounds, to the Commanders and Officers of each of the Company's Ships, without the Conſent and Order firſt had and obtained of the Commiſſioners of his Majeſty's Treaſury for the Time being, or any three or more of them, or of the High Treaſurer for the Time being, who are hereby reſpectively authoriſed to give ſuch Conſent, or to make ſuch Order thereon as they ſhall judge expedient; and every Acceptance or Engagement made contrary to the true Meaning and Intent of this Act, ſhall be null and void to all Intents and Purpoſes.

The Company reſtricted from accepting Bills above a certain Sum drawn on them by their Officers, &c. in the East Indies, without the Conſent of the Commiſſioners of the Treaſury.

'V. And whereas by another Act, paſſed in the ſame Seſſion of Parliament, intituled, *An Act for eſtabliſhing certain Regulations for the better Management of the Affairs of the* East India *Company, as well in* India *as in* Europe, it was, among other Things, enacted, That, for the Government of the Preſidency of *Fort William* in *Bengal*, there ſhould be appointed a Governor General and four Counſellors, and that the whole Civil and Military Government of the ſaid Preſidency, and alſo the Ordering, Management, and Government of all the territorial Acquiſitions and Revenues in the Kingdoms of *Bengal*, *Bahar*, and *Oriſſa*, ſhould, during ſuch Time as the territorial Acquiſitions and Revenues ſhould remain in the Poſſeſſion of the ſaid United Company, be veſted in the ſaid Governor General and Council of the ſaid Preſidency of *Fort William* in *Bengal*; and alſo that the Governor General and four firſt Counſellors, appointed by the ſaid Act, ſhould each of them hold and continue in his and their reſpective Offices for and during the Term of five Years from the Time of their Arrival at *Fort William* in *Bengal*, and taking upon them the Government of the ſaid Preſidency, and ſhould not be removeable in

Recital of 13 Geo. III. Cap. 63.

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'the mean Time, except by his Majesty, his Heirs and Successors, upon Representation made by the 'Court of Directors for the said United Company for the Time being: And whereas it may be expedient 'that the said Regulation should be extended to the Person and Persons who, at the Time of passing this 'Act, shall have and enjoy the respective Offices of Governor General, and Counsellors of the said Pre-'sidency;' be it therefore enacted by the Authority aforesaid, That the Person and Persons who, at the Time of the passing of this Act, shall have and enjoy the Office and Offices of Governor General and Counsellors of the said Presidency, shall hold and continue in his and their respective Offices for and during the Continuance of this Act, and shall not be removeable in the mean Time, except by his Majesty, his Heirs and Successors, upon Representation made by the Court of Directors for the said United Company for the Time being; and shall have and enjoy all and singular the Powers and Authorities vested by the said Act in the first Governor General and four first Counsellors by the said Act appointed, and shall be subject to the said Restrictions and Limitations as by the said Act the first Governor General and first four Counsellors were made subject; and that in case of the Avoidance of the Offices of such Governor General, or any of the said Counsellors, such Office shall be respectively supplied in the same Manner as the same Office would by the said Act have been supplied, during the Remainder of the Term of five Years which was computed from the Time that the first Governor General and four first Counsellors took upon them the Government of the said Presidency.

The Governor General and Counsellors of the Presidency of Fort William, shall continue in their Offices during the Continuance of this Act, except they should be removed by his Majesty, &c.

VI. Provided always nevertheless, and be it enacted, That nothing in this Act contained shall extend, or be construed to extend, to affect the Rights of the Crown, or of the said Company, after the Expiration of this Act; but that the same shall remain, continue, and be in the same State and Condition in all Respects, as though this Act had never been made.

This Act not to affect the Rights of the Crown, or of the Company, after the Expiration thereof.

VII. And be it further enacted by the Authority aforesaid, That this Act shall be deemed and taken to be a Public Act; of which Notice shall be judicially taken by all Judges, Justices, and all other Persons whatsoever, without specially pleading the same.

Public Act.

## CAP. LXII.

### An Act to permit the Removal of Lime, and other Articles necessary for the Improvement of Land, without Cocquet or Bond.

Preamble.

Recital of an Act 23 & 14 Car. II.

'WHEREAS by an Act made in the thirteenth and fourteenth Years of the Reign of King *Charles* 'the Second (intituled, *An Act for preventing Frauds and regulating Abuses in his Majesty's Customs*), 'it was, amongst other Things, enacted, That if any Goods, Wares, or Merchandises, shall be shipped 'or put on board to be carried forth to the open Sea, from any one Port, Creek, or Member, of *England*, 'Dominion of *Wales*, or Port and Town of *Berwick*, to be landed at any other Place of this Realm, 'without a Sufferance or Warrant first had and obtained from the Officers of his Majesty's Customs, all 'such Goods, Wares, and Merchandises, shall be forfeited and lost; and that the Master of every Ship 'or Vessel that shall so lade or take in any such Goods, Wares, or Merchandises, to be landed and dis-'charged as aforesaid, shall, before the Ship or Vessel be removed or carried out of the Port from whence 'he shall take in his Lading, take out a Cocquet or Cocquets, and become bound to the King's Majesty, 'with good Security, in the Value of the Goods, Wares, and Merchandises, for Delivery and Discharge 'thereof, in the Port or Place for which the same shall be entered, or in some other Port or Place in this 'Kingdom: And whereas, in order to promote the Cultivation and Improvement of Land, it is expe-'dient that Lime, and other Articles necessary for that Purpose, should be removed at as little Expence 'as possible to the Owners and Proprietors of such Land, and that they should not be put to any Trouble 'or Difficulty more than is necessary for the Security of the public Revenue;' be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, from and after the twenty-fourth Day of *June*, one thousand seven hundred and seventy-nine, no Cocquet or Bond shall be required or taken by any Officer or Officers of the Customs, from the Master or Owner of any Hoy, Vessel, or Boat, or from any other Person whatsoever, for carrying or removing of any Lime, Lime-stones, Chalk, Marle, or Dung, from any Port, Member, or Creek, in *Great Britain*, to be landed at any other Port or Place within the said Kingdom; but such Lime, Lime-stones, Chalk, Marle, and Dung, may be so shipped and laden, at any Port, Member, or Creek, within this Kingdom, by Sufferance or Warrant, and may be removed and carried by open Sea, and landed at any other Port or Place in *Great Britain*, by *Transire* only; any Thing in the said recited Act, or any other Act, to the contrary in any wise notwithstanding.

After 24 June 1779, Lime, &c. for the Improvement of Land, may be carried from Port to Port, without giving any Cocquet or Bond.

## CAP. LXIII.

### An Act for raising a certain Sum of Money by Loans or Exchequer Bills, for the Service of the Year one thousand seven hundred and seventy-nine. 1,500,000*l.*

## CAP. LXIV.

### An Act for raising a further Sum of Money, by Loans or Exchequer Bills, for the Service of the Year one thousand seven hundred and seventy-nine. 1,900,000*l.*

## CAP. LXV.

An Act for the further Augmentation of the Salaries of the Puiſne Juſtices of the Courts of King's Bench and Common Pleas, and of the Barons of the Coif of the Court of Exchequer, at *Weſtminſter*.

Preamble.

'WHEREAS it is reaſonable and expedient that a further Augmentation ſhould be made to the Salaries of the Puiſne Juſtices of the Courts of King's Bench and Common Pleas, and of the Barons of the Coif of the Court of Exchequer, at *Weſtminſter*: And whereas the ſeveral Stamp-duties, granted by divers Acts of Parliament, made in the thirty-ſecond Year of the Reign of his late Majeſty King *George* the Second, and in the ſecond and fifth Years of his preſent Majeſty's Reign, and appropriated for the Payment of the augmented Salaries of the reſpective Judges and Juſtices therein mentioned; and which ſince that Time, by an Act made in the twelfth Year of the Reign of his preſent Majeſty, have been charged with the Payment of a ſecond Augmentation of the Salaries of the Juſtices of *Cheſter*, and of the great Seſſions for the Counties of *Wales*, have for many Years paſt produced annually a conſiderable Surplus, but not ſufficient to ſupply ſo much as is neceſſary for ſuch further Augmentation as aforeſaid; and there remained in the Receipt of the Exchequer on the fifth Day of *January*, one thouſand ſeven hundred and ſeventy-nine, the Sum of fifteen thouſand two hundred and ninety-ſeven Pounds ten Shillings and Five-pence Farthing, of the Surpluſſes of the ſeveral Stamp-duties aforeſaid: And whereas the Deductions of Six-pence in the Pound out of all Monies paid upon all Salaries, Penſions, Annuities, and other Payments from the Crown, eſtabliſhed by an Act of Parliament, made in the twelfth Year of the Reign of King *George* the Firſt, after ſatisfying the Annuities thereby charged on the ſame, hath alſo for many Years paſt produced a very conſiderable Surplus, all which ſaid ſeveral Surpluſſes are by the ſaid Acts reſpectively reſerved for the Diſpoſition of Parliament;' be it therefore enacted by the King's moſt excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That, from and after the fifth Day of *July*, one thouſand ſeven hundred and ſeventy-nine, there ſhall be yearly, and every Year, iſſued, paid, and applied, out of the ſaid Sum of fifteen thouſand two hundred and ninety-ſeven Pounds ten Shillings and Five-pence Farthing, of the Surpluſſes of the ſaid ſeveral Stamp-duties ſo remaining in the Receipt of the Exchequer as aforeſaid; and out of all or any of the Surpluſſes which have ariſen or ſhall ariſe upon the ſaid ſeveral Stamp-duties granted by the Acts aforeſaid (after the Payments already charged thereupon ſhall from Time to Time have been ſatisfied), and out of the Surpluſſes now remaining in the Receipt of the Exchequer, and which ſhall hereafter ariſe, upon the ſaid Deductions of Six-pence in the Pound out of all Salaries, Penſions, Annuities, and other Payments as aforeſaid, after ſatisfying the ſaid ſeveral Annuities already charged on the ſame, the Sums of Money following, to the ſeveral Judges herein-after mentioned, as an Addition to and in further Augmentation of their reſpective Salaries; that is to ſay, the Sum of four hundred Pounds to each of the Puiſne Juſtices for the Time being in the Courts of King's Bench and Common Pleas at *Weſtminſter*; the Sum of five hundred Pounds to the Chief Baron for the Time being in the Court of Exchequer at *Weſtminſter*; and the Sum of four hundred Pounds to each of the other Barons of the Coif for the Time being in the ſaid Court of Exchequer; which ſaid ſeveral and reſpective Sums of Money ſhall be and are hereby charged upon the ſaid Sum of fifteen thouſand two hundred and ninety-ſeven Pounds ten Shillings and Five-pence Farthing, and alſo upon the ſeveral Surpluſſes aforeſaid; and ſhall be paid thereout in every Year at ſuch Time and Times, and in ſuch Manner, as the Salaries of the ſaid Judges now are or have been accuſtomarily paid.

*After July 5, 1779, there ſhall be paid yearly out of the Surpluſſes of certain Stamp-duties, &c. the following Sums, in Augmentation of the Judges Salaries; videlicet,*

*400l. to each Puiſne Judge in the King's Bench and Common Pleas; 500l. to the Chief Baron, and 400l. to each of the other Barons of the Exchequer.*

## CAP. LXVI.

An Act for granting to his Majeſty ſeveral additional Duties on ſtamped Vellum, Parchment, and Paper; and for better ſecuring the Stamp-duties upon Indentures, Leaſes, Deeds, and other Inſtruments.

Preamble.

Moſt Gracious Sovereign,

'WE your Majeſty's moſt dutiful and loyal Subjects, the Commons of *Great Britain*, in Parliament aſſembled, towards raiſing the neceſſary Supplies which we have freely granted to your Majeſty in this Seſſion of Parliament, have reſolved to give and grant to your Majeſty the ſeveral additional Rates and Duties herein-after mentioned; and do therefore moſt humbly beſeech your Majeſty that it may be enacted;' and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That, from and after the ſecond Day of *Auguſt*, one thouſand ſeven hundred and ſeventy-nine, there ſhall be raiſed, levied, collected, and paid, throughout the Kingdom of *Great Britain*, unto and for the Uſe of his Majeſty, his Heirs and Succeſſors, the ſeveral Rates and Duties following; (that is to ſay,)

*After Aug. 2, 1779, the following additional Stamp-duties to be paid; videlicet,*

For every Skin or Piece of Vellum or Parchment, or Sheet or Piece of Paper, upon which any Probate of a Will, or Letters of Adminiſtration for any Eſtate of or above the Value of one hundred Pounds, ſhall be ingroſſed, written, or printed, an additional Stamp-duty of twenty Shillings; and a further additional

*For every Skin of Parchment, or Sheet of Paper, uſed in the Probate of a Will, or adminiſtering to*

an Eſtate of 100l. Value, 20s. &c.:

ditional Stamp-duty of twenty Shillings where the Eſtate is of, or above, the Value of three hundred Pounds, over and above all other Duties now charged thereon:

For every Skin, &c. uſed in the Copy of a Will, 1d.:

For every Skin or Piece of Vellum or Parchment, or Sheet or Piece of Paper, upon which is ingroſſed or written the Copy of any Will, an additional Stamp-duty of one Penny:

For ditto uſed in any Libel, &c. in any Eccleſiaſtical Court, &c. 6d.:

For every Skin or Piece of Vellum or Parchment, or Sheet or Piece of Paper, upon which is ingroſſed or written any Libel, Allegation, Depoſition, or Inventory, exhibited in any Eccleſiaſtical Court, the Courts of Admiralty, and Cinque Ports, and all Copies thereof, an additional Stamp-duty of Six-pence:

For every Piece, &c. uſed in Writs of Covenant for levying Fines, 5s.:

For every Piece of Vellum or Parchment, upon which any Writ of Covenant for levying Fines ſhall be ingroſſed or written, an additional Stamp-duty of five Shillings:

For ditto uſed in Writs of Entry for ſuffering a common Recovery, 5s.:

For every Piece of Vellum or Parchment, upon which any Writ of Entry for ſuffering a common Recovery ſhall be ingroſſed or written, an additional Stamp-duty of five Shillings:

For every Skin of Vellum, uſed in any Exemplification that ſhall paſs the Seal of any Court, 5s.:

For every Skin of Vellum, upon which is ingroſſed or written any Exemplification, of what Nature ſoever, that ſhall paſs the Seal of any Court whatſoever, an additional Stamp-duty of five Shillings:

For every Skin, &c. uſed in any Preſentation or Donation under the Great Seal, or in any Collation, &c. to any Eccleſiaſtical Promotion above a certain Value, 40s.:

For every Skin or Piece of Vellum or Parchment, or Sheet or Piece of Paper, upon which any Preſentation or Donation which ſhall paſs the Great Seal, or upon which any Collation to be made by any Archbiſhop or other Biſhop, or any Preſentation or Donation to be made by any Patron whatſoever, of or to any Benefice, Dignity, or Spiritual or Eccleſiaſtical Promotion whatſoever, ſhall be ingroſſed or written, an additional Stamp-duty of forty Shillings; provided ſuch Benefice, Dignity, or Promotion, ſhall be of the yearly Value of ten Pounds, or above, in the King's Books:

For every Skin, &c. uſed in any Diſpenſation to hold two Benefices, &c. 40s.:

For every Skin or Piece of Vellum or Parchment, or Sheet or Piece of Paper, upon which any Diſpenſation to hold two Eccleſiaſtical Dignities or Benefices, or both a Dignity and a Benefice, or any other Diſpenſation or Faculty from the Lord Archbiſhop of *Canterbury*, or the Maſter of the Faculties for the Time being, ſhall be ingroſſed or written, an additional Stamp-duty of forty Shillings:

For every Skin, &c. uſed in any Drawback of Cuſtoms, &c. 8d.:

For every Skin or Piece of Vellum or Parchment, or Sheet or Piece of Paper, upon which ſhall be ingroſſed, written, or printed, any Certificate or Debenture for drawing back any Cuſtoms or Duties, or any Part of any Cuſtoms or Duties, for or in reſpect of the reſhipping or exporting of any Goods or Merchandiſes, which ſhall be exported or ſhipped to be exported from *Great Britain*, for any Parts beyond the Seas, an additional Stamp-duty of Eight-pence:

For every Piece, &c. uſed in any Bill of Lading for Exportation, 4d.

For every Piece of Vellum or Parchment, or Sheet or Piece of Paper, upon which ſhall be ingroſſed, written, or printed, any Note or Bill of Lading, which ſhall be ſigned for any Goods or Merchandiſes to be exported, an additional Stamp-duty of Four-pence.

Probates of the Wills, &c. of common Seamen or Soldiers not chargeable by this Act.

II. Provided, That nothing in this Act contained ſhall extend to charge the Probate of any Will, or Letters of Adminiſtration, of any common Seaman or Soldier who ſhall be ſlain or die in his Majeſty's Service, a Certificate being produced from the Captain of the Ship or Veſſel, or Captain of the Troop or Company, under whom ſuch Seaman or Soldier ſerved at the Time of his Death, and Oath made of the Truth thereof before the proper Judge or Officer by whom ſuch Probate or Adminiſtration ought to be granted, which Oath ſuch Judge or Officer is hereby authoriſed and required to adminiſter, and for which no Fee or Reward ſhall be taken.

The aforeſaid Duties to be under the Management of the Commiſſioners of the Stamp-office.

III. And be it further enacted by the Authority aforeſaid, That, for the better and more effectual levying, collecting, and paying, all the ſaid additional Duties herein-before granted, the ſame ſhall be under the Government, Care, and Management, of the Commiſſioners for the Time being appointed to manage the Duties charged on ſtamped Vellum, Parchment, and Paper, who, or the major Part of them, are hereby required and impowered to employ the neceſſary Officers under them for that Purpoſe, and to uſe and provide ſuch Stamps to denote the ſaid ſeveral Duties as ſhall be requiſite in that Behalf, and to do all other Things neceſſary to be done for putting this Act in Execution with relation to the ſaid ſeveral Rates and Duties herein-before granted, in the like and in as full and ample Manner as they, or the major Part of them, are authoriſed to put in Execution any former Law concerning ſtamped Vellum, Parchment, and Paper.

Commiſſioners may provide one new Stamp to denote the ſeveral Duties granted by different Acts.

IV. Provided always, and be it further enacted by the Authority aforeſaid, That, to prevent the Multiplication of Stamps upon ſuch Pieces of Vellum or Parchment, or Sheets or Pieces of Paper, on which ſeveral Duties are by ſeveral Acts of Parliament impoſed, it ſhall and may be lawful for the ſaid Commiſſioners, inſtead of the diſtinct Stamps directed to be provided to denote the ſeveral Duties on the Vellum, Parchment, or Paper, charged therewith, to cauſe, if they ſhall ſee Occaſion, one new Stamp to be provided to denote the ſaid ſeveral Duties, and the Duty granted by this Act, on every Piece of Vellum or Parchment, or Sheet or Piece of Paper, charged with the ſaid ſeveral Duties.

All Vellum, &c. liable to the new Duties, ſhall, before it is ingroſſed, &c. be brought to the Stamp-office to be ſtamped.

V. And be it further enacted by the Authority aforeſaid, That all Vellum, Parchment, and Paper, liable to the Duties hereby charged, ſhall, before the ſame ſhall be ingroſſed, printed, or written upon, be brought to the Head Office for ſtamping or marking Vellum, Parchment, or Paper; and the ſaid Commiſſioners, by themſelves, or by their Officers employed under them, ſhall forthwith, upon Demand to them made, by any Perſon or Perſons, from Time to Time, ſtamp or mark, as this Act directs, any Quan-

tities or Parcels of Vellum, Parchment, or Paper, as ſhall be brought to them for that Purpoſe, the Perſon ſo bringing the ſame paying to the Receiver-general of the Stamp-duties for the Time being, or his Deputy or Clerk, the ſeveral Duties payable for the ſame by virtue of this Act.

Uſual Allowance to be made for preſent Payment.

VI. And be it further enacted by the Authority aforeſaid, That the ſame Allowance ſhall be made on preſent Payment of the ſeveral Duties granted by this Act, in ſuch Manner as by any former Law relating to ſtamped Vellum, Parchment, and Paper, is directed and allowed.

Stamps may be altered and renewed, &c.

VII. And be it further enacted by the Authority aforeſaid, That ſuch Stamps, as the ſaid Commiſſioners are hereby directed and authoriſed to provide and uſe, ſhall and may be altered and renewed in ſuch Manner as any other Stamps on Vellum, Parchment, or Paper, are, by any former Law relating to ſtamped Vellum, Parchment, or Paper, directed to be altered and renewed; and that all Perſons, who ſhall have in their Cuſtody or Poſſeſſion any Vellum, Parchment, or Paper, marked with the Stamp or Mark which ſhall be ſo altered or renewed, or on which, being already ſtamped with a Stamp denoting any former Duty, a new Stamp is hereby directed to be impreſſed, ſhall have the like Remedy and Allowance as by any former Law relating to ſtamped Vellum, Parchment, or Paper, is in like Caſes directed.

If any Perſon ſhall counterfeit any Seal, Stamp, &c. with Intent to defraud his Majeſty of his Duties, ſuch Perſon ſhall ſuffer Death as a Felon.

VIII. And be it further enacted by the Authority aforeſaid, That if any Perſon ſhall counterfeit or forge, or procure to be counterfeited or forged, any Seal, Stamp, or Mark, directed or allowed to be uſed by this or any other Act of Parliament, for the Purpoſe of denoting the Duties by this or any other Act of Parliament granted, or ſhall counterfeit or reſemble the Impreſſion of the ſame, with an Intent to defraud his Majeſty, his Heirs and Succeſſors, of any of the ſaid Duties; or ſhall privately or fraudulently uſe any Seal, Stamp, or Mark, directed or allowed to be uſed by this or any other Act of Parliament relating to the Stamp-duties, with Intent to defraud his Majeſty, his Heirs and Succeſſors, of any of the ſaid Duties; every Perſon ſo offending, and being thereof lawfully convicted, ſhall be adjudged a Felon, and ſhall ſuffer Death as in Caſes of Felony, without Benefit of Clergy.

All Powers, Diſtribution of Penalties, &c. preſcribed by former Stamp acts, to be applied in Execution of this Act.

IX. And be it further enacted by the Authority aforeſaid, That all Powers, Proviſions, Articles, Clauſes, Diſtribution of Penalties and Forfeitures, and all other Matters and Things, preſcribed or appointed by any former Act or Acts of Parliament relating to the Stamp-duties on Vellum, Parchment, and Paper, ſhall be of full Force and Effect with relation to the ſeveral Duties hereby impoſed, and ſhall be applied and put in Execution for the raiſing, levying, collecting, and ſecuring, the ſaid additional and new Duties hereby impoſed, according to the true Intent and Meaning of this Act, as fully, to all Intents and Purpoſes, as if the ſame had ſeverally and reſpectively been hereby enacted with relation to the ſaid additional and new Duties hereby impoſed.

Receiver-general to keep a ſeparate Account of the Duties granted by this Act, and to pay the ſame into the Exchequer.

X. And be it further enacted by the Authority aforeſaid, That the ſeveral Duties herein-before granted ſhall be paid, from Time to Time, into the Hands of the Receiver-general for the Time being of the Duties on ſtamped Vellum, Parchment, and Paper, who ſhall keep a ſeparate and diſtinct Account of the ſeveral Rates and Duties, and pay the ſame (the neceſſary Charges of raiſing, paying, and accounting for the ſame, being deducted) into the Receipt of the Exchequer, for the Uſes and Purpoſes in this Act mentioned, at ſuch Time, and in ſuch Manner, as any former Duties on ſtamped Vellum, Parchment, or Paper, are directed to be paid.

Auditor of the Exchequer to keep a ſeparate Account of all Monies ariſing therefrom. Application thereof.

XI. And be it further enacted by the Authority aforeſaid, That there ſhall be provided and kept, in the Office of the Auditor of the ſaid Receipt of Exchequer, a Book or Books, in which all the Monies ariſing from the ſaid ſeveral Rates and Duties, and paid into the ſaid Receipt as aforeſaid, ſhall be entered ſeparate and apart from all other Monies paid and payable to his Majeſty, his Heirs and Succeſſors, upon any Account whatſoever; and the ſaid Money, ſo paid into the ſaid Receipt of Exchequer as aforeſaid, ſhall, together with ſuch other Rates, Duties, and Revenues, as ſhall be granted by any Act or Acts of this Seſſion of Parliament for this Purpoſe, be a Fund for the Payment of the ſeveral Annuities, and all ſuch other Charges and Expences as are directed to be paid and payable purſuant to an Act of this preſent Seſſion of Parliament, intituled, *An Act for raiſing a certain Sum of Money by way of Annuities, and for eſtabliſhing a Lottery.*

Preamb'e; reciting that certain Perſons have lately ingroſſed more than the uſual Quantity in a Skin of Parchment, to the Diminution of the Stamp-duties.

' XII. And whereas, by the ſeveral Laws now in Force, in order to prevent his Majeſty, his Heirs or ' Succeſſors, from being defrauded of any of the Duties charged upon Vellum, Parchment, and Paper, ' it is enacted, That all Records, Writs, Pleadings, or other Proceedings, in Courts of Law and Equity, ' and all Deeds, Inſtruments, and Writings whatſoever, charged with the Stamp-duties, ſhall be in' groſſed or written in ſuch Manner as they have been uſually accuſtomed to be written: And whereas, ' till the laſt Stamp-duties were impoſed, it was the general Practice to inſert in one Skin of Parchment ' twelve Chancery Sheets, containing ninety Words in each Sheet, or fifteen Common Law Sheets, con' taining ſeventy-two Words in each Sheet, and the ſame has been held a fair and reaſonable Quantity to ' be ingroſſed and written in and upon each Skin of Parchment, and that the uſual Charge for drawing ' and ingroſſing the ſame might, upon any Coſts to be taxed, be fairly and equitably allowed: And whereas ' ſeveral Perſons, in Injury to his Majeſty's Revenue of Stamps, inſert in one Skin of Parchment the ' Contents of a greater Quantity of Sheets than the Quantity of Chancery, or Common Law Sheets ' above ſpecified, and charge their Clients or Employers double or treble the Sum for drawing and in' groſſing ſuch Skins, calling the ſame double and treble Skins, and pretending that they inſert twice or ' three Times as much in Quantity as they are obliged to do; and that, upon a Taxation, they would ' be allowed as much as they have charged, reckoning the ſame by the Number of Sheets, by which Means ' the Client or Employer, inſtead of judging of ſuch Charge by the Number of Skins, is liable to be im' poſed upon, and the Revenue of Stamps materially injured and diminiſhed;' be it therefore further enacted by the Authority aforeſaid, That, from and after the paſſing of this Act, all Attornies, Solicitors, or other Perſons, ſhall make their ſeveral Charges, at and after the known and uſual Rates, upon their Client or Employer, by the Number of Skins they ſhall ſo ingroſs or write, and not otherwiſe; and that if any

Attornies, &c. to charge their Clients by the Number of Skins they ingroſs, according to the uſual Rates.

Double or treble Charges not payable;

but ſubject the Perſon making the ſame to the Forfeiture of 10l.

Attorney, Solicitor, or other Perſon, ſhall, for the writing or ingroſſing one Skin of Parchment only, charge any Client or Employer for double or treble Skins, or for more than one Skin, making his Charge by the Sheet, or in any other Manner than by the Skin, under Pretence of having inſerted in ſuch one Skin of Parchment a greater Number of Sheets than what they are obliged to do, or than what is uſually done, or under any Pretence whatſoever, ſuch Charge ſhall not be payable by the Client; and further, that every Attorney, Solicitor, or other Perſon, ſhall, for every ſuch Charge ſo made or demanded, forfeit and pay the Sum of ten Pounds, with Treble Coſts of Suit, to any Perſon or Perſons who ſhall inform or ſue for the ſame, in any Court of Record, by Action of Debt, Bill, Plaint, or Information, wherein no Eſſoin, Protection, or Wager of Law, ſhall be allowed.

The above Clauſe not to extend to the Charge for any Deed, the Whole of which ſhall not amount to the uſual Quantity contained in two Skins.

XIII. Provided always, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to the Charge to be made for the ingroſſing any Deed, the whole Contents of which ſhall not amount to the Quantity or Number of Sheets to be contained in two Skins, reckoning the Quantity in each Skin according to the Number of Sheets above ſpecified.

Perſons ſued for any Thing done in purſuance of this Act, may plead the General Iſſue; and recover Treble Coſts.

XIV. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall, at any Time or Times, be ſued, moleſted, or proſecuted, for any Thing by him or them done or executed in purſuance of this Act, or of any Clauſe, Matter, or Thing, herein contained, ſuch Perſon or Perſons ſhall and may plead the General Iſſue, and give the Special Matter in Evidence, for his or their Defence; and if upon the Trial a Verdict ſhall paſs for the Defendant or Defendants, or the Plaintiff or Plaintiffs ſhall become nonſuited, then ſuch Defendant or Defendants ſhall have Treble Coſts awarded to him or them againſt ſuch Plaintiff or Plaintiffs.

## CAP. LXVII.

### An Act for the Encouragement of Seamen, and the more ſpeedy and effectual manning his Majeſty's Navy.

Preamble.

'WHEREAS his Majeſty, by Order in Council, dated the twenty-ninth Day of *July*, one thouſand ſeven hundred and ſeventy-eight, was pleaſed to order that General Repriſals be granted againſt the Ships, Goods, and Subjects, of the *French* King; and that as well all his Majeſty's Fleets and Ships, as alſo all other Ships and Veſſels that ſhall be commiſſioned by Letters of Marque or General Repriſals, or otherwiſe, by his Majeſty's Commiſſioners for executing the Office of Lord High Admiral of *Great Britain*, ſhall and may lawfully ſeize all Ships, Veſſels, and Goods, belonging to the *French* King, or his Subjects, or others inhabiting within any the Territories of the *French* King, and bring the ſame to Judgment in any of the Courts of Admiralty within his Majeſty's Dominions: Now, for the Encouragement of the Officers and Seamen of his Majeſty's Ships of War, and the Officers and Seamen of all other *Britiſh* Ships and Veſſels having Commiſſions and Letters of Marque, and for inducing all *Britiſh* Seamen who may be in any foreign Service to return into this Kingdom, and become ſerviceable to his Majeſty; and for the more effectual ſecuring and extending the Trade of his Majeſty's Subjects;' be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Flag Officers, Commanders, and other Officers, Seamen, Marines, and Soldiers on board every Ship and Veſſel of War in his Majeſty's Pay, ſhall have the ſole Intereſt and Property of and in all and every Ship, Veſſel, Goods, and Merchandiſes, which they have taken ſince the twenty-ninth Day of *July*, one thouſand ſeven hundred and ſeventy-eight, or ſhall hereafter take during the Continuance of Hoſtilities againſt *France*, after the ſame ſhall have been finally adjudged lawful Prize to his Majeſty, in any of his Majeſty's Courts of Admiralty in *Great Britain*, or in his Majeſty's Plantations in *America*, or elſewhere; to be divided in ſuch Proportions, and after ſuch Manner, as his Majeſty hath, by his Proclamation of the ſixteenth Day of *September* laſt, already ordered and directed, or as his Majeſty, his Heirs and Succeſſors, ſhall think fit to order and direct, by Proclamation or Proclamations hereafter to be iſſued for thoſe Purpoſes.

Prizes made by the King's Ships to be divided between the Captors, in the Proportions by his Majeſty already ordered, or to be hereafter ordered, by Proclamation.

Admiralty to iſſue Commiſſions to Privateers, on the Owners giving proper Security.

II. And be it further enacted by the Authority aforeſaid, That the Lord High Admiral of *Great Britain*, or the Commiſſioners for executing the Office of Lord High Admiral of *Great Britain* for the Time being, or any three or more of them, or any Perſon or Perſons by him or them impowered and appointed, ſhall, at the Requeſt of any Owner or Owners of any Ship or Veſſel, giving ſuch Bail and Security as is hereinafter mentioned and expreſſed, cauſe to be iſſued forth in the uſual Manner one or more Commiſſion or Commiſſions to any Perſon or Perſons whom ſuch Owner or Owners ſhall nominate to be Commander, or, in caſe of Death, ſucceſſively Commanders of ſuch Ship or Veſſel, for the attacking, ſurpriſing, ſeizing, and taking, by and with ſuch Ship or Veſſel, or with the Crew thereof, any Place or Fortreſs upon the Land, or any Ship or Veſſel, Goods, Ammunition, Arms, Stores of War, or Merchandiſe, belonging to or poſſeſſed by any of his Majeſty's Enemies, upon the Land, or in any Sea, Creek, Haven, or River; and that ſuch Ship or Ships, Veſſel or Veſſels, or any Arms, Ammunition, Stores of War, Goods, and Merchandiſes whatſoever, with all their Furniture, Tackle, and Apparel, ſo to be taken by or with ſuch private Ship or Veſſel, according to ſuch Commiſſion or Commiſſions, after final Adjudication as lawful Prize in any of his Majeſty's Courts of Admiralty as aforeſaid, and not before, ſhall wholly and entirely belong to and be divided between and among the Owner and Owners of ſuch Ship or Veſſel, and the ſeveral Perſons who ſhall be on board the ſame, and be aiding and aſſiſting to the taking thereof, in ſuch Shares and Proportions as ſhall be agreed upon with the Owner or Owners of ſuch Ship or Veſſel as ſhall be

Prizes made by ſuch commiſſioned Ships to be divided between the Owners and Captors, according to private Contract.

be the Captor thereof, their Agents or Factors, as the proper Goods and Chattels of such Owner or Owners, and the Persons who shall be intitled thereto by virtue of such Agreements among themselves; and that neither his Majesty, his Heirs or Successors, or any Admiral, Vice-admiral, Governor, or other Person, commissioned by or claiming under his Majesty, his Heirs or Successors, or any Person or Persons whatsoever, other than the Owner or Owners of such Ship or Vessel, being the Captor of such Prize, Ship, or Vessel, Arms, Ammunition, Stores of War, Goods, and Merchandises, and the Persons claiming under him or them, shall be intitled to any Part or Share thereof (except as to the Customs and Duties payable by any Act or Acts of Parliament); any Custom, Statute, or other Law, to the contrary notwithstanding.

No commissioned Ship to have Share in any Prize while she is under Convoy.

III. Provided always, That nothing in this Act contained shall intitle any Ship having a Commission, and which shall receive Orders from, and put herself under, the Convoy of any of his Majesty's Ships or Vessels, to share in any Prize or Prizes taken by such Convoy, or by such Ship having a Commission, whilst the said commissioned Ship shall remain under the Care and Protection of such Convoy.

All Prize Ships legally condemned shall be deemed British-built Ships.

IV. And be it enacted by the Authority aforesaid, That all Prize Ships or Vessels which shall be legally condemned, shall, to all Intents and Purposes whatsoever, be considered as *British*-built Ships or Vessels, and be deemed and taken as such, and shall be intitled to have and enjoy all and every the same Rights, Liberties, Privileges, and Advantages, in all Respects whatsoever, with *British* built Ships or Vessels, and shall be subject and liable to all and every the Rules and Regulations that *British*-built Ships or Vessels are subject and liable to; any Law, Custom, or Usage, to the contrary thereof in any wise notwithstanding.

Admiralty may revoke Commissions granted to Privateers.

V. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Lord High Admiral of *Great Britain*, or the Commissioners for executing the Office of Lord High Admiral of *Great Britain* for the Time being, or any three or more of them, at any Time or Times hereafter, to revoke and make void, by any Order or Orders, in Writing under his or their Hand or Hands, any Commission or Commissions which hath, have been, or shall be issued forth to any Person or Persons who hath, have been, or shall be nominated Commander or Commanders of any Ship or Vessel, either in pursuance of his Majesty's aforesaid Order in Council, or this present Act.

Secretary of the Admiralty to give Notice of such Revocation to the Owners, &c.;

VI. Provided nevertheless, That the Secretary of the Admiralty for the Time being shall, with all convenient Speed after any and every such Commission shall be so revoked, cause Notice thereof in Writing to be forthwith sent to the Owner or Owners, or Agent or Agents, or Surety or Sureties, or some one of them, of the Ship or Vessel named or described in such Order of Revocation; and in case such Ship or Vessel shall be in the Channel, the said Order of Revocation shall be effectual to supersede and annul the said Commission at the Expiration of twenty Days from and after such Notice given as aforesaid, or sooner, if Notice shall be actually given in Writing, by the Secretary of the Admiralty, to the Captain or Commander thereof; and in case such Ship or Vessel shall be in the Northern Seas, at the Expiration of thirty Days; and in case such Ship or Vessel shall be to the Southward of *Cape Finisterre*, or in the *Mediterranean*, at the Expiration of six Weeks; and in case such Ship or Vessel shall be in *North America*, or the *West Indies*, at the Expiration of three Months; and in case such Ship or Vessel shall be in the *East Indies*, at the Expiration of six Months: And any Commander or Commanders, Owner or Owners, Agent or Agents, Surety or Sureties, of any such Ship or Vessel, whereof such Commission or Commissions, issued or to be issued forth as aforesaid, shall be so revoked, may complain thereof to his Majesty in Council, within thirty Days next after the Secretary of the Admiralty for the Time being shall cause Notice thereof to be given as aforesaid; and the Determination of his Majesty in Council touching every such Complaint shall be final.

who may complain thereof to his Majesty in Council.

When any Order of Revocation shall be superseded, Commission shall be deemed to have continued in Force.

VII. Provided always, That in case any such Order of Revocation shall be superseded, such Commission shall be deemed and taken to have continued in Force; and all Prizes taken by virtue thereof shall belong to and be the Property of such Owners and Captors, in such Manner as the same would have been in case such Order of Revocation had not been made.

Proviso.

VIII. Provided also, That no Person shall be liable to be punished for doing, before he shall have received personal Notice of such Order of Revocation, any Matter or Thing which he might have lawfully done under the Authority of such Commission, in case such Order of Revocation had not been made.

Bail, &c. to be taken before granting any Commission.

IX. And be it further enacted by the Authority aforesaid, That, before the granting or issuing of any Commission in pursuance of this Act, such Bail and Security shall be taken as have been usual upon the granting or issuing of Commissions for private Ships of War; and that, previous to the taking of such Bail and Security, the Persons who propose to be bound and give such Security, shall severally make Oath, before the Judge of the High Court of Admiralty of *England*, or Judge of any Vice-admiralty Court in his Majesty's Colonies or Plantations, or his Surrogate, or other Person or Persons by such Judge or Surrogate lawfully commissioned, that, at the Time of their being sworn, they are respectively worth more Money than the Sum for which they are then to be bound, over and above all their just Debts; and moreover the Marshal of the said High Court of Admiralty, or any Vice-admiralty Court in his Majesty's Colonies or Plantations, for the Time being, or his Deputy, or the Person or Persons so commissioned as aforesaid, is or are hereby required and directed to make diligent Enquiry into, and satisfy himself or themselves of the Sufficiency of such Bail and Security, and make a Report thereof to the said Judge, or his Surrogate, before any such Commission shall be granted or issued.

All Persons applying for any Commission, to set forth in Writing an exact De-

X. And be it further enacted by the Authority aforesaid, That all and every Person and Persons, who shall apply to the said Lord High Admiral, or Commissioners for executing the Office of Lord High Admiral for the Time being, or any Person or Persons by him or them impowered and appointed, in or-

Description of the Veſſel, its Cargo, Number of Guns, &c.

der to obtain any Commiſſion to be granted or iſſued forth in purſuance of this Act, ſhall make every ſuch Application in Writing; and therein ſet forth a particular, true, and exact Deſcription of the Ship or Veſſel for which ſuch Commiſſion is requeſted, ſpecifying the Burthen of ſuch Ship or Veſſel, and the Number and Nature of the Guns on board the ſame, to what Place belonging, and the Name or Names of the principal Owner or Owners of ſuch Ship or Veſſel, and the Number of Men intended to be put on board the ſame (all which Particulars ſhall be inſerted in every Commiſſion to be granted or iſſued in purſuance of this Act); and that every Commander of a private Ship or Veſſel of War, for which a Commiſſion ſhall be granted or iſſued in purſuance of this Act, ſhall produce ſuch Commiſſion to the Collector, Cuſtomer, or Searcher, for the Time being, of his Majeſty's Cuſtoms, reſiding at or belonging to the Port from whence ſuch Ship or Veſſel ſhall be firſt fitted out, or to the lawful Deputy or Deputies of ſuch Collector, Cuſtomer or Searcher; and the ſaid Collector, Cuſtomer, or Searcher, or his or their lawful Deputy or Deputies, ſhall, as ſoon thereafter as conveniently may be, without Fee or Reward, inſpect and examine ſuch Ship or Veſſel ſo as to aſcertain the Burthen thereof, and the Number of Men, and Number and Nature of the Guns on board the ſame; and if ſuch Ship or Veſſel ſhall thereupon be found to be of ſuch Burthen, and be manned and armed according to the Tenor of the Deſcription inſerted in ſuch Commiſſion as aforeſaid, or be of a greater Burthen or Force than ſhall be mentioned in ſuch Commiſſion, then ſuch Collector, Cuſtomer, or Searcher, or his or their lawful Deputy or Deputies, ſhall, and he and they is and are hereby required immediately, upon the Requeſt of the Commander of ſuch Ship or Veſſel, to give a Certificate thereof, in Writing under his or their Hand or Hands, *gratis*, to ſuch Commander; which Certificate ſhall be deemed a neceſſary Clearance before ſuch private Ship or Veſſel ſhall be permitted to ſail from that Port: And if the Commander of any Ship or Veſſel, for which any Commiſſion ſhall have been granted or iſſued in purſuance of this Act, ſhall depart with ſuch Ship or Veſſel from ſuch Port of Clearance before he hath received ſuch Certificate, or ſhall depart from any ſuch Port, or proceed upon a Cruize, with a Force inferior to the Force ſpecified in ſuch Commiſſion, or required by this Act, in every ſuch Caſe the Commiſſion for ſuch Ship or Veſſel ſhall from thenceforth be abſolutely null and void, and the Commander ſo offending, being convicted thereof before any Court of Admiralty, ſhall be impriſoned, without Bail or Mainprize, for ſuch Space of Time as the ſaid Court ſhall direct, not exceeding one Year for any one Offence.

Commanders of commiſſioned Ships to produce their Commiſſions to the Collector, &c. of the Cuſtoms; who are to examine ſuch Ships; and if found agreeable to the Deſcription, to grant a Certificate thereof.

Penalty on Commander leaving Port without a Certificate, &c.

Penalty on Collector, Cuſtomer, &c. for granting a falſe Certificate.

XI. And be it further enacted by the Authority aforeſaid, That if any Collector, Cuſtomer, or Searcher, of his Majeſty's Cuſtoms, or his or their lawful Deputy or Deputies, ſhall grant a Certificate for any Ship or Veſſel which ſhall not be of the Burthen and Force ſpecified in the Commiſſion granted to the Commander or Commanders thereof, or of a greater Burthen and Force than ſhall be mentioned in ſuch Commiſſion, he ſhall, for ſuch Offence, forfeit his ſaid Office, and be for ever after incapable of holding any Office in the Cuſtoms; and ſhall alſo forfeit the Sum of one hundred Pounds, to be recovered, by any Perſon or Perſons who will ſue for the ſame, by Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, in which no Eſſoin, Protection, Wager of Law, or more than one Imparlance, ſhall be allowed; and one Moiety of the ſaid Penalty of one hundred Pounds, when recovered, ſhall be paid to the Informer or Informers, and the other Moiety to the Treaſurer for the Time being to the Corporation for the Relief and Support of ſick, maimed, and diſabled Seamen, and of the Widows and Children of ſuch as ſhall be killed, ſlain, or drowned, in the Merchants Service, for the Uſe of ſuch Corporation; or where ſuch Forfeitures ſhall be incurred in any of the Out-ports in which a Corporation is eſtabliſhed, or ſhall hereafter be eſtabliſhed, for the Purpoſes aforeſaid, then a Moiety of ſuch Penalty ſhall be paid to the Truſtees for the Uſe of the Corporation ſo eſtabliſhed.

Proviſo for aſcertaining the Tonnage.

XII. Provided always, That the Number of Tons ſo to be certified, be aſcertained according to the Rules laid down by an Act paſſed in the eighth Year of the Reign of her late Majeſty Queen *Anne*, intituled, *An Act for making a convenient Dock or Baſon at* Liverpool, *for the Security of all Ships trading to or from the ſaid Port of* Liverpool.

If the Commander of a commiſſioned Ship ſhall agree with any Perſon belonging to any Prize taken, for the Ranſom thereof, &c. he ſhall be deemed a Pirate, and ſuffer accordingly.

XIII. And be it further enacted by the Authority aforeſaid, That in caſe at any Time or Times any Commander or Commanders of any private Ship or Ships, or Veſſel or Veſſels of War, commiſſioned as aforeſaid, ſhall agree with the Commander or Commanders, or other Perſon or Perſons, of or belonging to any Neutral or other Ship or Ships, Veſſel or Veſſels, for the Ranſom of any ſuch Neutral Ship or Ships, Veſſel or Veſſels, or the reſpective Cargo or Cargoes thereof, or any Part thereof, after the ſame ſhall have been taken as Prize, and ſhall, in purſuance of ſuch Agreement or Agreements, actually quit, ſet at Liberty, or diſcharge, any ſuch Prize, or Prizes, inſtead of bringing the ſame into ſome Port or Ports belonging to his Majeſty's Dominions; that then all and every of the Commander and Commanders of ſuch private Ship or Ships, or Veſſel or Veſſels of War, who ſhall agree for any ſuch Ranſom, and ſhall quit, ſet at Liberty, or diſcharge, any ſuch Prize or Prizes in Manner aforeſaid, ſhall be deemed, adjudged, and taken to be, guilty of Piracy, Felony, and Robbery; and he, they, and every of them, being duly convicted thereof before any Court of Admiralty, ſhall have and ſuffer ſuch Pains of Death, Loſs of Land, Goods, and Chattels, as Pirates, Felons, and Robbers upon the Seas, ought to have and ſuffer according to the Laws now in being.

Offences on board Privateers puniſhable in the ſame Manner as on board Ships of War.

'XIV. And whereas, in all private Ships of War or Merchant Ships that ſhall take out Letters of Marque, 'it is expedient, for the better Diſcipline and Government of ſuch Ships, that all Perſons who enter themſelves on board the ſaid Ships ſhould be under proper Regulations, and pay Obedience to the lawful Commands of the Captains and Chief Commanders of the ſaid Ships;' be it therefore enacted by the Authority aforeſaid, That all Offences committed by any Officer or Seaman on board any Privateer or Merchant Ship, having taken Letter of Marque, during the preſent Hoſtilities with *France*, ſhall be puniſhed in ſuch Manner as the like Offences are puniſhable on board his Majeſty's Ships of War.

Offenders accuſed of Crimes

XV. Provided always, That all Offenders who ſhall be accuſed of ſuch Crimes as are cognizable only by a Court-martial, ſhall be confined on board ſuch Privateer or Merchant Ship carrying Letter of Marque,

on

on which such Offence shall be committed, until they shall arrive in some Port in *Great Britain* or *Ireland*, or can meet with such a Number of his Majesty's Ships of War abroad as are sufficient to make a Court-martial; and upon Application made, by the Commander of such Privateer or Merchant Ship carrying Letter of Marque, to the Lord High Admiral of *Great Britain*, or Commissioners for executing the Office of Lord High Admiral of *Great Britain*, for the Time being, or the Commander in Chief of his Majesty's said Ships of War abroad, the said Lord High Admiral, or Commissioners for executing the Office of Lord High Admiral of *Great Britain* for the Time being, or any three or more of them, or such Commander in Chief abroad, are hereby authorised and required to call a Court-martial for trying and punishing the said Offences.

cognizable only by a Court-martial, to be confined on board, &c.

'XVI. And whereas good and necessary Laws have been made, and are still in Force, within several of 'his Majesty's Colonies or Plantations in *America*, for preventing the carrying off from the said Colonies or 'Plantations any Servant or Slave without the Consent of the Owner; or the carrying off from thence any 'other Person or Persons whomsoever, until such Person shall have taken out his Ticket from the Secre-'tary's Office within such respective Colony or Plantation, in such Manner, and under such Penalties and 'Forfeitures, as in and by the said several Laws is declared and provided;' be it therefore further enacted by the Authority aforesaid, That all Commanders of private Ships of War or Merchant Ships, having Letters of Marque, shall, upon their going into any of those Ports or Harbours, be subject, and they are hereby determined to be subject, to the several Directions, Provisions, Penalties, and Forfeitures, in and by such Laws made and provided; any Thing in this Act contained to the contrary thereof in anywise notwithstanding.

Privateers subject to the Laws and Regulations established in British Colonies in going into the Ports there.

'XVII. And, for the more speedy proceeding to Condemnation, or other Determination, of any Prize, 'Ship, or Vessel, Goods or Merchandizes, already taken, or hereafter to be taken, as aforesaid, and for 'lessening the Expences that have been usual in the like Cases,' be it further enacted by the Authority aforesaid, That the Judge or Judges of any Court of Admiralty, or other Person or Persons thereto authorised, shall, within the Space of five Days after Request to him or them for that Purpose made, finish the usual preparatory Examination of the Persons commonly examined in such Cases, in order to prove the Capture to be lawful Prize, or to enquire whether the same be lawful Prize or not; and that the proper Monition usual in such Cases shall be issued, by the Person or Persons proper to issue the same, and shall be executed in the usual Manner, by the Person or Persons proper to execute the same, within the Space of three Days after Request in that Behalf made; and in case no Claim of such Capture, Ship, Vessel, or Goods, shall be duly entered or made in the usual Form, and attested upon Oath, giving twenty Days Notice after the Execution of such Monition; or if there be such Claim, and the Claimant or Claimants shall not, within five Days, give sufficient Security (to be approved of by such Court of Admiralty) to pay Double Costs to the Captor or Captors of such Ship, Vessel, or Goods, in case the same so claimed shall be adjudged lawful Prize; that then the Judge or Judges of such Court of Admiralty shall, upon producing to him or them the said Examinations, or Copies thereof, and upon producing to him or them, upon Oath, all Papers and Writings which shall have been found, taken in or with such Capture; or upon Oath made that no Papers or Writings were found; immediately, and without further Delay, proceed to Sentence, either to discharge and acquit such Capture, or to adjudge and condemn the same as lawful Prize, according as the Case shall appear to him or them, upon Perusal of such preparatory Examinations, and also of the other Papers and Writings found, taken in or with such Capture, if any Papers or Writings shall be found; and in case such Claim shall be duly entered or made, and Security given thereupon, according to the Tenor and true Meaning of this Act, and there shall appear no Occasion to examine any Witnesses other than those who shall be then near to such Court of Admiralty, that then such Judge or Judges shall forthwith cause such Witnesses to be examined within the Space of ten Days after such Claim made and Security given, and proceed to such Sentence as aforesaid touching such Capture; but in case, upon making or entering such Claim, and the Allegation and the Oath thereupon, or the producing such Papers or Writings as shall have been found or taken in or with such Capture, or upon the said preparatory Examinations, it shall appear doubtful to the Judge or Judges of such Court of Admiralty, whether such Capture be lawful Prize or not, and it shall appear necessary, according to the Circumstances of the Case, for the clearing and determining such Doubt, to have an Examination, upon Pleadings given in by the Parties, and admitted by the Judge, of Witnesses that are remote from such Court of Admiralty, and such Examination shall be desired, and that it be still insisted, on Behalf of the Captors, that the said Capture is lawful Prize, and the contrary be still persisted in on the Claimants Behalf, that then the said Judge or Judges shall forthwith cause such Capture to be appraised by Persons to be named by the Parties, and appointed by the Court, and sworn truly to appraise the same according to the best of their Skill and Knowledge; for which Purpose, the said Judge or Judges shall cause the Goods found on board to be unladen, and (an Inventory thereof being first taken, if the Judge or Judges shall think necessary, by the Marshal of the Admiralty, or his Deputy) shall cause them to be put into proper Warehouses, with separate Locks of the Collector and Comptroller of the Customs, and where there is no Comptroller, of the Naval Officer, and the Agents or Persons employed by the Captors and Claimants, at the Charge of the Party or Parties desiring the same; and shall, after such Appraisement made, and within the Space of fourteen Days after the making of such Claim, proceed to take good and sufficient Security from the Claimants to pay the Captors the full Value thereof, according to such Appraisement, in case the same shall be adjudged lawful Prize; and shall also proceed to take good and sufficient Security from the Captors to pay such Costs as the Court shall think proper, in case such Ship shall not be condemned as lawful Prize; and after such Securities duly given, the said Judge or Judges shall make an Interlocutory Order for releasing or delivering the same to such Claimant or Claimants, or his or their Agents, and the same shall be actually released or delivered accordingly.

Judge to finish the preparatory Examination, with respect to the Captures, within 5 Days,

Monition to be issued and executed in 3 Days after requested,

If no Claim thereupon be made within a limited Time, or Security given by the Claimant,

the Judge to proceed forthwith to Sentence.

If Claim be entered, and Security given, and Witnesses be near, Examination, &c. to be had and made within 10 Days.

If the Legality of the Capture shall appear doubtful, and the Parties persist in litigating their Right, the Judge shall order the Capture to be appraised,

and the Goods to be unloaded, and lodged in Warehouses, and an Inventory taken thereof; and upon Security for full Value taken of the Claimants,

and for Costs, of the Captors, shall make Order for Release of the Capture to Claimant.

XVIII. And it is hereby further enacted by the Authority aforesaid, That if any Claimant or Claimants shall refuse to give such Security, the Judge or Judges shall cause the Captor or Captors in like Manner to give

Claimant refusing, and Captor giving such Security,

Judge to make Order for Delivery of Prize to Captor.

give good and ſufficient Security to pay the ſaid Claimant or Claimants the full Value thereof, according to the Appraiſement, in caſe any ſuch Capture or Captures ſhall be adjudged not to be lawful Prize; and the ſaid Judge or Judges ſhall thereupon proceed to make an Interlocutory Order for the releaſing and delivering the ſame to the ſaid Captor or Captors, or their Agents.

His Majeſty may give ſuch further Rules and Directions to the Courts of Admiralty, as he ſhall judge proper.

XIX. Provided always, That nothing in this Act contained ſhall be conſtrued to reſtrain his Majeſty, his Heirs and Succeſſors, from giving ſuch further Rules and Directions to his reſpective Courts of Admiralty for the Adjudication and Condemnation of Prizes, as by his Majeſty, his Heirs and Succeſſors, with the Advice of his or their Privy Council, ſhall be thought neceſſary or proper.

Captures made in America, to be under the joint Care of the Officers of the Cuſtoms and Captors, till condemned or acquitted there. Upon Condemnation, Prize to be delivered to the Captors.

XX. And be it further enacted by the Authority aforeſaid, That all ſuch Captures as aforeſaid, which ſhall be brought into any of his Majeſty's Dominions in *America*, in order to be proceeded againſt to Condemnation in any of his Majeſty's Vice-admiralty Courts, ſhall, without breaking Bulk, ſtay there, and be under the joint Care and Cuſtody of the Collector and Comptroller of the Cuſtoms, or, where there is no Comptroller, of the Naval Officers of the Port or Place where the ſame ſhall be brought, and of the Captors thereof, or their Agents; ſubject to the Directions of the Court of Vice-admiralty, until the ſame ſhall, by final Sentence, have been either cleared and diſcharged, or adjudged and condemned as lawful Prize, or that ſuch Interlocutory Order as aforeſaid ſhall have been made for the releaſing or delivering of the ſame; and, upon the Condemnation or Adjudication thereof as lawful Prize, ſhall, in caſe the ſame were taken by any private Ship or Ships commiſſioned as aforeſaid, be immediately delivered unto the Captors thereof, or their Agents, to be by them diſpoſed of as their Goods and Chattels; and in caſe the ſame were taken by any of his Majeſty's Ships of War, unto ſuch Perſon or Perſons, and to be diſpoſed of and divided as his Majeſty by his Proclamation hath already ordered and directed, or his Majeſty, his Heirs and Succeſſors, ſhall, by Proclamation or Proclamations hereafter to be iſſued for thoſe Purpoſes, order and direct.

Books and Writings found on board any Prize, how to be diſpoſed of.

XXI. And be it further enacted by the Authority aforeſaid, That all Books, Papers, and Writings, found in any Ship or Veſſel taken as Prize, ſhall without Delay be brought into the Regiſtry of the Court of Admiralty wherein ſuch Ship or Veſſel may be proceeded againſt in order to Condemnation; but that ſuch only of the ſaid Books, Papers, and Writings, ſhall be made uſe of and tranſlated, as ſhall be agreed or inſiſted upon by the Proctors of the ſeveral Parties, Captors or Claimants, or, in caſe of no Claim, by the Captor or Regiſter, to be neceſſary for aſcertaining the Property of ſuch Ship or Veſſel, and Cargo thereof.

Judge, or other Officer in America, &c. guilty of Neglect or Delay in executing his Duty,

forfeits 500*l.*

with full Coſts of Suit.

XXII. And be it further enacted by the Authority aforeſaid, That if any Judge or Judges, or other Officer or Officers, in any of his Majeſty's Plantations or Dominions abroad, to whom reſpectively it ſhall appertain, ſhall delay the doing, performing, making, or pronouncing, any of the ſeveral Proceedings, Matters, or Things, for, towards, or relating to, condemning or diſcharging, releaſing or delivering, of any ſuch Capture in Manner aforeſaid, within the reſpective Times herein-before limited, or as ſoon as the ſame, or any of them, ought to be done, according to the Tenor and true Meaning of this Act; all and every ſuch Judge and Judges, and other Officer and Officers, ſhall, for every ſuch Offence, forfeit the Sum of five hundred Pounds; one Moiety thereof to his Majeſty, his Heirs and Succeſſors, and the other Moiety thereof, with full Coſts of Suit, to ſuch Perſon or Perſons who ſhall inform or ſue for the ſame in any of the Courts in or for any of his Majeſty's Colonies or Plantations, or in any of his Majeſty's Courts of Record within his Kingdom of *Great Britain*.

Fees of Court on Condemnation of Prizes in America, &c. for Veſſels under 100 Tons, 10*l.* for all above 15*l.* Upon Payment of the Fees, Judges, &c. liable to the above Penalties for Neglect or Delay of Duty.

XXIII. And be it further enacted by the Authority aforeſaid, That there ſhall not be paid, unto or among all the Judges and Officers of ſuch Court of Admiralty in any of his Majeſty's Plantations or Dominions abroad, for, towards, or relating to, the adjudging or condemning of ſuch Capture as aforeſaid as lawful Prize, above the Sum of ten Pounds, in caſe ſuch Prize, Ship, or Veſſel, be under the Burthen of one hundred Tons; nor above the Sum of fifteen Pounds, in caſe the ſame be of that or any greater Burthen; and that upon Payment of either of the ſaid reſpective Sums, as the Caſe ſhall require, to the ſaid Judge or Judges, or any of them, to be by him or them diſpoſed or divided, as he or they ſhall think fit, among the Officers of ſuch Court, ſuch Judges and Officers, and every of them, ſhall be liable to all and every the ſeveral Penalties hereby impoſed for neglecting or delaying to do and perform their ſeveral and reſpective Duties or Offices, in and relating to the ſeveral Proceedings aforeſaid, within the reſpective Times herein for that Purpoſe limited.

Judgment of the Court may be appealed from.

XXIV. Provided nevertheleſs, and it is hereby further enacted by the Authority aforeſaid, That if any Captor or Captors, Claimant or Claimants, ſhall not reſt ſatisfied with the Sentence given in ſuch Court of Admiralty in any of his Majeſty's Plantations or Dominions abroad, it ſhall and may be lawful for the Party or Parties thereby aggrieved, to appeal from the ſaid Court of Admiralty to the Commiſſioners appointed, or to be appointed, under the Great Seal of *Great Britain*, for receiving, hearing, and determining, Appeals in Cauſes of Prizes; ſuch Appeal to be interpoſed and received in the like Manner as Appeals have been uſually interpoſed and received from the High Court of Admiralty within this Kingdom; ſo as the ſame be made within fourteen Days after Sentence, and good Security be likewiſe given by the Appellant or Appellants, that he or they will effectually proſecute ſuch Appeal, and anſwer the Condemnation, and alſo pay Treble Coſts, as ſhall be awarded, in caſe the Sentence of ſuch Court of Admiralty be affirmed; any Thing in this Act before contained to the contrary hereof in anywiſe notwithſtanding.

Appeal to be made within 14 Days after Sentence, and Security to be given to proſecute the ſame, &c.

Execution of Sentence not to be ſuſpended thereupon, if the Appellate give Security for Veſſel, &c. or Value.

XXV. Provided always, That the Execution of any Sentence ſo appealed from as aforeſaid, ſhall not be ſuſpended by reaſon of ſuch Appeal, in caſe the Party or Parties appellate ſhall give ſufficient Security, to be approved of by the Court in which ſuch Sentence ſhall be given, to reſtore the Ship, Veſſel, Goods, or Effects, concerning which ſuch Sentence ſhall be pronounced, or the full Value thereof, to the Appellant or Appellants, in caſe the Sentence ſo appealed from ſhall be reverſed.

XXVI. And

XXVI. And be it enacted, That in caſe any Perſon, who was not a Party in the firſt Inſtance of the Cauſe, ſhall interpoſe an Appeal from a Sentence given in any Admiralty Court, ſuch Perſon, or his or her Agent, ſhall at the ſame Time enter his or her Claim, otherwiſe ſuch Appeal ſhall be null and void.

Perſon, who was not a Party in the firſt Inſtance, interpoſing an Appeal, is to enter his Claim at the ſame Time.

XXVII. And be it further enacted by the Authority aforeſaid, That in caſe any Appeal ſhall be interpoſed from a Sentence given in any Admiralty Court concerning any Ship, Veſſel, or Goods and Effects, which have been, or now are, or ſhall hereafter be ſeized or taken as Prize, that then and in ſuch Caſe the Judge of ſuch Court of Admiralty ſhall and may, at the Requeſt, Coſts, and Charges, either of the Captor or Claimant, or of the Claimant only, in Caſes where the Privilege is reſerved in favour of the Claimant, by any Treaty or Treaties ſubſiſting between his Majeſty and foreign Powers, make an Order to have ſuch Capture appraiſed, unleſs the Parties ſhall otherwiſe agree upon the Value thereof, and an Inventory taken, and then take Security for the full Value thereof accordingly; and thereupon cauſe ſuch Capture to be delivered to the Party giving ſuch Security, in like Manner as is herein-before enacted, notwithſtanding ſuch Appeal: And if there ſhall be any Difficulty or ſufficient Objection to the giving or taking of Security, the ſaid Judge ſhall, at the Requeſt of either of the Parties, order ſuch Goods and Effects to be entered, landed, and ſold by public Auction, under the Care and Cuſtody of the proper Officers of the Cuſtoms, and under the Direction and Inſpection of ſuch Perſons as ſhall be appointed by the Claimants and Captors; and the Monies ariſing by ſuch Sale ſhall be depoſited in the Bank of *England*, or in ſome Public Securities, and in the Names of ſuch Truſtees as the Captors and Claimants ſhall jointly appoint, and the Court ſhall approve, for the Uſe and Benefit of the Parties who ſhall be adjudged to be intitled thereto; and if ſuch Security ſhall be given by the Claimants, then it is hereby alſo enacted, that ſuch Judge ſhall give to ſuch captured Ship or Veſſel a Paſs, to prevent its being taken again by his Majeſty's Subjects in its deſtined Voyage.

In caſe of Appeal, the Judge may, at the Requeſt, &c. of the Captor or Claimant, order the Capture to be appraiſed;

and deliver it to either Party who ſhall give Security for the full Value thereof.

In caſe of Objection to taking Security, the Judge ſhall, if either Party requeſt it, order the Effects to be ſold by Auction, &c.

Produce of the Sale to be depoſited in the Bank, &c.

XXVIII. And be it further enacted by the Authority aforeſaid, That no Judge, Regiſter, or Deputy Regiſter, Marſhal, or Deputy Marſhal, or any other Officer whatſoever, of or belonging to any Court of Admiralty, or Vice-admiralty, in *Great Britain* or *Ireland*, or in any of his Majeſty's Colonies and Plantations in *America*, or in any other of his Majeſty's Dominions, nor any Perſon or Perſons practiſing either as Advocate, Proctor, or otherwiſe, in any ſuch Court or Courts, ſhall be concerned or intereſted, directly or indirectly, as Owner, Part-owner, Sharer or Adventurer, in any Private Ship or Ships, or Veſſel or Veſſels of War whatſoever, having any Commiſſion or Commiſſions as aforeſaid; and in caſe any ſuch Judge, Regiſter, Deputy Regiſter, Marſhal, Deputy Marſhal, or other Officer, Advocate, or Proctor whatſoever, ſhall, notwithſtanding this Act, be directly or indirectly concerned or intereſted as aforeſaid, ſuch Judge, Regiſter, Deputy Regiſter, or Marſhal, Deputy Marſhal, or other Officer reſpectively, ſhall, for ſuch Offence (being thereof lawfully convicted, either upon an Information or Indictment in any of his Majeſty's Courts of Record, or at any General or Quarter Seſſion of the Peace), abſolutely forfeit his Office and Employment in and belonging to any ſuch Court of Admiralty, or Vice-admiralty, of what Kind or Nature ſoever ſuch Office or Employment may happen to be, and ſhall alſo forfeit and pay, to the Uſe of his Majeſty, his Heirs and Succeſſors, the Sum of one hundred Pounds; and every ſuch Advocate or Proctor reſpectively ſhall, for ſuch laſt mentioned Offence (being thereof lawfully convicted in Manner aforeſaid), be from thenceforth abſolutely diſqualified, and rendered for ever incapable of practiſing, either as an Advocate or Proctor, in any of his Majeſty's Courts of Admiralty or Vice-admiralty whereſoever.

Penalty on every Judge Regiſter, or other Officer belonging to any Court of Admiralty, who ſhall be intereſted in any Privateer.

XXIX. And be it further enacted by the Authority aforeſaid, That no Regiſter, or Deputy Regiſter, nor any Marſhal, or Deputy Marſhal, of or belonging to any of his Majeſty's Courts of Admiralty, or Vice-admiralty, whatſoever, ſhall either directly or indirectly, by himſelf or themſelves, or by any Agent or Agents, or other Perſon or Perſons whatſoever, act or be concerned in any Manner, either as an Advocate or Proctor, in any Cauſe, Matter, or Buſineſs whatſoever, that ſhall be depending in any ſuch Court or Courts of Admiralty, or Vice-admiralty, to which ſuch Regiſter, Deputy Regiſter, Marſhal, or Deputy Marſhal, ſhall then belong; and that every Regiſter, Deputy Regiſter, Marſhal, or Deputy Marſhal, who ſhall be guilty of ſuch Offence (being thereof lawfully convicted, either upon an Information or Indictment, in Manner aforeſaid), ſhall from thenceforth abſolutely forfeit his reſpective Office and Employment of Regiſter, Deputy Regiſter, Marſhal, or Deputy Marſhal, in and belonging to the ſame Court.

If any Regiſter, Marſhal, &c. belonging to any Court of Admiralty, ſhall act as Proctor therein,

he ſhall forfeit his Office.

XXX. And be it further enacted by the Authority aforeſaid, That if any Commander or Commanders, Officer or Officers, Seamen, Marines, Soldiers, or others, ſhall break Bulk on board, or embezzle any of the Money, Jewels, Plate, Goods, Merchandiſe, Tackle, Furniture, or Apparel, of or belonging to any Prize or Prizes, ſuch Commander, Officer, Seaman, Marine, Soldier, or others, ſhall forfeit Treble the Value of all ſuch Money, Jewels, Plate, Goods, Merchandiſe, Tackle, Furniture or Apparel, as he or they ſhall embezzle; one Third Part thereof to be to the Uſe of *Greenwich Hoſpital*, and the other two Third Parts thereof to him or them that will ſue for the ſame, by Action of Debt, Plaint, or Information, in any Court of Record in *Great Britain*; in which no Eſſoin, Protection, or Wager of Law, or more than one Imparlance, ſhall be allowed.

Captors breaking Bulk, or embezzling the Effects, to forfeit Treble Value;

One-third to Greenwich Hoſpital, and the other two to the Proſecutor.

XXXI. And be it further enacted by the Authority aforeſaid, That all Appraiſements and Sales of any Ship or Ships, Goods, Wares, or Merchandizes, as ſhall be taken by any of his Majeſty's Ships of War, ſhall be made by Agents or Perſons nominated and appointed, in equal Numbers, by the Flag Officers or Flag Officer, Captains or Captain, Officers or Officer, Ships Companies or Ship's Company, and others, intitled thereunto; (that is to ſay), That if the Flag Officers or Flag Officer of any Fleet or Squadron of Ships, as ſhall take any ſuch Prize or Prizes (or the Majority of ſuch Flag Officers, if more than one), ſhall nominate and appoint one or more Perſon or Perſons Agent or Agents to ſell or appraiſe the

Appraiſements and Sales of Prizes taken by the King's Ships, to be made by the Agent for the Officers and Crews concerned in the Capture.

the ſame, as aforeſaid, then the Captains and Commanders, or Captain and Commander, intitled thereunto, or the Majority of them (if more than one), ſhall nominate and appoint the like Number of Perſons or Agents to act for them; and all the other Officers, under the Degree of a Captain and Commander, intitled thereto, or the major Part of them, ſhall alſo nominate and appoint the like Number of Perſons or Agents to act for them; and all the Crews of the ſeveral Ships Companies of the Fleet or Squadron, or Ship's Company, and others, intitled thereto, or the major Part of them, ſhall likewiſe nominate and appoint the ſame Number of Perſons or Agents to act on their Behalf in ſuch Appraiſement or Sale.

The above Clauſe not to extend to Privateers.

XXXII. Provided, That nothing herein contained ſhall extend, or be conſtrued to alter or make void any Agreement or Agreements made, or to be made, in Writing, between the Owners, Officers, and Seamen, of any private Ships or Veſſels of War.

Agents to exhibit and regiſter, within a limited Time, their Letters of Attorney in the Court where the Prize ſhall be condemned, on Penalty of 500l.

XXXIII. And be it further enacted by the Authority aforeſaid, That all and every Perſon or Perſons who ſhall be ſo nominated and appointed Agent or Agents as aforeſaid, for any Prize or Prizes, taken by any Ship or Ships, Veſſel or Veſſels of War, or by any Merchant Ship or Ships employed in his Majeſty's Service, or having Letters of Marque, or for receiving the Bounty herein-after granted, and which Prize or Prizes ſhall be condemned in the High Court of Admiralty in *Great Britain*, or in any of the Courts of Admiralty in any of his Majeſty's Plantations in *America*, or in any other his Majeſty's Dominions where the ſaid Prize and Prizes, and every of them, ſhall be condemned, ſhall exhibit, and cauſe to be regiſtered, in the ſaid High Court of Admiralty in *Great Britain*, or in the reſpective Courts of Admiralty in *America*, or in any other his Majeſty's Dominions where the ſaid Prize and Prizes, and every of them, ſhall be condemned, his or their reſpective Letter or Letters of Attorney, appointing him or them Agent or Agents for the Purpoſes aforeſaid; and if any Perſon or Perſons, ſo appointed Agent or Agents as aforeſaid, ſhall refuſe or neglect ſo to do for the Space of ſix Calendar Months next after Sentence of Condemnation of any Prize ſhall be given in the ſaid High Court of Admiralty in *Great Britain*, or in *America*, or other his Majeſty's Dominions, for the Care and Diſtribution of which he or they ſhall be appointed Agent or Agents, ſuch Perſon or Perſons, ſo refuſing or neglecting, ſhall forfeit the Sum of five hundred Pounds, to be recovered, by him or them who ſhall ſue for the ſame, by Action of Debt, Bill, Plaint, or Information, in any Court of Record in *Great Britain*, *America*, or in any other of his Majeſty's Dominions; in which no Eſſoin, Protection, or Wager of Law, or more than one Imparlance, ſhall be allowed.

Regiſters in all Courts of Admiralty to enter all Letters of Attorney delivered to them, by any Agent for Prizes taken by his Majeſty's Ships, &c. within 14 Days after Delivery;

XXXIV. And be it further enacted by the Authority aforeſaid, That the Regiſter or Regiſters of his Majeſty's High Court of Admiralty, and of all other Courts of Admiralty in *Great Britain*, and other his Majeſty's Dominions, ſhall, from Time to Time, duly enter or regiſter, or cauſe to be entered or regiſtered, in one or more Book or Books, to be by him or them kept for that Purpoſe only, all Letters of Attorney that ſhall be exhibited or delivered to them after the twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-nine, by any Agent or Agents for any Prize or Prizes taken, or to be taken, by any of his Majeſty's Ships or Veſſels of War, or by any Agent or Agents for the Receipt and Diſtribution of any Bounty Bill or Bills, within fourteen Days after the ſame ſhall be ſo exhibited or delivered to ſuch Regiſter or Regiſters, at his or their reſpective Offices; which Regiſtry ſhall contain the Days of Delivery and Entry, the Dates of the Letters of Attorney, the Names and Places of Abode of the Agents, the Names of the Prizes taken, or of the Ships of War or Privateers of the Enemy taken, burnt, ſunk, or otherwiſe deſtroyed, together with the Names of the Ships or Veſſels by which ſuch Prizes ſhall have been taken, or by which ſuch Ships of War or Privateers of the Enemy ſhall have been taken, burnt, ſunk, or otherwiſe deſtroyed, together with the Date of the Condemnation, and of Appeal, if any interpoſed; and

and to tranſmit Copies thereof, half yearly, to the Treaſurer of Greenwich Hoſpital;

the Regiſter or Regiſters ſhall, on the twenty-ſixth Day of *December*, and the twenty-fifth Day of *June*, or within forty Days thereafter, in every Year, tranſmit or deliver unto the Treaſurer of the ſaid Hoſpital, or to the lawful Deputy of ſuch Treaſurer for the Time being, a true Copy or Tranſcript, under his or their Hand or Hands, of all ſuch Entries as aforeſaid within the preceding Half Year; and if ſuch Regiſter or Regiſters ſhall neglect or refuſe to make or keep ſuch Entries, or to tranſmit or deliver ſuch Copies thereof, as aforeſaid, within the reſpective Times herein-before limited for that Purpoſe, he or they ſhall, for every ſuch Offence, forfeit the Sum of one hundred Pounds, to be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record, in which no Eſſoin, Protection, Privilege, Wager of Law, or more than one Imparlance, ſhall be allowed.

on Forfeiture of 100l.

Agent appointed after Condemnation of Prize, to regiſter his Letters of Attorney in like Manner, &c.

XXXV. Provided always, That if any Agent or Agents ſhall be appointed after the Time any Sentence of Condemnation in any of the ſaid Courts of Admiralty ſhall be given, ſuch Agent or Agents ſhall, under the aforeſaid Penalty, regiſter, or cauſe to be regiſtered, in Manner aforeſaid, his or their reſpective Letters or Letter of Attorney, appointing him or them Agent or Agents as aforeſaid, within the Space of ſix Calendar Months after the Date of the ſaid Letter or Letters of Attorney.

Regiſters, on Penalty of 500l. to tranſmit yearly to the Treaſurer of Greenwich Hoſpital, Copies of all Letters of Attorney regiſtered in their Courts.

XXXVI. And be it further enacted by the Authority aforeſaid, That the Regiſter or Regiſters of all and every the Court and Courts of Admiralty in any of his Majeſty's Plantations in *America*, or elſewhere in any other of his Majeſty's Dominions, ſhall yearly and every Year, upon the twenty-third Day of *October*, or within three Calendar Months next after the ſame, make out and tranſcribe true Copies of all and every ſuch Letter and Letters of Attorney as ſhall be ſo regiſtered in the ſaid Court or Courts, to which the Judge and Judges of the ſaid Court and Courts ſhall affix his and their Seal of Office; and then the ſaid Regiſter and Regiſters ſhall tranſmit the ſame to the Treaſurer of the ſaid Royal Hoſpital at *Greenwich*, to be there regiſtered, and to be inſpected by any Perſon *gratis*; the Charges of which Copies, and affixing the Seal or Seals thereto, and tranſmitting the ſame to the Treaſurer of the ſaid Hoſpital, ſhall be paid by the ſaid Agent or Agents at the Time of making ſuch Regiſtry as aforeſaid: And in caſe ſuch Regiſter or Regiſters ſhall neglect or refuſe to tranſcribe and tranſmit ſuch Copy and Copies of the ſaid Letter and Letters of Attorney, in Manner aforeſaid (if any Ship or Ships in that Time ſhall ſail from ſuch Port or Place to any Port or Ports in *Great Britain*), ſuch Regiſter and Regiſters, ſo neglecting or refuſing,

Judge to affix his Seal of Office thereto.

Agents to pay the Expences thereof.

fuſing, ſhall forfeit the Sum of five hundred Pounds, to be recovered by him or them who will ſue for the ſame, by Action of Debt, Bill, Plaint, or Information, in any Court of Record in *Great Britain* or *America*, or elſewhere in any other of his Majeſty's Dominions, in which no Eſſoin, Protection, or Wager of Law, or more than one Imparlance, ſhall be allowed.

'XXXVII. And, for the more effectual making ſuch Letters of Attorney Evidence of the Agency of 'the Perſon or Perſons to whom the ſame ſhall be made,' be it further enacted by the Authority aforeſaid, That true Copies of ſuch Letter and Letters of Attorney, and of Tranſcripts, under Seal, tranſmitted by the ſaid Regiſter or Regiſters of the Court and Courts of Admiralty in his Majeſty's Plantations in *America*, and elſewhere within his Majeſty's Dominions, and regiſtered by the ſaid Treaſurer of *Greenwich Hoſpital*, ſhall, from Time to Time, and at all Times hereafter, be good and ſufficient Evidence of the Agency of the Perſon or Perſons to whom ſuch Letter of Attorney is or ſhall be made; and from Time to Time, and at all Times hereafter, ſhall be admitted, without further or other Proof thereof, to be legal Evidence, in all his Majeſty's Courts of Record of Law or Equity; any Law, Cuſtom, or Uſage, to the contrary thereof in anywiſe notwithſtanding.

The ſaid Copies, when regiſtered by the ſaid Treaſurer, to be deemed Evidence of the Agency of ſuch Perſons.

XXXVIII. And be it further enacted by the Authority aforeſaid, That after the Sale or Sales of any Prize or Prizes, which have been or ſhall be taken from the Enemy by any of his Majeſty's Ships of War, public Notification, in Manner herein-after mentioned, ſhall be given by the Perſons or Agents appointed as aforeſaid, for the Payment of the ſeveral Shares to the Captors aforeſaid; that is to ſay, If the Prize or Prizes ſhall have been or ſhall be condemned in his Majeſty's High Court or other Court of Admiralty in *Great Britain*, then the Perſon or Perſons, Agent or Agents, appointed or to be appointed in purſuance of this Act, for the Appraiſement and Sale of ſuch Prize or Prizes, ſhall inſert and publiſh, or cauſe to be inſerted and publiſhed, ſuch Notification, under his or their Hand or Hands reſpectively, in the *London Gazette*; and if condemned in any Court or Courts of Admiralty or Vice-admiralty in any other of his Majeſty's Dominions, then ſuch Perſon or Perſons, Agent or Agents as aforeſaid, ſhall inſert and publiſh, or cauſe to be inſerted and publiſhed, ſuch Notification, under his or their Hand or Hands reſpectively, in the *Gazette*, or ſome other Newſpaper of public Authority, of the Iſland or Place where the Prize or Prizes ſhall have been or ſhall be condemned; and if there ſhall be no *Gazette*, or ſuch other Newſpaper publiſhed there, then in ſome or one of the moſt public Newſpapers of ſuch Iſland or Place; and all Perſons or Agents publiſhing, or cauſing to be publiſhed, every ſuch Notification reſpectively, ſhall deliver to the Collector, Cuſtomer, or Searcher, for the Time being of his Majeſty's Cuſtoms reſiding at or belonging to the Port or Place where the Prize or Prizes ſhall have been or ſhall be condemned, or the lawful Deputy or Deputies of ſuch Collector, Cuſtomer, or Searcher; and if there ſhall be no ſuch Collector, Cuſtomer, or Searcher, then ſuch Perſons or Agents as aforeſaid ſhall deliver, to the principal Officer or Officers of the Port or Place where the Prize or Prizes ſhall have been or ſhall be condemned, or to the lawful Deputy or Deputies of ſuch principal Officer or Officers, two of the Gazettes or other Newſpapers in which ſuch Notifications ſhall be ſo inſerted and publiſhed; and if there ſhall not be any public Newſpapers in any ſuch Iſland or Place, then ſuch Perſon or Perſons, Agent or Agents, ſhall give two ſuch Notifications in Writing, under his or their reſpective Hand or Hands, to the ſaid Collector, Cuſtomer, or Searcher, or the Deputy or Deputies of ſuch Collector, Cuſtomer, or Searcher, or where there ſhall be no ſuch Collector, Cuſtomer, or Searcher, to ſuch principal Officer or Officers, or his or their Deputy or Deputies, aforeſaid: And every ſuch Collector, Cuſtomer, or Searcher, and principal Officer or Officers, or ſuch Deputy or Deputies, ſhall ſubſcribe his or their Name or Names on ſome conſpicuous Part of both the ſaid Gazettes, Newſpapers, or written Notifications reſpectively, and by the firſt Ship which ſhall ſail (after his or their Receipt of ſuch Gazettes, Newſpapers, or written Notifications reſpectively) from ſuch Port or Place to any Port of *Great Britain*, ſhall tranſmit or ſend, to the Treaſurer of the Royal Hoſpital at *Greenwich*, or the Deputy of ſuch Treaſurer for the Time being, one of the ſaid Gazettes, Newſpapers, or written Notifications, with his or their Name or Names ſo ſubſcribed to and upon the ſame reſpectively, to be there regiſtered; and ſhall faithfully preſerve and keep the other of the ſaid two Gazettes, Newſpapers, or written Notifications, with his or their Name or Names thereon ſubſcribed as aforeſaid, in his or their Cuſtody; and that in every ſuch printed or written Notification as aforeſaid, the ſaid Perſon or Perſons, Agent or Agents, ſhall inſert or ſpecify his or their Place or Places of Abode, and the preciſe Day of the Month and Year appointed for the Payment of the ſeveral and reſpective Shares of the Prize or Prizes to the Captors: And all ſuch Notifications, with reſpect to Prizes condemned or to be condemned in *Great Britain*, ſhall be publiſhed in the *London Gazette* three Days at leaſt before any Part or Parts, Share or Proportion, of any ſuch Prize or Prizes, ſhall be paid to any Perſon or Perſons intitled thereto; and all ſuch Notifications, with reſpect to Prizes condemned or to be condemned in any other Part of his Majeſty's Dominions, ſhall be delivered to the ſaid Collector, Cuſtomer, or Searcher, or principal Officer or Officers aforeſaid reſpectively, or ſuch reſpective Deputy or Deputies, three Days at leaſt before any Part or Parts, Share or Proportion, of any ſuch Prize or Prizes ſhall be paid to any Perſon or Perſons intitled thereto: After which ſeveral and reſpective Notifications, if any Man's Shares ſhall remain in the Hands of the Perſons or Agents appointed as aforeſaid, either belonging to ſuch Men as ſhall be run from his Majeſty's Service, or which ſhall not be legally demanded within three Years, then ſuch Share or Shares ſo remaining in the Perſons or Agents Hands, or belonging to ſuch Men as ſhall run from his Majeſty's Service, ſhall go and be paid to the Uſe of *Greenwich Hoſpital*.

*Agents* to give public Notice of the Time appointed for Payment of the Shares to the Captors;

and ſhall deliver to the Collector, &c. of the Cuſtoms two of the Newſpapers, &c. in which ſuch Notification ſhall be inſerted;

who ſhall ſubſcribe the ſame, and tranſmit one of them to the Treaſurer of Greenwich Hoſpital, to be there regiſtered.

Notifications relating to Prizes condemned in Great Britain to be publiſhed in the London Gazette, three Days before any Share ſhall be paid, &c Shares of Run Men, and of ſuch as ſhall not be demanded within 3 Years, to be paid to Greenwich Hoſpital.

XXXIX. And be it further enacted by the Authority aforeſaid, That if any Perſon or Agent, appointed, or to be appointed, for Appraiſement or Sale of any Prize or Prizes, taken, or to be taken, from the Enemy, by any of his Majeſty's Ships or Veſſels of War, or for the Diſtribution of any Bounty-money, ſhall neglect or refuſe to publiſh, give, or deliver, any Notification herein directed or required to be publiſhed, given, or delivered, or ſhall not publiſh, give, or deliver, any ſuch Notification, before the Payment of any Part of ſuch Prize or Bounty Money, and within the Times herein reſpectively limited, or in the Manner

Any Agent for Appraiſement or Sale of Prizes taken by his Majeſty's Ships of War, &c. who ſhall neglect to publiſh

proper Notifications before Payment, shall forfeit 100 l.

Manner herein appointed; or shall not specify or set forth, in such Notification, the Matters and Things herein directed to be specified and set forth; every such Person or Agent shall, for every such Offence, forfeit and pay the Sum of one hundred Pounds, to be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record in *Great Britain* or *America*, or elsewhere in any of his Majesty's Dominions, in which no Essoin, Protection, Privilege, Wager of Law, or more than one Imparlance, shall be allowed: And if any Collector, Customer, or Searcher, of his Majesty's Customs, or principal Officer or Officers, or such Deputy or Deputies as aforesaid, shall neglect or refuse to receive or to attest, or shall not transmit or send, any such Gazette, Newspaper, or written Notification, as aforesaid, in such Manner as is before directed, every such Collector, Customer, or Searcher, Principal Officer or Officers, or such Deputy or Deputies, so offending, shall, for every such Offence, forfeit the Sum of one hundred Pounds, to be sued for and recovered in the same Manner as the above Penalty is directed to be sued for and recovered.

And Collector, &c. of the Customs neglecting to attest or transmit the same, shall be liable to the same Penalty.

XL. And be it further enacted by the Authority aforesaid, That the Notifications in all such Gazettes, Newspapers, and in Writing respectively, as aforesaid, which shall be so transmitted and attested by such Collector, Customer, or Searcher, or Principal Officer or Officers, or such Deputy or Deputies as aforesaid, and registered at the said Royal Hospital, on Proof of the Hand-writing of such Collector, Customer, Searcher, Principal Officer or Officers, or Deputy or Deputies, from Time to Time, and at all Times, shall be good and sufficient Evidence, in all his Majesty's Courts of Law and Equity, that the Person or Persons, whose Name or Names is or are therein set forth and specified as the Agent or Agents for the Prize or Prizes therein respectively mentioned, is or are such Agent or Agents.

Notifications transmitted and attested as aforesaid, and registered at Greenwich Hospital, shall be deemed Evidence of the Agency of the Persons therein mentioned.

Commissioners of the Navy may purchase, for the King's Use, Naval Stores on board neutral Ships brought into Port by the King's Ships or Privateers,

'XLI. And whereas great Numbers of Ships of neutral Nations may pass the Seas laden with Naval 'Stores, intended to be carried to the Ports of *France*, whereby his Majesty's Enemies may not only be 'enabled and encouraged to fit out and arm Privateers to destroy the Trade of his Majesty's Subjects, but 'may also be supplied with Materials to build and fit out Ships of War, to annoy and invade his Majesty's 'Dominions: And whereas divers Ships of neutral Nations, laden as aforesaid, may be taken and brought 'into the Ports of *Great Britain*, and the Purchase of such Naval Stores, laden on board such Ships of 'neutral Nations, for the Service of his Majesty, may in many Cases be expedient, without proceeding 'to the Condemnation thereof;' be it therefore further enacted by the Authority aforesaid, That it shall and may be lawful to and for the principal Officers and Commissioners of his Majesty's Navy for the Time being, or their Officers or Agents, during the Continuance of the present Hostilities with *France*, to purchase, on the Account or for the Service of his Majesty, his Heirs and Successors only, all or any such Naval Stores found on board any such Ships of neutral Nations, which have been, shall or may hereafter be brought into any of the Ports of this Kingdom, by any of his Majesty's Ships or Vessels, or by any private Ships or Vessels of War, or other Ships or Vessels having Commissions or Letters of Marque; and that the Commissioners and Officers of the Customs for the Time being shall and may permit and suffer such Naval Stores, so purchased as aforesaid, to be entered and landed within any of the Ports of this Kingdom; any Thing in an Act of Parliament, passed in the twelfth Year of his late Majesty King *Charles* the Second, intituled, *An Act for the encouraging and increasing of Shipping and Navigation*, contained to the contrary thereof in anywise notwithstanding.

Act 12 Car. II. notwithstanding.

'XLII. And, as a further Encouragement to the Officers, Seamen, Marines, Soldiers, and others, 'on board his Majesty's Ships of War, as also of Privateers, to attack, take, and destroy any Ships of Force 'belonging to the Enemy;' be it enacted by the Authority aforesaid, That there shall be paid, by the Treasurer of his Majesty's Navy, upon Bills to be made forth by the Commissioners of the Navy, to be paid according to the Course thereof, without Fee or Reward, unto the Officers, Seamen, Marines, Soldiers, or others, who shall have been actually on board any of his Majesty's Ship or Ships of War, or Privateer or Privateers, at the taking, or sinking, or burning, or otherwise destroying, any Ship or Ships of War belonging to the Enemy, since the twenty-ninth Day of *July*, one thousand seven hundred and seventy-eight, five Pounds for every Man who was living on board any Ship or Ships so taken, sunk, burnt, or otherwise destroyed, at the Beginning of the Attack or Engagement between them; the Numbers of such Men to be proved by the Oaths of three or more of the Chief Officers or Men which were belonging to the said Ship or Ships of War or Privateers of the Enemy, or belonging to any of them, at the Time of her or their being taken as Prize, sunk, burnt, or otherwise destroyed, before the Mayor, or other Chief Magistrate, of the Port within any of his Majesty's Dominions whereunto any Prize, or Officers or Men of such Ships, as were sunk, burnt, or otherwise destroyed, shall be brought; or before the *British* Consul or Vice-consul residing at any neutral Port to which such Prize, or Officers or Men, shall be brought; which Oaths the said Mayor, or other Chief Magistrate, of any such Port, or Consul or Vice-consul, are hereby respectively impowered and required to administer, and shall forthwith grant a Certificate thereof, without Fee or Reward, directed to the Commissioners of the Navy; upon producing which Certificate to the Commissioners of his Majesty's Navy, together with an authentic Copy of the Sentence or Decree of Condemnation of such Ship so taken; or where such Certificate cannot be had and obtained, then upon producing only a Copy of the Sentence or Decree of Condemnation, whereby the Number of Men on board such Ships of the Enemy shall appear to have been proved; or if such Ship be sunk, burnt, or otherwise destroyed, on producing only a Certificate from the Mayor, or other Chief Magistrate, or Consul or Vice-Consul, as aforesaid, the said Commissioners of his Majesty's Navy, or such Person or Persons as they shall appoint for that Purpose, shall, according to the Course of the Navy, within fifteen Days, make out Bills for the Amount of such Bounty, directed to the Treasurer of the Navy, payable to, and to be divided amongst, the Officers, Seamen, Marines, and Soldiers, on board his Majesty's Ships of War, in Manner, Form, and Proportion, as by his Majesty's Proclamation for granting the Distribution of Prizes, already issued or to be issued for that Purpose, is or shall be directed and appointed; and amongst the Owners, Officers, and Seamen, of any private Ship or Vessel of War, in such Manner and

Bounty Money payable to the Captors, by the Navy-office, for all Men on board the Enemies Ships taken or destroyed.

Numbers to be ascertained upon Oath;

and a Certificate granted thereof, and produced to the Commissioners of the Navy, with Copy of Ship's Condemnation; unless the Ship be sunk or destroyed.

Dividend to be made according to Proportion settled by Proclamation, &c.

Proportion as by any Agreement in Writing, they ſhall have entered into for that Purpoſe, ſhall be directed.

Where ſuch Oath and Certificate cannot be made and had at the firſt Port, the ſame may be done at any other Port;

XLIII. Provided nevertheleſs, That in all Caſes where ſuch Oath and Certificate cannot be adminiſtered and granted at the firſt Port whereunto any Prize, or Officers or Men of ſuch Ships as have been, or ſhall be taken, ſunk, burnt, or otherwiſe deſtroyed, ſhall be brought, ſuch Oath or Oaths, relating to any Prize or Prizes that ſhall be taken, or to any Ships of his Majeſty's Enemies that ſhall be ſunk, burnt, or otherwiſe deſtroyed, as aforeſaid, ſhall and may be adminiſtered and taken by and before the Mayor, or other Chief Magiſtrate, of any Port within any of his Majeſty's Dominions, or by or before the *Britiſh* Conſul, or Vice-conſul, reſiding at any neutral Port whereunto any Prize or Prizes, or Officers or Men of any Ships belonging to his Majeſty's Enemies as have been, or ſhall be, taken, ſunk, burnt, or otherwiſe deſtroyed, ſhall at any Time afterwards be brought (Proof being firſt made, by Affidavit before ſuch Perſon or Perſons, of the Inability of making ſuch Oath or Oaths, and obtaining ſuch Certificate, at the ſaid firſt Port); and the Mayor, or other Chief Magiſtrate, Conſul or Vice-conſul, ſhall thereupon grant ſuch Certificate and Certificates as are herein-before directed; which Certificate and Certificates ſhall be good and effectual to all Intents and Purpoſes, as if the ſame were granted by the Mayor, or other Chief Magiſtrate, Conſul or Vice-conſul, of the Port to which ſuch Prize or Prizes, Officers or Men, as aforeſaid, ſhall be firſt brought; any Thing herein contained to the contrary thereof in anywiſe notwithſtanding.

Proof being made of ſuch Inability at the firſt Port.

Certificate granted thereupon to be valid.

Prizes which had been taken from his Majeſty's Subjects not in Rebellion, to be reſtored to them,

on Payment of 1-8th Part of the Value thereof;

but if any ſuch Ship had been uſed by the Enemy as a Man of War, a Moiety of the Value to be paid on reſtoring thereof.

XLIV. Provided always, and be it enacted, That if any Ship, Veſſel, or Boat, taken as Prize, or any Goods therein, ſhall appear, and be proved, in any Court of Admiralty, to have belonged to any of his Majeſty's Subjects of *Great Britain* or *Ireland*, or any of the Dominions and Territories remaining and continuing under his Majeſty's Protection and Obedience, which were before taken or ſurpriſed by any of his Majeſty's Enemies, and at any Time afterwards again ſurpriſed and retaken from his Majeſty's Enemies by any of his Majeſty's Ships of War, or any private Man of War, or other Ship, Veſſel, or Boat, under his Majeſty's Protection and Obedience; that then ſuch Ships, Veſſels, Boats, and Goods, and every ſuch Part and Parts thereof, as aforeſaid, formerly belonging to ſuch his Majeſty's Subjects, ſhall in all Caſes be adjudged to be reſtored, and ſhall be, by Decree of the ſaid Court of Admiralty, accordingly reſtored to ſuch former Owner or Owners, or Proprietors, he or they paying, for and in Lieu of Salvage, one-eighth Part of the true Value of the Ships, Veſſels, Boats, and Goods, reſpectively ſo to be reſtored; which Salvage, if retaken from the Enemy by any of his Majeſty's Ship or Ships of War, ſhall be anſwered and paid to the Captains, Officers, and Seamen, in his Majeſty's ſaid Ship or Ships or War, to be divided in ſuch Manner as before in this Act is directed touching the Share of Prizes belonging to the Flag Officers, Captains, Officers, Seamen, Marines, and Soldiers, where Prizes are taken by any of his Majeſty's Ships of War; and if ſuch Ship ſo retaken by any of his Majeſty's Ship or Ships of War, or by any private Man of War, ſhall appear to have been, after the taking by the Enemy, by them ſet forth as a Man of War, the former Owners and Proprietors, to whom the ſame ſhall be reſtored, ſhall be adjudged to pay, and ſhall pay, for Salvage, the full Moiety of the true Value of the ſaid Ship ſo taken and reſtored without Deduction, as aforeſaid; any Law, Cuſtom, or Uſage, to the contrary notwithſtanding.

Bills for Bounty Money to be paid to Agents, and to be divided amongſt the Captors.

Shares not demanded within 3 Years, to be paid over to Greenwich Hoſpital.

Bounty Money to Privateers, to be divided as agreed among themſelves.

XLV. And be it further enacted by the Authority aforeſaid, That the Bill or Bills, to be made out for the Bounty hereby granted to the Commanders, Officers, Seamen, Marines, Soldiers, and others, of his Majeſty's Ships of War, for taking, ſinking, burning, or otherwiſe deſtroying, any Ships of War, or Privateers, belonging to any of his Majeſty's Enemies, ſhall be made payable to ſuch Perſon or Perſons as ſhall be authoriſed and appointed by the Flag Officers or Flag Officer, Captains or Captain, Officers or Officer, Ships Companies or Ship's Company, and others, intitled thereunto, in like Manner as herein-before is directed for the nominating and appointing Agents for Appraiſements and Sales to be made as aforeſaid; the ſame to be diſtributed and divided, by the ſaid Perſon or Perſons ſo authoriſed and appointed, amongſt the Captors, in ſuch Manner, Form, and Proportion, as aforeſaid; the ſeveral Shares of which Captors, if not legally demanded within three Years after public Notification, and alſo of ſuch as ſhall run from his Majeſty's Service, ſhall be applied to the Uſe of *Greenwich Hoſpital*; and that the Bill or Bills to be made out for the Bounty hereby granted to Privateers, for taking, burning, ſinking, or otherwiſe deſtroying, any Ships of War, or Privateers, belonging to any of his Majeſty's Enemies, ſhall be made payable to ſuch Perſon or Perſons as ſhall be nominated and appointed by the Owner or Owners, Officers and Seamen, of ſuch Privateer or Privateers, who ſhall have taken, ſunk, burnt, or otherwiſe deſtroyed, the ſame, or the major Part of them, to be divided in ſuch Manner and Proportions as ſhall have been agreed on by them as aforeſaid.

Ships or Merchandiſe taken by Colluſion by Privateers, forfeited to his Majeſty, with the Bond; one Moiety to the Crown, the other to the Proſecutor; and if ſo taken by a King's Ship, the Captain to forfeit 1000 l.

XLVI. And be it further enacted by the Authority aforeſaid, That in caſe any Ship or Veſſel, or any Goods or Merchandiſe, ſhall be taken or retaken, or reſtored, without being firſt brought to Adjudication, by any Privateer, through Conſent, or clandeſtinely, or by Colluſion or Connivance, the Ship and Veſſel, and Goods and Merchandiſes, ſo taken or retaken, or reſtored, and alſo the Ship's Tackle, Furniture, Apparel, and Ammunition, of ſuch Privateer, ſhall, upon Proof thereof to be made in any Court of Admiralty, be declared and adjudged to be good Prize to his Majeſty; and one Moiety thereof ſhall be to the Uſe of his Majeſty, his Heirs and Succeſſors, and the other Moiety to the Uſe of ſuch Perſon who ſhall diſcover and ſue for the ſame; and the Bond given by the Captain of ſuch Privateer ſhall be, and is hereby adjudged to be, forfeited to his Majeſty: And in caſe any ſuch Ship or Veſſel, or any Goods or Merchandiſes as aforeſaid, ſhall be taken, or ſo retaken or reſtored, by any Man of War, through Conſent, clandeſtinely, or by Colluſion or Connivance of the Commander or Captain, ſuch Commander or Captain ſhall forfeit the Sum of one thouſand Pounds; one Moiety thereof to the Uſe of his Majeſty, his Heirs and Succeſſors, and the other Moiety to the Uſe of ſuch Perſon who ſhall diſcover and ſue for the ſame; to be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record, wherein no Eſſoin, Protection, Privilege, or Wager of Law, or any more than one Imparlance, ſhall be allowed; and ſuch Captain, or Officer, ſhall forfeit his Command and Employment, and ſhall be, and is

and be suspended for 7 Years, and the Ship and Goods taken forfeited.

hereby disabled and made incapable of any Office or Employment under his Majesty, during the Space of seven Years; and the said Goods and Merchandises, and the Ship, Tackle, Apparel, Furniture, Guns, and Ammunition, so taken by Collusion, shall be, and is hereby directed to be adjudged, in all Courts of Admiralty, as good Prize and Forfeiture to his Majesty.

Run Men forfeit their Share of Prize and Bounty Money;

which is to be paid over to Greenwich Hospital;

XLVII. And be it further enacted by the Authority aforesaid, That no Person or Persons, belonging to any of his Majesty's Ships or Vessels of War, or to any Merchant Ship employed in his Majesty's Service, who shall run away, or withdraw him or themselves from the Ship or Vessel by which any Prize or Prizes shall be taken from any of his Majesty's Enemies, or otherwise from his Majesty's Service, before or after Notification shall be given, by the Persons or Agents appointed as aforesaid, of the Day appointed for the Payment of the several Shares to the Captors of the said Prize or Prizes, shall have, or be intitled to have or claim, any Interest in, or Benefit of, the said Share or Shares of the said Prize or Prizes, or the Bounty Money aforesaid, or any Part thereof; but such Share and Shares of such Prize and Prizes, and Bounty Money, shall go and be paid to the Use of *Greenwich Hospital*.

and if they run, after Notification, to lose what then remains of their Share in the Agents Hands.

XLVIII. Provided always, That if any Person or Persons shall or do run away, or withdraw him or themselves, from any such Ship or Vessel, as aforesaid, after Notification given as aforesaid, he or they shall forfeit and lose such Part of his and their Share and Shares of the said Prize or Prizes, and Bounty Money, as shall be remaining in the said Agent or Agents Hands, at the Time of his and their running away, or withdrawing him or themselves; any Thing herein-before contained to the contrary thereof in anywise notwithstanding.

Agents, within 3 Months after the Day appointed for first Payment, to transmit to the Treasurer of Greenwich Hospital an Account of the Produce of such Prize, and Payment of Shares; and also transmit a like Account of the Bounty-money;

XLIX. And be it enacted by the Authority aforesaid, That all and every Person and Persons, Agent and Agents, and others, who shall sell, or otherwise dispose of, any Prize or Prizes, so to be taken as aforesaid from any of his Majesty's Enemies, shall, within the Space of three Calendar Months next after the Day to be appointed for the first Payment or Distribution to the Captors of such Prize or Prizes made in pursuance of such public Notification as aforesaid, make out, and transmit or deliver unto the Treasurer of the said Royal Hospital at *Greenwich* for the Time being, or to such Person or Persons as he shall for that Purpose depute or appoint, a true State and Account in Writing, under the Hand or Hands of such Agent or Agents, or Person or Persons so employed, of the Produce of all such Prize and Prizes as aforesaid, together with an Account of the Payments of the several Shares to the Captors, as shall then have been really and truly by him or them respectively paid; and also that all and every Person and Persons, authorised and appointed by this present Act to receive Bills for the Bounty hereby granted, shall, within the like Space of three Calendar Months next after the Day appointed for the first Payment or Distribution of such Bills for the Bounty as aforesaid, in like Manner make out, and transmit or deliver to the Treasurer for the Time being of the said Hospital, or to his sufficient Deputy, a true State and Account in Writing, under his or their Hand or Hands, of the Payment and Distribution of such Bills: And further, that all and every Person and Persons, Agents and others, who, by virtue of this Act, shall sell or dispose of any Prize or Prizes, which already have been, or shall at any Time or Times hereafter be taken from the said Enemy, by any of his Majesty's Ships or Vessels of War, or who shall receive or dispose of any Bill or Bills for Bounty, such Person and Persons, Agents and others, so selling and disposing thereof, shall, within the Space of three Calendar Months next after the Expiration of the Term of Three Years limited by this Act, make out an exact Account in Writing of the Produce of such Prize and Prizes, Bill and Bills for Bounty; as also of the Payments of the several Shares to the respective Captors, together with a true and just Account, upon Oath, to be taken before the Treasurer of the said Hospital for the Time being, or any other Person or Persons by him for that Purpose deputed and authorised, in Writing under his Hand and Seal (which Oath the said Treasurer of the said Hospital, and his sufficient Deputy and Deputies, authorised as aforesaid, is and are hereby authorised and impowered to administer), of all Sum and Sums of Money as shall be then remaining in such Agent or Agents or Persons Custody, Power, or Possession; and shall at the same Time deliver, or cause to be delivered, to the Treasurer of the said Hospital for the Time being, or to his sufficient Deputy or Agent, the said Accounts, so attested upon Oath as aforesaid, together with all such remaining Sum and Sums of Money then so left and remaining in his or their Hands, as aforesaid, taking from the said Treasurer, or his proper Deputy or Agent, his or their Acquittance or Acquittances for the same.

and, within 3 Years after, to make out on Oath, and transmit a like Account of the Produce and Payments of such Prizes and Bounty-money, and of all Sums then remaining in their Hands, which are to be paid over at the same Time to the Treasurer of said Hospital.

Agents neglecting to render such Accounts and Payments, to forfeit 100 l. over and above the Money then in their Hands; One-third to the King, and the rest to the Hospital.

L. And be it further enacted, That all and every Person and Persons, hereby directed to transmit or deliver all or any the Accounts before mentioned, who shall neglect or refuse to transmit or deliver all or any such Account or Accounts to the Treasurer of the said Hospital, or his said Deputy or Agent, within the Time before limited and appointed, in Manner and Form as is herein-before mentioned; or who shall neglect or refuse to pay over all and every such Sum and Sums of Money, as shall remain in his or their Hand or Hands, Power, Custody or Possession, after the Term of three Years, to be accounted as aforesaid; shall, for every such Offence, forfeit the Sum of one hundred Pounds, over and above the Money then in such Agents Hands; One-third Part whereof shall belong to his Majesty, and the remaining two-thirds to the said Royal Hospital; to be recovered, with Costs of Suit, by Action of Debt, Bill, Plaint, or Information, in any of his Majesty's Courts of Record; in which no Essoin, Protection, Privilege, or Wager of Law, or more than one Imparlance, shall be allowed.

If there appear any Fraud or Collusion in such Accounts, Persons concerned therein to forfeit 100 l. extra. One-third to the King, one to the

LI. And be it further enacted, That if any Fraud, Collusion, or Deceit, shall be wittingly or willingly made, used, committed, permitted, or done, or suffered, in making, stating, or balancing, any such Accounts, then every Person or Persons who shall be thereof duly convicted, and his and their Aiders and Abettors, shall forfeit and pay, for every such Offence, over and above the Penalties and Punishments inflicted by this Act, the Sum of one hundred Pounds; One-third Part whereof to be to the Use of his Majesty, and one other Third to the Use of the said Hospital, and the other Third to the Informer who shall sue for the same; to be recovered, with Costs of Suit, by Action of Debt, Bill, Plaint, or Information, in

any Court of Record, in which no Eſſoin, Protection, Privilege, or Wager of Law, or more than one Imparlance, ſhall be allowed.

Hoſpital, and one to the Proſecutor.

LII. And be it further enacted by the Authority aforeſaid, That no Agent or Agents for Prizes, or Bounty-money, ſhall be liable to be ſued, impleaded, or arreſted, by any Perſon or Perſons who ſhall be made Run from his Majeſty's Service, in the Liſts to be duly certified of the Names of the Officers, Seamen, Marines, Soldiers, or others, who ſhall be actually on board any of his Majeſty's Ships of War at the taking of any Prize or Prizes, unleſs the Perſon or Perſons ſo made Run ſhall, before any Action brought, obtain a Certificate of his or their R or R's being taken off, and the Forfeiture of his or their Shares of ſuch Prizes and Bounty Monies being diſcharged by the Commiſſioners of his Majeſty's Navy who ſubſcribed the ſaid Liſts, and ſhall produce ſuch Certificate to the ſaid Agent or Agents reſpectively; and unleſs the ſaid Agent or Agents, on the producing of ſuch Certificate or Certificates, ſhall refuſe to pay the ſaid Prize or Bounty Money (in caſe the ſame be due and payable according to the Directions in his Majeſty's Proclamation) within two Months after any ſuch Demand made and ſuch Certificate produced.

Agents not liable to be ſued by Run Men in the King's Service, unleſs they produce a Certificate of their R's being taken off, and the Agent thereupon refuſe to pay the Prize or Bounty Money.

LIII. And be it further enacted by the Authority aforeſaid, That, from and after the twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-nine, all and every Perſon and Perſons, Agent and Agents, appointed or to be appointed by the Flag Officers or Flag Officer, Captains or Captain, Officers or Officer, Ships Companies or Ship's Company, and others, of any of his Majeſty's Ships or Veſſels of War, for the Diſtribution of any Bounty Bill or Bills given or granted by virtue of this Act, ſhall inſert and publiſh, or cauſe to be inſerted and publiſhed, under his or their Hand or Hands, in the *London Gazette*, three Days at leaſt before the Payment or Diſtribution of any ſuch Bounty Bill or Bounty Bills, public Notification of the preciſe Day of the Month and Year appointed for the Payment of ſuch Bounty Money; and ſhall inſert, in every ſuch Notification, the Place or Places of his or their Abode.

Agents of King's Ships for Diſtribution of Bounty Bills ſhall give 3 Days Notice, in the London Gazette, before the Payment of ſuch Bills; and ſhall, in ſuch Notifications, mention their Places of Abode.

If in any public Notification already given, or which ſhall be given, during the preſent Hoſtilities, there ſhall be omitted the Day on which Payment ſhall commence, or the Name and Place of Abode of the Agent, then the ſaid Agent ſhall give a more particular Notification, at the reſpective Times herein mentioned.

LIV. And be it further enacted by the Authority aforeſaid, That in all Caſes where any public Notification hath, during the preſent Hoſtilities, been given, or ſhall be given, before the reſpective Times herein before mentioned for the giving of Notifications in *Great Britain*, and other Parts of his Majeſty's Dominions, of the Payment of any Prize or Bounty Money in reſpect of any of his Majeſty's Ships or Veſſels of War, and the particular and preciſe Day whereon ſuch Payment did or ſhall commence, and the Name or Names, and Place or Places of Abode, of the Perſon or Perſons, Agent or Agents, appointed or to be appointed for the Appraiſement and Sale of any ſuch Prize or Prizes, or Diſtribution of any ſuch Bounty Money, was not, or ſhall not be ſet forth and ſpecified in ſuch public Notification, the Perſon or Perſons, Agent or Agents, appointed or to be appointed for the Appraiſement and Sale of every ſuch Prize or Prizes, condemned or to be condemned in his Majeſty's High Court or other Court of Admiralty in *Great Britain*, or for the Diſtribution of any ſuch Bounty Money, ſhall, on or before the twenty-fifth Day of *December*, one thouſand ſeven hundred and ſeventy-nine; and the Perſon or Perſons, Agent or Agents, appointed or to be appointed for the Appraiſement and Sale of every ſuch Prize or Prizes, condemned or to be condemned in any Court or Courts of Admiralty in any other of his Majeſty's Dominions in *Europe*, or in any of his Majeſty's Plantations in *America*, or for the Diſtribution of any ſuch Bounty Money, ſhall, on or before the firſt Day of *June*, one thouſand ſeven hundred and eighty; and the Perſon or Perſons, Agent or Agents, appointed or to be appointed for the Appraiſement and Sale of every ſuch Prize or Prizes condemned or to be condemned in any other of his Majeſty's Dominions, or for the Diſtribution of any ſuch Bounty Money, ſhall, on or before the twenty-fifth Day of *March*, one thouſand ſeven hundred and eighty-one, reſpectively give Notification, under his or their Hand or Hands reſpectively, of the preciſe Day of the Month and Year appointed for the Payment of the Shares of ſuch Prize or Bounty Money reſpectively, and ſhall ſpecify in every ſuch Notification, his or their Place or Places of Abode; and all ſuch Notifications ſhall be publiſhed, or given and delivered, atteſted and tranſmitted, by and to ſuch Perſon and Perſons, and in ſuch Manner, as the Notifications to be publiſhed or given are herein-before directed and required to be publiſhed, or given and delivered, atteſted and tranſmitted.

Penalties and Forfeitures how to be applied.

LV. And be it further enacted by the Authority aforeſaid, That all Penalties and Forfeitures given and granted by this Act, ſhall be applied one Moiety to the Informer or Informers, and the other Moiety to the Uſe of the ſaid Royal Hoſpital.

Penalties given to Greenwich Hoſpital how to be recovered.

LVI. And be it further enacted by the Authority aforeſaid, That all Penalties and Forfeitures, and Parts of Penalties and Forfeitures, given or to be given to the Uſe of the ſaid Royal Hoſpital, by this preſent Act, or any other Act or Acts of Parliament, ſhall and may be ſued for and recovered in the Name of the Commiſſioners and Governors of the Royal Hoſpital for Seamen at *Greenwich* in the County of *Kent*.

A Seſſion of Oyer and Terminer, for trying naval Offences, to be held twice a Year at the Old Bailey.

'LVII. And, for the more ſpeedy bringing of Offenders to Juſtice, and to prevent the Inconveniences 'occaſioned by want of frequently holding a Seſſion of Admiralty, for the Trial of Offences committed on 'the High Seas,' be it further enacted by the Authority aforeſaid, That, from and after the twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-nine, a Seſſion of Oyer and Terminer and Gaol Delivery, for the Trial of Offences committed on the High Seas, within the Juriſdiction of the Admiralty of *England*, ſhall be held twice, at leaſt, in every Year, that is to ſay, In the ſeveral Months of *March* and *October* in each Year, at *Juſtice Hall* in the *Old Bailey*, *London*, except at ſuch Times as the Seſſions of Oyer and Terminer, and Gaol Delivery, for the City of *London*, and County of *Middleſex*, ſhall be appointed to be there held, or in ſuch other Place within that Part of *Great Britain* called *England*, as the Lord High Admiral of *Great Britain*, or the Commiſſioners for executing the Office of Lord High Admiral of *Great Britain* for the Time being, or any three or more of them, ſhall, by any Letter or Order, in Writing under their Hands, directed to the Judge of the High Court of Admiralty in *England* for the Time being, appoint.

LVIII. And

Commissioners of Oyer and Terminer, or Justices of Peace, impowered to take Informations, on Oath, of any Piracy, &c. committed within the Admiralty Jurisdiction; and to grant Warrants for Commitment of the Persons accused.

LVIII. And be it further enacted by the Authority aforesaid, That, from and after the twenty-fourth Day of *June*, one thousand seven hundred and seventy-nine, it shall and may be lawful, not only to and for any one or more of the Commissioners for the Time being named in the Commission of Oyer and Terminer for the trying of Offences committed within the Jurisdiction of the Admiralty of *England*, but also to and for any one or more of the Justices of the Peace for the Time being of any County, Riding, Division, or Place, within that Part of *Great Britain* called *England*, and they are hereby respectively authorised and impowered, from Time to Time, to take any Information or Informations, of any Witness or Witnesses, in Writing, upon Oath, touching any Piracy, Felony, or Robbery, done or committed, or charged to have been done or committed, in or upon the Sea, or in any Haven, River, Creek, or Place, where the Admiral or Admirals hath or have Power, Authority, or Jurisdiction; and thereupon (if such Commissioner or Commissioners, or Justice or Justices of the Peace, respectively, shall see Cause), by any Warrant or Warrants, under his or their Hand and Seal, or Hands and Seals, to cause the Person or Persons, accused in such Information or Informations, to be apprehended and committed to the Gaol of the County or Place wherein the same Information or Informations shall be taken, there to remain until discharged by due Course of Law.

Commissioners or Justices may oblige all Persons they shall think necessary to enter into Recognizance to prosecute such Offenders.

Persons refusing to enter into such Recognizance may be committed.

LIX. And it is hereby further enacted, That such of the said Commissioners, or Justices of the Peace, who shall cause any such Person or Persons to be committed as is last mentioned, shall, and he or they is or are hereby respectively required, at the same Time, to oblige all and every such other Person or Persons, whom such Commissioner or Commissioners, or Justice or Justices of the Peace, shall judge necessary to prosecute and give Evidence against the Person or Persons who shall be so committed as aforesaid, to enter into one or more Recognizance or Recognizances to his Majesty, in a sufficient Penalty, for his, her, or their appearing at the then next Session of Oyer and Terminer, and Gaol Delivery, to be held for the Jurisdiction of the Admiralty of *England*, there to prosecute and give Evidence against the Person or Persons who shall be committed as aforesaid; and if any Person shall refuse to enter into such Recognizance to prosecute or give Evidence as shall be required, he, she, or they, so refusing, shall be committed, by any such Commissioner or Commissioners, Justice or Justices, to the Gaol of the County or Place in which the Person so refusing shall be, until the next Sessions of Admiralty shall be held, or such Persons shall enter into such Recognizance as shall be required as aforesaid; which Recognizance or Recognizances, together with the Information or Informations taken touching the Offence or Offences wherewith the Person or Persons to be committed as aforesaid shall be charged, the said Commissioner or Commissioners, or Justice or Justices of the Peace, before whom the same shall be taken, shall, and they are hereby respectively required to transmit, with all convenient Speed, to the Register for the Time being of the High Court of Admiralty of *England*, to be by him forthwith laid before the Judge for the Time being of the same Court, and afterwards to be kept among the Records of that Court.

Marshal of the Admiralty and all Peace Officers, to obey the Orders of the said Commissioners and Justices.

LX. And be it further enacted by the Authority aforesaid, That the Marshal of the Admiralty for the Time being, and his Deputy or Deputies, and all Sheriffs, Bailiffs, Stewards, Constables, Headboroughs, Tithingmen, Keepers of Gaols and Prisons, and all other Officers whatsoever for keeping of the Peace (as well within Liberties as without), shall, and they and every of them are hereby respectively authorised and required, from Time to Time, diligently to execute, perform, and obey, all such Precept and Precepts, Warrant and Warrants, and other Order and Orders, as shall at any Time or Times hereafter be made, directed, issued, or given, to them, or any of them respectively, by one or more of the said Commissioners named in the Commission of Oyer and Terminer, or Justices of the Peace, by virtue or in pursuance of this Act, touching any of the Matters or Things herein contained.

Continuance of this Act.

LXI. Provided always, and be it further enacted by the Authority aforesaid, That this Act shall continue in Force during the present Hostilities with *France*, and no longer.

## CAP. LXVIII.

An Act for explaining, amending, and rendering more effectual, an Act passed in the twenty-third Year of the Reign of his late Majesty King *George* the Second, *for the more easy and speedy Recovery of Small Debts within the* Tower Hamlets.

Preamble.

Recital of an Act 23 Geo. II.

'WHEREAS an Act of Parliament was passed in the twenty-third Year of the Reign of his late Majesty King *George* the Second, intituled, *An Act for the more easy and speedy Recovery of Small Debts within the* Tower Hamlets, which said Act hath by Experience been found useful to the Inhabitants thereof; but the same is in many Respects defective, and insufficient to answer the good Purposes thereby intended: And whereas the Place now used as a Court-house by the Commissioners for executing the said Act is very inconvenient for that Purpose, and greatly out of Repair; and no Provision is made by the said former Act for raising Money to build, or provide, or put in Repair, a proper Court-house, and Offices for executing the Powers of the said Act:' May it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That at any General Meeting of the said Commissioners to be held after the passing of this Act in Manner as by this Act is directed, it shall and may be lawful for the said Commissioners, or the major Part of them assembled at such Meeting, to authorise one or more Person or Persons, on their Behalf, to contract for, and purchase, or accept a convenient Piece or Pieces of Ground, and any Messuages or Tenements, in the *High-street*, in the Parish of *Saint Mary*, *Whitechapel*, or in some other convenient Place within the *Tower Hamlets* aforesaid; which said Ground and Messuages or Tenements, when purchased or accepted, shall be conveyed to *Samuel Hawkins*, *John Baker*, *James Wood*, *Lanney Richard Cousemaker*,

Commissioners may authorise a Person to purchase or accept Ground, and Messuages or Tenements, for building a Court-house; which shall be conveyed to Trustees.

*Couſemaker*, *David Wilmot*, *James Hatch*, *Peter Lefevre*, *James Spagg*, *John Sherwood*, *James Caney*, *Daniel Martin*, *Jaſper Clarke*, *James Bidlake*, *Laurence Dermott*, *Charles Beek*, *James Henley*, *John Perry*, *Thomas Page*, *Charles Mills*, *John Robinſon*, *Abraham Benee*, and *William Buckmaſter*, and the Survivors of them, and their Succeſſors, to be choſen as by this Act is directed, as Truſtees for the Purpoſes herein-after mentioned (of which ſaid Truſtees one hath been choſen by the Pariſhioners, or Inhabitants of each of the Pariſhes, Hamlets, Precincts, and Liberties within the ſaid *Tower Hamlets*, the Precinct of the *Tower within* only excepted); and the ſaid Truſtees ſhall be ſeiſed thereof, in Truſt for the Service and Benefit of the ſaid Hamlets, for the Purpoſes in this and the ſaid former Act mentioned: And that upon Payment of the Purchaſe Money, which ſhall be agreed to be paid for the ſaid Piece or Pieces of Ground and Meſſuages or Tenements, it ſhall be lawful for the Commiſſioners nominated, aſſigned, and appointed, as by the ſaid former Act is directed, to take Poſſeſſion of the ſame; and the ſame, and every Part thereof, ſhall be, and is and are hereby declared to be veſted in the Truſtees herein-before named, and the Survivors of them, and their Succeſſors, for the Purpoſe of building a Court-houſe and Offices, and alſo ſuch other Conveniencies as ſhall by the ſaid Commiſſioners, or the major Part of them, at any ſuch General Meeting as aforeſaid, be deemed neceſſary for executing the Buſineſs of the Court of Requeſts for the *Tower Hamlets*, to which Uſe the ſaid Buildings ſhall be applied.

Ground and Meſſuages or Tenements to be veſted in Truſtees, on Payment of the Purchaſe Money.

II. And be it further enacted by the Authority aforeſaid, That when and as often as any one or more of the ſaid Truſtees ſhall die, it ſhall be lawful for the Pariſhioners or Inhabitants of the Pariſh, Hamlet, Precinct, or Liberty, within the ſaid *Tower Hamlets* (where ſuch Truſtee or Truſtees was or were reſident at the Time that he or they was or were choſen or appointed a Truſtee or Truſtees), as have a Right to aſſemble and meet for the Choice of Officers in their reſpective Veſtry, or other Place of Meeting for tranſacting the public Buſineſs of ſuch Pariſh, Hamlet, Precinct, or Liberty; and they, or the major Part of them ſo aſſembled as aforeſaid, are hereby impowered and required, on the *Tueſday* next after the Feaſt of *Eaſter* next enſuing the Deceaſe of ſuch Truſtee or Truſtees, to appoint one other Perſon or Perſons reſident within ſuch Pariſh, Hamlet, Precinct, or Liberty, to be a Truſtee or Truſtees in the Room of him or them ſo dying, in whom (together with the ſurviving Truſtees) the Fee-ſimple and Inheritance of the ſaid Piece or Pieces of Ground and Meſſuages or Tenements ſo to be purchaſed or accepted as aforeſaid, and all the Buildings and Erections which ſhall be made or built thereon, ſhall, by virtue of ſuch Appointment, be veſted in Truſt, for the Purpoſes in this and the ſaid former Act mentioned; and whenever any of the ſaid Truſtees ſhall happen to die, the firſt or original Number of twenty-two Truſtees ſhall from Time to Time be filled up in Manner as above mentioned.

When Truſtees die, others to be choſen in their Room.

III. And be it further enacted by the Authority aforeſaid, That when the ſaid Piece or Pieces of Ground, and Meſſuages or Tenements, ſhall be ſo purchaſed or accepted as aforeſaid, it ſhall and may be lawful for the ſaid Commiſſioners to cauſe to be built and finiſhed thereon, or provided and fitted up, a convenient Court-houſe, and ſuch other Buildings and Conveniencies, as ſhall be adjudged requiſite by the ſaid Commiſſioners, at any General Meeting or Meetings, to be held as by this Act is directed, or by the major Part of them aſſembled at ſuch Meeting or Meetings; all which ſaid Ground and Buildings ſhall from Time to Time be uſed, maintained, ſupported, and repaired, in ſuch Manner as the ſaid Commiſſioners ſhall think fit.

Commiſſioners may build a Court-houſe and other Conveniencies;

IV. And be it enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid Commiſſioners, or any ſeven or more of them, aſſembled at any ſuch General Meeting or Meetings for that Purpoſe, to borrow and raiſe any Sum or Sums of Money, not exceeding the Sum of one thouſand five hundred Pounds in the Whole, for the purchaſing of the ſaid Piece or Pieces of Ground, and Meſſuages or Tenements, and the erecting of ſuch Buildings, or providing and fitting up ſuch Court-houſe and Offices as above mentioned, by the Grant of one or more Annuity or Annuities, for the Life or Lives of any Perſon or Perſons, to be charged or chargeable upon the ſeveral Sums of Money by this Act raiſed, or added to the Fees of the ſaid Court, herein-after particularly mentioned; which ſaid Annuity or Annuities ſhall not exceed the Rate of ten Pounds *per Centum per Annum*, upon any one Life, for every one hundred Pounds ſo borrowed or raiſed, and ſo in Proportion for any greater or leſs Sum: And they the ſaid Commiſſioners ſhall and may, at any ſuch Meeting or Meetings, by an Order or Orders, ſigned by any ſeven or more of them (without any Stamp), charge the ſaid additional Sums hereby raiſed, or added to the ſaid Fees, with the Payment of ſuch Annuity or Annuities accordingly; and from and immediately after the advancing of the Monies for the Purchaſe, or granting of ſuch Life Annuity or Annuities as aforeſaid, into the Hands of the Treaſurer or Treaſurers, to be appointed by the Authority of this Act, and the Delivery of ſuch Order or Orders for the Payment of ſuch Annuity or Annuities as aforeſaid, ſuch Annuity or Annuities ſhall ſtand, and be charged and chargeable upon, and ſhall be paid and payable out of the ſaid Monies, to ariſe from the ſaid additional Sums by this Act charged upon the ſaid Fees, in ſuch Manner and Form as, by ſuch Order or Orders for Payment thereof, ſhall be expreſſed or directed, and the ſame ſhall be free from all Taxes and Deductions whatſoever.

and may borrow Money by Annuities.

Annuities to be charged on the additional Sums added to the Fees.

V. And be it further enacted, That all and every the ſaid Annuity or Annuities may be aſſigned by the Perſon or Perſons intitled to the ſame, or his, her, or their Executors, Adminiſtrators or Aſſigns, by Indorſement, upon the Back of the ſaid Order or Orders, to any Perſon or Perſons whomſoever.

Annuities aſſignable by Indorſement.

'VI. And, for enabling the ſaid Commiſſioners to pay and diſcharge the ſaid Annuity or Annuities,' be it enacted by the Authority aforeſaid, That, from and after the paſſing of this Act, there ſhall be paid, into the Hands of the Treaſurer or Treaſurers to be appointed by the Authority of this Act, for every Summons which ſhall be iſſued out of the ſaid Court, the Sum of Two-pence, and for every Hearing in the ſaid Court, the Sum of one Penny, over and above the Fees received, or to be received, by the Clerks of the ſaid Court, for every ſuch Summons and Hearing reſpectively, by virtue of, or under the Authority of this or the ſaid former Act; which ſaid additional Sums hereby charged upon the ſaid ſeveral Fees, ſhall from Time to Time be applied in Payment of the ſaid Annuity or Annuities ſo to be granted or ordered

Commiſſioners enabled to diſcharge the Annuities.

as

as above mentioned, and the Arrears thereof, during and until the ſame ſhall be fully paid off and diſcharged.

Additional Sums added to the Fees to ceaſe on the Death of Annuitants.

VII. Provided always, and be it further enacted, That, from and after the Death of the Perſon or Perſons, upon whoſe Life or Lives ſuch Annuity or Annuities ſhall be granted, and from and after the diſcharging of ſuch Annuity or Annuities, and all Arrears thereof, the Payment of the ſaid ſeveral additional Sums of Money, charged upon the ſaid Fees by virtue of this Act as aforeſaid, and each and every of them, ſhall ceaſe and determine, and ſhall be no longer paid or payable.

Commiſſioners may contract for the building a Court-houſe, &c.

VIII. And be it further enacted, That the ſaid Commiſſioners, or any ſeven or more of them, at any General Meeting or Meetings, to be held as by this Act is directed, may, and are hereby directed to contract with any Perſon or Perſons for the building and finiſhing of the ſaid Court-houſe and other Conveniencies hereby authoriſed to be built, and ſuch Contract ſhall ſpecify the particular Works to be done, and the Prices to be paid for the ſame, and the Time or Times when ſuch Works ſhall be completed, and the Penalties to be paid or ſuffered in caſe of Non-performance thereof, and the ſame ſhall be executed by ſeven or more of the ſaid Commiſſioners, and alſo by the Perſon or Perſons contracting to perform ſuch Works reſpectively; and, previous to their entering into ſuch Contract, fourteen Days Notice at leaſt ſhall be given, in one or more of the public Newſpapers, circulated within the Bills of Mortality, expreſſing the Intention of ſuch Contract, and the Time and Place of Meeting of the Commiſſioners to receive Propoſals for entering into the ſame.

Commiſſioners to order Payment of Annuities, and all Monies due for Building.

'IX. And for the better regulating the Payment of the ſaid Annuity or Annuities, and of the Money 'which may be expended in the building and finiſhing the ſaid Court-houſe and Offices,' be it further enacted, That the ſaid Commiſſioners, or any ſeven or more of them, at any ſuch General Meeting or Meetings as aforeſaid, ſhall (by Warrant, in Writing under their Hands, directed to ſuch Perſon or Perſons as ſhall be choſen Treaſurer or Treaſurers by the Authority of this Act) order or direct the Payment of the ſaid Annuity or Annuities, and alſo all ſuch Monies as ſhall be due and payable for the building and finiſhing of the ſaid Court-houſe and Offices, to the Perſon or Perſons intitled to receive the ſame reſpectively, as the ſame ſhall become due; and ſuch Treaſurer or Treaſurers ſhall, upon Receipt of ſuch Warrant or Warrants, forthwith pay the ſame out of the Monies which ſhall be in his or their Hands as aforeſaid, by virtue of, or under this Act, and ſuch Warrants, when paid, ſhall be allowed in Account to ſuch Treaſurer or Treaſurers, upon the ſettling or auditing of his or their Accounts with the ſaid Commiſſioners, in Manner as directed by this Act.

For recovering Money belonging to Suitors of the Court now in the Hands of Clerks, &c.

'X. And whereas there are in the Hands of the preſent and former Clerks of the ſaid Court, and of 'the Repreſentatives of Clerks deceaſed, divers and conſiderable Sums of Money, which were paid into the 'ſaid Court for the Uſe of the Suitors thereof, but have not yet been called for or claimed by the Perſons 'intitled to receive the ſame, although the ſame have been ſo paid in for the Space of ſix Years and upwards: And the ſaid Commiſſioners being deſirous that the ſaid Money ſhould be laid out and inveſted in 'ſome Government Security, that the ſame may be forth-coming to the ſeveral Suitors in the ſaid Court, 'who are intitled thereto, when they ſhall demand the ſame reſpectively;' be it enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Commiſſioners, or any ſeven or more of them, at any General Meeting to be held after the paſſing of this Act, to demand the Monies ſo in the Hands of any of the ſaid preſent or former Clerks of the ſaid Court, and alſo the ſaid Monies in the Hands of or due from the Repreſentatives of any Clerk of the ſaid Court who is deceaſed; and if, upon ſuch Demand, the ſame or the Payment thereof ſhall be refuſed, it ſhall be lawful for the ſaid Commiſſioners, or any ſeven or more of them, at any ſuch General Meeting, to ſue for and recover the ſame by Action or Actions upon the Caſe, in any of his Majeſty's Courts of Record at *Weſtminſter*, in the Name of the Treaſurer or Treaſurers to be appointed by the Authority of this Act; in which Action or Actions it ſhall be ſufficient for the ſaid Treaſurer or Treaſurers to declare that the Defendant or Defendants is or are indebted to ſuch Treaſurer or Treaſurers, in the Sum of Money which ſhall be ſo demanded of ſuch Defendant or Defendants reſpectively, for ſo much had and received, for the Uſe of the Commiſſioners of the Court of Requeſts for the *Tower Hamlets*; and if the Plaintiff or Plaintiffs ſhall recover in ſuch Action or Actions, he or they ſhall be intitled to his or their full Coſts, and ſhall have the like Remedy for the ſame by Law as Plaintiffs have for Recovery of Coſts in other Caſes.

Bonds entered into by the Clerks, and their Sureties, to be delivered up and cancelled, when the Money in the Hands of the ſaid Clerks is recovered.

XI. And be it further enacted by the Authority aforeſaid, That upon Payment or Recovery of the Monies which ſhall be ſued for, or due from the ſaid Clerks, or from the Repreſentative or Repreſentatives of any deceaſed Clerk or Clerks, in Manner as aforeſaid, the Bond or Bonds which was or were entered into by ſuch Clerk or Clerks, and their reſpective Sureties, to the ſaid Commiſſioners, upon his or their being choſen ſuch Clerk or Clerks of the ſaid Court, ſhall be, and is and are hereby declared to be void and of no Effect, and ſhall be delivered up to be cancelled; and ſuch Clerk and Clerks, and the ſeveral other Obligors or Sureties in the ſaid Bonds mentioned reſpectively, ſhall thereupon be fully and abſolutely releaſed and diſcharged from their ſaid reſpective Bonds or Obligations, and of and from all Claims and Demands by the Suitors, or any other Perſon whatſoever, for or on Account of the Monies ſo recovered or paid as aforeſaid.

Money now in the Hands of Clerks, &c. belonging to the Suitors, ſhall (when recovered) be placed out on Government Security.

XII. Provided always, and be it further enacted, That when and ſo ſoon as the ſaid Monies, or any Part thereof, ſhall be recovered as aforeſaid, the ſaid Commiſſioners ſhall, and are hereby required to lay out and inveſt the ſame in Three *per Centum* Conſolidated Bank Annuities, or in ſome other Government Security, in the Name of any three Perſons to be choſen, by the ſaid Commiſſioners, or the major Part of them, at any ſuch General Meeting, as Truſtees for that Purpoſe; and ſuch three Truſtees, and their Succeſſors, to be appointed as by this Act is directed, ſhall ſtand and be poſſeſſed of the ſame for the Uſes and Purpoſes herein-after mentioned.

If the Suitors demand their Money after it is ſo

XIII. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons intitled to any of the Money ſo already paid into the ſaid Court upon the Account aforeſaid, and which is directed

to

to be laid out and invested in Manner above mentioned, shall at any Time after the passing of this Act demand the same of the said Commissioners, or any three or more of them, when in Court, the same shall be a Charge upon the said Money so laid out and invested in Manner as aforesaid; and the said Commissioners, or any three or more of them, shall, and are hereby required to order the Money which shall be so demanded to be paid to the Person or Persons intitled to receive the same, immediately after such Demand shall be made, and the same shall thereupon be paid to such Person or Persons accordingly, by the Treasurer or Treasurers appointed or chosen as aforesaid, from any Sum or Sums of Money in his or their Hands; and the said Commissioners shall, and are hereby required to direct so much Stock to be sold, as shall be necessary to replace the same, from Time to Time, as the said Commissioners shall think fit.

invested, the Treasurer to pay it, and to sell as much Stock as will replace the same.

XIV. And as to all such Money as shall or may be hereafter paid into the said Court for or on account of the Suitors thereof (and which shall not be claimed and taken out of the said Court, within the Space of six Years after the same shall have been so paid in),' be it enacted by the Authority aforesaid, That the said Commissioners shall, and are hereby required, at the Expiration of the said six Years next after such Monies shall have been so paid in as aforesaid, to lay out and invest the same from Time to Time in the Purchase of Three *per Centum* Consolidated Bank Annuities, or some other Government Security, in the Name of any three Persons, to be chosen by the said Commissioners, in Manner as by this Act is directed with respect to the said Monies which have been already paid into the said Court; and their Successors to be in like Manner chosen or appointed as Trustees for that Purpose; and if any Person or Persons intitled to any of the Money which shall be so hereafter paid into the said Court upon the Account aforesaid, and which shall not have been demanded until after the Expiration of such six Years, shall at any Time afterwards demand the same of the said Commissioners, or any three or more of them, when in Court, the said Commissioners, or any three or more of them, shall, and are hereby required to order the Money which shall be so demanded, to be paid to the Person or Persons intitled to receive the same, immediately after such Demand shall be made; and the same shall thereupon be paid to such Person or Persons accordingly, by the said Treasurer or Treasurers, from any Sum or Sums of Money in his or their Hands; and the said Commissioners shall, and are hereby required to direct so much of the Money, so to be laid out and invested after the Expiration of such six Years, to be sold, as shall be necessary to replace the same, from Time to Time, as the said Commissioners shall think fit, until the Whole thereof shall be so applied and disposed of; any Thing in this or the former Act contained to the contrary notwithstanding.

If the Money which shall be hereafter paid into Court is not claimed by the Suitors within six Years after it is paid in, the Commissioners may place it on Government Security: But if claimed by such Suitors after the Expiration of six Years, shall be paid to them immediately.

XV. Provided always, and be it further enacted by the Authority aforesaid, That the Interest and Dividends, as well of the said Money already paid into the said Court, and hereby authorised to be sued for and invested as aforesaid, as of all such other Money as shall or may at any Time hereafter be paid into the said Court upon the Account aforesaid (and which shall be laid out and invested in any Government Security, at any Time after the Expiration of six Years from the Time of paying in the same, as by this Act is directed), or so much thereof as shall remain unclaimed by the said Suitors of the said Court, as aforesaid, shall from Time to Time be paid and applied in repairing, and keeping in Repair, the said Court-house and Offices hereby authorised to be built as aforesaid, and for insuring the same, and defraying all Taxes, and other Expences attending the said Court-house and Offices, in such Manner as they the said Commissioners, or the major Part of them, at any General Meeting or Meetings to be held as by this Act is directed, shall from Time to Time judge necessary for those Purposes respectively.

The Interest and Dividends of the Money placed out by the Commissioners shall be applied towards the Reparation, &c. of the Court house.

XVI. And be it further enacted by the Authority aforesaid, That when and as often as any one or more of the said three Trustees in whom or in whose Name the said Monies shall by the Authority of this Act be laid out and invested respectively as aforesaid, shall happen to die, the said Commissioners, or any seven or more of them, at any General Meeting to be held as by this Act is directed, shall, and are hereby required, by Writing under their Hands and Seals, to appoint one other Person or Persons to be a Trustee or Trustees, in the Room of him or them so dying; and thereupon such new Trustee or Trustees shall, together with the Survivor or Survivors of the said Trustees first chosen, and their Successors, stand and be possessed of the said Monies, so placed out and invested, upon the Trusts and for the Purposes above mentioned of and concerning the same; and whenever any one of the said three Trustees shall happen to die, the first or original Number of Three shall from Time to Time be filled up in Manner as aforesaid.

In case the Trustees, in whose Names the Money shall be placed out at Interest, shall die, the Commissioners to appoint others.

XVII. And be it further enacted by the Authority aforesaid, That the said Commissioners, at any General Meeting to be held as aforesaid, or the major Part of them assembled at such Meeting, shall and may, and are hereby required to elect and choose one or more Person or Persons to be Treasurer or Treasurers for the Receipt of the said additional Sums of Money, hereby charged upon the several Fees above particularly mentioned, and of all Monies which shall, at any Time after the passing of this Act, be paid for or on Account of the Purchase of any Annuity or Annuities, and other the Purposes of this Act; and the said Treasurer or Treasurers shall continue in his or their Office, until another shall be chosen in his or their Room.

Commissioners may choose a Treasurer.

XVIII. And be it further enacted, That the Clerks of the said Court shall account to the said Commissioners, or any seven or more of them, once in every Year, or oftener, if they shall be required so to do by the said Commissioners, or any seven or more of them, at any such General Meeting or Meetings as aforesaid, for all the said additional Sums charged upon the said Fees, and for all Monies which shall be so paid into the said Court as aforesaid; and shall from Time to Time pay all the said Monies (except the Sum of one hundred Pounds, which shall always be left in the Hands of the said Clerks, to answer the Claims of the said Suitors), and the said additional Sums upon the said Fees, to the said Treasurer or Treasurers, whensoever thay shall be required so to do by the said Commissioners, at any such General

Clerks to account to the Commissioners for additional Sums to the Fees, and for Monies paid into Court by the Suitors.

Meeting or Meetings as aforeſaid, or by any ſeven or more of them aſſembled at any ſuch Meeting or Meetings.

Commiſſioners to take Security of the Treaſurer;

XIX. And be it further enacted, That the ſaid Commiſſioners aſſembled at any ſuch General Meeting or Meetings as aforeſaid, or any ſeven or more of them, ſhall and may, and are hereby required to take ſufficient Security of ſuch Treaſurer or Treaſurers ſo to be elected and choſen as aforeſaid, by Bond, or otherwiſe, to the ſaid Commiſſioners, or any ſeven or more of them, in any Sum not leſs than two thouſand Pounds, for the accounting and due Payment, by ſuch Treaſurer or Treaſurers, of all Monies which ſhall come to his or their Hands, and for the Delivery of all Books, Papers, and Writings, to any ſucceeding Treaſurer or Treaſurers; and the ſaid Commiſſioners, or any fifteen or more of them, aſſembled at any ſuch Meeting, may diſcharge or remove ſuch Treaſurer or Treaſurers from his or their ſaid Office:

who ſhall account for all Monies received, &c.

And every ſuch Treaſurer or Treaſurers ſhall account annually, or oftener, if thereunto required by the ſaid Commiſſioners, or any ſeven or more of them, at any ſuch General Meeting, for all Monies by him or them received and paid, as ſuch Treaſurer or Treaſurers as aforeſaid, on fourteen Days previous Notice to be given or left at his or their Houſe or Houſes, or moſt uſual Place or Places of Abode, for that Purpoſe: And the ſaid Treaſurer or Treaſurers, or his or their Executors or Adminiſtrators, ſhall well and truly pay all ſuch Monies, as ſhall appear to be remaining in his or their Hands, in auditing or ſettling ſuch Accounts, and ſhall deliver over all Books, Papers, and Writings, in his or their Poſſeſſion, Cuſtody, or Power, belonging to the ſaid Commiſſioners, or to the ſaid Office of Treaſurer, to any ſucceeding Treaſurer or Treaſurers, when thereunto required by the ſaid Commiſſioners, or any ſeven or more of them, at any ſuch General Meeting as aforeſaid.

Commiſſioners to take Cognizance of Debts for Rent under 40 s.

'XX. And whereas there are great Numbers of Manufacturers and Day-labouring People reſiding in 'the *Tower Hamlets*, who with their Families occupy Tenements, or Parts of Tenements, let by Parole 'Demiſe, and the Expences of recovering of ſuch Rents by Action at Law moſt commonly exceed the 'Amount of the Rent ſued for, to the great Injury of the Landlords of ſuch Tenements, and the Op'preſſion of ſuch Occupiers;' for Remedy whereof, be it enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Commiſſioners to take Cognizance of any Debt or Demand, under the Value of forty Shillings, for Rent of any Tenement, or Part of a Tenement, within the *Tower Hamlets* aforeſaid, let by Parole Demiſe (except the Precinct of the *Tower within)*; and alſo for the ſaid Commiſſioners to hear and determine on ſuch Debts and Demands, and to award Execution, in the ſame Manner as they are authoriſed to do for any other Cauſe of Action, any Thing in the ſaid former Act contained to the contrary notwithſtanding.

No Perſon to recover Rent as aforeſaid, unleſs he has been in Poſſeſſion of the Premiſes, &c. 21 Months preceding the Time for which ſuch Rent is demanded.

XXI. Provided always nevertheleſs, That the ſaid Commiſſioners ſhall not take Cognizance of any ſuch Demand or Claim for Rent, unleſs the Perſon or Perſons making ſuch Demand or Claim, or the Perſon or Perſons in whoſe Right ſuch Demand or Claim ſhall be made, or under whom he or they ſhall claim, hath or have been in the actual Poſſeſſion of the ſaid Tenements, or in the actual Receipt of Rent for the ſaid Tenements, during twelve Months immediately preceding the Time for which ſuch Rent ſhall be ſo demanded; and provided alſo that no Recovery of Rent in the ſaid Court be accepted or given in Evidence in Support of the Title of any Perſon or Perſons whatſoever, to any Lands, Tenements, or Hereditaments whatſoever.

This Act not to prevent any Perſon from diſtraining for Rent.

XXII. Provided alſo, That nothing herein contained ſhall extend, or be conſtrued to extend, to prevent any Perſon or Perſons from making Diſtreſs for or bringing any Action or Actions for Rent, although the ſame ſhall not amount to the Sum of forty Shillings.

If Defendant neglects to appear to the Summons, the Court may pronounce Judgment in his Abſence;

XXIII. And be it further enacted by the Authority aforeſaid, That, from and after the paſſing of this Act, in all Caſes whatſoever, whenever any Debtor or Defendant, reſiding within the Juriſdiction of the ſaid Court, ſhall have been duly ſummoned to appear before the Commiſſioners in the ſaid Court, according to the uſual and accuſtomed Manner of ſummoning Perſons for that Purpoſe, and ſuch Debtor or Defendant ſhall refuſe or neglect to appear to ſuch Summons, it ſhall and may be lawful for the ſaid Commiſſioners, or any three or more of them, when aſſembled in the ſaid Court, upon due Proof being made before them that ſuch Debtor or Defendant was duly ſummoned in Manner as aforeſaid, to proceed to hear the Cauſe or Matter of Complaint, touching or concerning ſuch Debt or Debts, on the Part of the Plaintiff or Plaintiffs only, and to make or pronounce thereon ſuch Order or Orders, or Judgment or Judgments, in reſpect of the Debt or Debts demanded or ſued for, as to them ſhall ſeem juſt and equitable:

and ſhall appoint a certain Time for him to ſhew Cauſe againſt ſuch Judgment, &c.

And the ſaid Commiſſioners, or any three or more of them, ſhall then fix upon and appoint ſome certain Time and Place, according to their Diſcretion, for every ſuch Debtor or Defendant to ſhew Cauſe before the Commiſſioners of the ſaid Court, or any three or more of them, againſt ſuch Order or Orders, or Judgment or Judgments, ſo made and pronounced upon ſuch Hearing as aforeſaid; at which Time and Place, or at any other ſubſequent Court or Courts, the ſaid Commiſſioners, or any three or more of them, ſhall have full Power and Authority by this Act (whether ſuch Perſon or Perſons ſhall appear or ſhew Cauſe, or not) upon Proof, on the Oath of one of the Beadles of the ſaid Court (That ſuch Order or Orders, or Judgment or Judgments, or a Copy thereof, had been delivered to ſuch Debtor or Debtors, or left at his, her, or their uſual Place of Reſidence, or Abode, or Working), to award Execution thereupon, in like Manner as by the ſaid former Act they are authoriſed to do in other Caſes: And the Clerks and Beadles of the ſaid Court are, in every ſuch Caſe, hereby authoriſed to take and receive the like Fees, for the Call of the Defendant, and making, and ſerving or leaving of every ſuch Order as aforeſaid, as they are authoriſed and impowered to take and receive for or upon any Attachment, iſſued by virtue of or under this or the ſaid former Act.

Attornies not exempt from the Juriſdiction of the Court.

XXIV. And be it further enacted by the Authority aforeſaid, That no Privilege ſhall be allowed to exempt any Perſon from the Juriſdiction of the ſaid Court of Requeſts on account of his being an Attorney or Solicitor of any of the Courts at *Weſtminſter*, or of any other Court whatſoever, but that all

Attornies

Attornies and Solicitors shall be subject to the several Processes, Orders, Judgments, and Executions of the said Court of Requests, in the same Manner as any other Persons are subject to the same by this or the said former Act.

Directions for holding General Meetings.

XXV. And be it further enacted by the Authority aforesaid, That no General Meeting shall be held as aforesaid for any of the Purposes in this or the said former Act, without the Order of three or more of the Commissioners, made upon one of the Court-days in the said former Act mentioned, whilst they shall be in Court; which said Order shall be in Writing, and shall specify the particular Time and Place, and also the Purpose of such General Meeting, and shall be registered by the Clerks then present in Court, or one of them, and Notice thereof in Writing, or in Print, shall be delivered to, or left at the usual Place of Abode of, all the said Commissioners respectively, by the Beadles of the said Court, or by any other Person or Persons the Commissioners requiring such General Meeting shall direct, four Days at least before the holding of each and every such General Meeting respectively.

No Victualler, &c. capable of acting as a Commissioner.

XXVI. And be it further enacted, That no Victualler, or Person or Persons whomsoever who shall sell Ale, Beer, or Spirituous Liquors by Retail, shall be capable of acting as a Commissioner in the Execution of this or the said former Act.

Expences of this Act how to be paid.

XXVII. And be it further enacted, That all the Charges and Expences of procuring and passing of this present Act shall be paid, satisfied, and discharged, out of the first Monies which shall be raised as aforesaid, by virtue or in pursuance of this Act.

This Act not to extend to the Precinct of the Tower within, &c.

XXVIII. Provided always, That nothing herein contained shall extend, or be construed to extend, to the Precinct of the *Tower within*; nor to restrain the ancient Court of Record held for and within the Liberty of the Tower of *London*, from holding Plea of any personal Action which shall arise within the said Liberty, or to take away, alter, or abridge, any Jurisdiction, Authority, Privilege, Immunity, or Exemption, which the Chief Governor of the Tower, or his Deputy or Deputies, or any Officer or Minister or any Inhabitants within the said Liberty, enjoys or enjoy, or ought to enjoy, by virtue of any Law, Usage, Prescription, Grant, Charter, Commission, or otherwise, any Thing herein or in the said recited Act contained to the contrary notwithstanding.

Limitation of Actions.

XXIX. And be it further enacted by the Authority aforesaid, That no Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act, or on account of any Order, Determination, Judgment, or Decree of the said Commissioners, until twenty Days Notice shall be given thereof in Writing, to be left at the Office of the Clerks of the said Court, or after sufficient Satisfaction or Tender thereof hath been made to the Party or Parties aggrieved, or after three Calendar Months next after the Cause of Action shall arise; and the Defendant or Defendants in such Actions and Suits, and every of them, may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial or Trials which shall be had thereupon: And if the Plaintiff shall become nonsuited, or if a Verdict or Judgment shall be given for the Defendant or Defendants therein, then, and in either of the said Cases, such Defendant or Defendants shall have Double Costs, and shall have such Remedy for recovering the same, as any Defendant or Defendants may have for his, her, or their Costs in any Cases by Law.

General Issue.

Double Costs.

Public Act.

XXX. And be it enacted by the Authority aforesaid, That this Act shall be deemed and taken to be a public Act; and shall be taken Notice of as such, by all Judges, Justices, and other Persons whomsoever, without specially pleading the same.

## CAP. LXIX.

An Act for the more effectually preventing the pernicious Practices of Smuggling in this Kingdom; and for indemnifying Persons who have been guilty of Offences against the Laws of the Customs and Excise, upon the Terms therein mentioned.

Preamble.

'WHEREAS, in Defiance of the several Laws of Customs and Excise already made, and of the Penalties and Provisions from Time to Time enacted for the Punishment of Offenders against such Laws; and notwithstanding the Grace and Clemency lately offered to Persons who had been guilty of Smuggling Offences, great Quantities of prohibited and uncustomed Goods, and particularly of Tea, foreign Brandy, and other foreign Spirits, continue to be illegally imported into and landed in this Kingdom; and such Goods are run, carried, and conveyed, from the Sea Coasts through the Country, as well by secret Frauds and clandestine Practices as by open Force, and by Gangs of daring and dissolute Persons, armed with offensive Weapons, and associated and assembled to carry into Execution their evil and pernicious Purposes, in Subversion of all Civil Authority and Power whatsoever: And whereas it is become highly necessary, for the Preservation of the public Revenue, the Protection of the fair Trader, and the Quiet and good Order of the Kingdom, that some further Provisions should be made for the better preventing such illegal Practices, and for deterring all Persons from committing such Offences, or from being aiding and assisting therein;' be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, from and after the first Day of *August*, one thousand seven hundred and seventy-nine, where any foreign Brandy or other foreign Spirituous Liquors shall be imported or brought into *Great Britain*, or into any Port, Harbour, Haven, or Creek thereof, from any Part of *Europe*, in any Vessel or Cask which shall not contain sixty Gallons at the least (excepting only for the Use of the Seamen then belonging to and on board the Ship or Vessel in which the same shall be imported, not exceeding two Gallons for each Seaman), then not only the said Brandy, and other foreign Spirituous Liquors, but also the Ship or Vessel in which the same shall be so imported, of whatever

After Aug. 1, 1779, if any foreign Spirituous Liquors shall be imported from any Part of Europe, in a Vessel containing less than 60 Gallons, the same shall be forfeited, with the Ship, Guns, &c. (Exception.)

whatever Burthen the ſame may be, with all her Guns, Furniture, Ammunition, Tackle, and Apparel, ſhall be forfeited and loſt.

After Aug. 1, 1779, when any Tea, Coffee, or other Goods, are liable to Forfeiture for being found on board any Ship coming from foreign Parts, at Anchor, &c. or hovering on the Coaſts,

II. And it is hereby further enacted by the Authority aforeſaid, That, from and after the ſaid firſt Day of *Auguſt*, one thouſand ſeven hundred and ſeventy-nine, when any Tea, Coffee, foreign Brandy, or other foreign Spirituous Liquors, or any Goods whatſoever, are liable to Forfeiture for being found on board any Ships or Veſſels coming or arriving from foreign Parts, at Anchor, or hovering within the Limits of any of the Ports of this Kingdom, or within two Leagues of the Coaſts thereof, or for having been diſcovered to have been within the Limits of any Port, contrary to any Act of Parliament now in Force, the Ship or Veſſel, if coming or arriving from any Part of *Europe*, on board which ſuch Goods ſhall be ſo found, together with all her Guns, Furniture, Ammunition, Tackle, and Apparel, ſhall be forfeited, provided ſuch Ship or Veſſel doth not exceed the Burthen of two hundred Tons.

the ſaid Ship, if not above 200 Tons, ſhall be forfeited, with her Guns, &c.

Recital of an Act 8 Geo. I.

'III. And whereas by an Act, made in the eighth Year of the Reign of his late Majeſty King *George* 'the Firſt, it was, amongſt other Things, enacted, That if any Boat, Wherry, Pinnace, Barge, or 'Galley, rowing, or made or built to row, with more than four Oars, ſhould be found upon the Water, 'or in any Place within the Counties of *Middleſex*, *Surrey*, *Kent*, or *Eſſex*, or in the River *Thames*, either 'above or below *London Bridge*, or within the Limits of the Ports of *London*, *Sandwich*, or *Ipſwich*, ſuch 'Boat, Wherry, Pinnace, Barge, or Galley, with all her Tackle and Furniture, or the Value thereof, 'ſhould be forfeited, and the Owner or Owners thereof, or any Perſon uſing or rowing the ſame, ſhould 'alſo forfeit and loſe the Sum of forty Pounds; in which Act it was provided, that the ſaid Act ſhould 'not extend to any Barge or Galley belonging to his Majeſty, or any of the Royal Family, or to any 'Long-boat, Yaul, or Pinnace, belonging to or uſed in the Service of any Merchant Ship or Veſſel, or 'to any ſuch Boat, Wherry, Pinnace, Barge, or Galley, as ſhould be licenſed by the Lord High Admiral, or Commiſſioners for executing the Office of Lord High Admiral, or the major Part of them for 'the Time being, upon ſufficient Security to be given to his Majeſty, his Heirs and Succeſſors, by the 'Owner or Owners of ſuch Boat, Wherry, Pinnace, Barge, or Galley, as in the ſaid Act is directed, 'with Condition that the ſame ſhould not be made uſe of in the clandeſtine Running of uncuſtomed and 'prohibited Goods: And whereas it may be a Means to prevent and diſcourage the pernicious Practice of 'Smuggling, if the like Penalties, Forfeitures, and Reſtrictions, were extended to ſuch Boats and other 'Veſſels as are made or built to row, or are found rowing with more than ſix Oars, within any other Part 'of this Kingdom;' be it therefore enacted by the Authority aforeſaid, That, from and after the ſaid firſt Day of *Auguſt*, one thouſand ſeven hundred and ſeventy-nine, the ſaid in Part recited Act, and the ſeveral Clauſes, Penalties, Forfeitures and Reſtrictions, therein contained (not altered by this Act), ſo far as the ſame relate to Boats, Wherries, Pinnaces, Barges, or Gallies, rowing, or made or built to row, with more than four Oars, within the Counties and Places in the ſaid Act mentioned, ſhall extend, and be conſtrued to extend, to all Boats, Wherries, Pinnaces, Barges, Gallies, or other Veſſels whatſoever, rowing, or made or built to row, with more than ſix Oars, which ſhall be found, either upon the Land or Water, within any Harbour, Port, or Place whatſoever, in any other Part of *Great Britain*, or within two Leagues of the Coaſt thereof, ſubject nevertheleſs to the ſeveral Exceptions relative thereto as in the ſaid recited Act is and are particularly provided.

The ſaid Act, ſo far as it relates to Boats, Barges, &c. built to row with more than four Oars, within the Counties therein mentioned, ſhall be extended to Boats, &c. built to row with more than ſix Oars, in any Part of Great Britain.

This Act not to extend to Commanders of his Majeſty's Ships, or Tranſport Veſſels, &c.; nor to Tow-boats in the Port of Briſtol.

IV. Provided nevertheleſs, and be it enacted, That nothing herein contained ſhall extend, or be conſtrued to extend, to the Commanders of any of his Majeſty's Ships or Veſſels, or Veſſels employed in the Tranſport Service, with reſpect to foreign Spirituous Liquors put on board them, to be iſſued by way of Allowance to the reſpective Ships Companies, or Troops put on board them.

V. Provided always, and be it enacted, That nothing in this Act ſhall be conſtrued to extend to Boats commonly called *Tow-boats* (uſed in towing Ships or Veſſels), belonging to licenſed Pilots within the Port and Juriſdiction of the City of *Briſtol*.

Ships and Boats forfeited by this Act may be ſeized by any Officer of Cuſtoms or Exciſe.

VI. And it is further enacted by the Authority aforeſaid, That the Ships, Veſſels, and Boats, forfeited by this Act, ſhall and may be ſeized and arreſted by any Officer or Officers of the Cuſtoms or Exciſe; and ſhall and may be proſecuted, condemned, and recovered, in the ſame Manner as other Ships and Veſſels are directed to be proſecuted, condemned, and recovered, by an Act, made in the third Year of the Reign of his preſent Majeſty, intituled, *An Act for the further Improvement of his Majeſty's Revenue of Cuſtoms, and for the Encouragement of Officers making Seizures, and for the Prevention of the clandeſtine Running of Goods into any Part of his Majeſty's Dominions*; and that when any Ship, Veſſel, or Boat, liable to Forfeiture by this Act, which, by any Act or Acts of Parliament now in Force, is after Condemnation liable to be burnt or deſtroyed, or to be uſed in his Majeſty's Service, ſhall be ſeized by any Officer of Cuſtoms or Exciſe as forfeited, and the ſame ſhall not be thought fit or neceſſary to be uſed in his Majeſty's Service, it ſhall and may be lawful for the reſpective Commiſſioners of Cuſtoms and Exciſe, after Condemnation, to direct the Hull of every ſuch Ship, Veſſel, or Boat, to be broken up, and the Materials of every ſuch Hull to be ſold to the beſt Advantage, and the Produce thereof to be divided in the ſame Manner as the Produce of the Tackle, Furniture, and Apparel, of Ships, Veſſels, and Boats, burnt and deſtroyed, is now directed to be divided; and no Writ of Delivery ſhall be granted out of the Court of Exchequer for any ſuch Ship, Veſſel, or Boat, ſo ſeized by any Officer of the Cuſtoms or Exciſe, and which by any former Act relating to the Cuſtoms or Exciſe is directed to be burnt or deſtroyed, or to be uſed in his Majeſty's Service, and which is hereby liable to be broken up, unleſs the Officer ſeizing the ſame ſhall delay proceeding to the Trial and Condemnation thereof for the Space of three Terms; and in that Caſe, not without good Security being given, in double the Value of ſuch Ship, Veſſel, or Boat, to return the ſame upon Condemnation, in order to be broken up, or uſed in his Majeſty's Service.

When any Ships, &c. ſhall be ſeized as are not fit for his Majeſty's Service, their Hulls may be broken up and ſold.

In what Caſes Writs of Delivery may be granted out of the Exchequer for ſuch Ships, &c.

VIII. And

VII. And be it further enacted by the Authority aforesaid, That, from and after the said first Day of *August*, one thousand seven hundred and seventy-nine, in all Cases where the Officers of Customs or Excise shall discover and find on board any Ship or Vessel, coming and arriving from Foreign Parts, within the Limits of any of the Ports of this Kingdom, more than one hundred Pounds Weight of Tea, not being in Ships belonging to or employed by the United Company of Merchants of *England* trading to the *East Indies*; or more than one hundred Gallons of Foreign Brandy, or of other Foreign Spirituous Liquors, over and above the Quantity of two Gallons for every Seaman then belonging to and on board such Ship or Vessel, and being in Casks under sixty Gallons; the Master, or other Person having or taking the Charge of such Ship or Vessel, shall forfeit the Sum of three hundred Pounds; and it shall and may be lawful in such Case for any Officer or Officers of the Customs or Excise, and for all other Persons acting in their Aid and Assistance, and they and each of them is and are hereby authorised to arrest, take, and detain, the said Master or other Person so having the Charge or Command of such Ship or Vessel, and to carry and convey the Person so taken before any one of his Majesty's Justices of the Peace, residing near to the Place where such Ship or Vessel shall then be, or where such Person shall be arrested and taken; and the Person so carried and conveyed shall be obliged to enter into a Recognizance to his Majesty, his Heirs and Successors, before such Justice, in the Sum of three hundred Pounds (which Recognizance such Justice is hereby authorised and required to take), with Condition to enter an Appearance in the Courts of Exchequer in *England* and *Scotland* respectively, within the first four Days of the Term next ensuing such Arrest, to any Information which shall or may be exhibited against him; and such Justice shall, and he is hereby required forthwith to transmit every such Recognizance to the King's Remembrancer in such of the said respective Courts; and if such Person shall refuse to enter into such Recognizance as aforesaid, then such Justice shall commit such Person to the next County Gaol, there to remain until he shall enter into such Recognizance.

Penalty of 300 l. on the Master of any Ship coming from abroad having more than 100 Pounds of Tea on Board (not being an East India Ship); or more than 100 Gallons of foreign Spirits (besides two Gallons for each Seaman on board), being in Casks under 60 Gallons. Officers of Customs or Excise may arrest such Masters, &c.

VIII. And it is further enacted by the Authority aforesaid, That, from and after the said first Day of *August*, one thousand seven hundred and seventy-nine, it shall and may be lawful for any Officer or Officers of the Customs or Excise, and for all other Persons acting in their Aid and Assistance, to arrest, stop, and detain, all and every Person and Persons who shall be found aiding or assisting in unshipping to be laid on Land any Tea, foreign Brandy, or other foreign Spirituous Liquors, or any Goods or Merchandises whatsoever (Customs and other Duties not being first paid or secured), or which are or may be prohibited to be imported into this Kingdom; and such Officer or Officers, and all Persons acting in their Aid and Assistance, shall forthwith carry and convey the said Person or Persons before one or more of his Majesty's Justices of the Peace residing near to the Place where such Offences shall be committed; and such Justice or Justices shall, if he or they see Cause, commit such Person or Persons to the next County Gaol, there to remain, without Bail or Mainprize, until the next General Quarter Sessions of the Peace to be holden for the same County or Place, to be tried and dealt with as by this Act is herein-after directed.

After Aug. 1, 1779, Officers of Customs or Excise, and their Assistants, may arrest all Persons found aiding in unshipping uncustomed or prohibited Goods; and carry them before a Justice, who may commit them.

IX. And be it further enacted by the Authority aforesaid, That, from and after the first Day of *August*, one thousand seven hundred and seventy-nine, if any Persons, to the Number of two or more in Company, shall be found passing in any Part of this Kingdom with one or more Horse or Horses, or with any Cart or Carriage, whereon there shall be laden or put more than six Pounds Weight of Tea, or foreign Brandy, or other foreign Spirituous Liquors, exceeding the Quantity of five Gallons, not having paid the respective Duties by Law charged thereon, and not having an authentic Permit or Permits with the same; and shall carry any offensive Arms or Weapons, or wear any Vizard, Mask, or other Disguise, when passing with such Tea, or foreign Spirituous Liquors, as aforesaid; it shall and may be lawful for any Officer or Officers of the Customs or Excise, and all other Persons acting in their Aid and Assistance, to stop, arrest, and detain, the Person and Persons so passing as aforesaid, in whose Charge, Care, Custody, or Possession, the said Tea, foreign Brandy, or other foreign Spirituous Liquors, or either of them, shall then be found; and the said Officer and Officers, and the Persons acting in their Aid and Assistance, shall and may, and they are hereby authorised to convey the Person or Persons, so offending as aforesaid, before any one or more of his Majesty's Justices of the Peace; who, if he or they see Cause, shall commit the Offender or Offenders to the next County Gaol, there to remain, without Bail or Mainprize, till the next General Quarter Sessions of the Peace of the County or Place, to be tried and dealt with as by this Act is herein-after directed.

Two or more Persons travelling together armed, or in Disguise, with any Horse or Carriage laden with more than six Pounds of Tea, or five Gallons of foreign Spirits, without a Permit, may be arrested by any Officers of Customs or Excise, and carried before a Justice, who may commit them.

X. And be it further enacted by the Authority aforesaid, That if, from and after the said first Day of *August*, one thousand seven hundred and seventy-nine, any Person or Persons whatsoever shall assault, resist, oppose, molest, obstruct, or hinder, any Officer or Officers of the Customs or Excise in due seizing or securing any Coffee, Tea, Cocoa-nuts, Chocolate, foreign Brandy, or other foreign Spirituous Liquors, or any other Goods whatsoever which by any Officer or Officers of the Customs or Excise shall or may be liable to be seized by virtue of or in pursuance of any Act now in Force; or shall by Force or Violence rescue, or shall cause to be rescued, any of the said Goods, after the same shall have been seized by such Officer or Officers aforesaid, or shall attempt or endeavour so to do; or, after such Seizure, shall cut, stave, break, or otherwise destroy or damage any Casks, Vessels, Boxes, or Package, wherein the same respectively shall be contained; it shall and may be lawful to and for the Officers of the Customs and Excise, and for all Persons acting in their Aid and Assistance, to stop, arrest, and detain, all and every the Person and Persons so offending, and him, her, or them, forthwith to carry and convey before one or more of his Majesty's Justices of the Peace, near to the Place where the Offence shall be committed or done; and the Justice or Justices shall, if he or they see Cause, commit the Person or Persons, so brought before him or them, to the next County Gaol, until the next General Quarter Sessions of the Peace to be holden for the same County or Place, there to be tried and dealt with as by this Act is herein-after directed.

Any Person after Aug. 1, 1779, who shall obstruct any Officer of Customs or Excise in seizing uncustomed or prohibited Goods; or shall attempt to rescue the same; or shall damage any Casks, &c. in which such Goods shall be contained; may be arrested by the Officers, the Offender,

&c. and carried before a Justice, who may commit

XI. And

Officers to enter into Recognizance to proſecute.

Charges of Proſecution to be paid by Receiver-general of Cuſtoms or Exciſe.

XI. And be it further enacted by the Authority aforeſaid, That the Officer or Officers who ſhall convey any Offender, arreſted by the Authority of this Act, before any Juſtice of the Peace as aforeſaid, ſhall, in caſe ſuch Offender ſhall be committed to the County Gaol as aforeſaid, enter into a Recognizance to his ſaid Majeſty, his Heirs and Succeſſors, before ſuch Juſtice, in the Sum of forty Pounds, conditioned to appear at ſuch General Quarter Seſſions of the Peace, and to proſecute the Perſon ſo committed; and the Commiſſioners of Cuſtoms and Exciſe reſpectively are hereby directed and required to order the Charges of ſuch Proſecution to be paid out of any Money in the Hands of the Receiver-general of the Cuſtoms and Exciſe reſpectively, ariſing by any Branch of the Revenue under their reſpective Management.

Perſons committed as aforeſaid to be tried by the Quarter-Seſſions;

who, on Conviction, ſhall commit the Offender to hard Labour in the Houſe of Correction of the County, &c.

XII. And be it further enacted by the Authority aforeſaid, That where any Perſon or Perſons ſhall be arreſted, detained, and committed, as aforeſaid, for any Offence againſt this Act, to any County Gaol, there to remain until the next General Quarter Seſſions as aforeſaid, it ſhall and may be lawful for the Juſtices at ſuch Seſſions, and they are hereby authoriſed and required to examine, hear, try, and determine, all and every ſuch Offence and Offences; and if the Perſon or Perſons ſo committed as aforeſaid, ſhall be duly convicted before them of any Offence againſt this Act, then, and in every ſuch Caſe, it ſhall and may be lawful for the ſaid Juſtices, at ſuch General Quarter Seſſions, and they are hereby reſpectively authoriſed and required, in Lieu of any other Puniſhment to which ſuch Offender or Offenders might be liable for the ſame Offence by any former Act, to commit ſuch Perſon or Perſons to hard Labour in the Houſe of Correction of the County, City, Town, or Place, there to remain for a Term not exceeding three Years, nor leſs than one Year.

But if ſuch Convict ſhall be deemed a proper Perſon to ſerve his Majeſty by Land or Sea, the Juſtices ſhall deliver him over to the proper Officer.

XIII. Provided always, That if any Perſon ſo convicted ſhall be approved of by any Officer of his Majeſty's Land Forces or Fleet, as an able and proper Perſon to ſerve his Majeſty, it ſhall and may be lawful for the ſaid Juſtices, at ſuch General Quarter Seſſions, and they are hereby reſpectively authoriſed and required, in Lieu of any other Puniſhment to which ſuch Offender may be liable by this or any former Act for the ſame Offence or Offences, to order and adjudge every ſuch Offender to ſerve his Majeſty as a Soldier or Sailor, and to cauſe ſuch Man to be delivered over to ſuch Officer of his Majeſty's Land Forces or Fleet, ſuch Officer giving a Receipt under his Hand acknowledging what Men are ſo delivered to him, which Receipt ſuch Officer is hereby required to give; and ſuch Officer may, in caſe he ſhall find it neceſſary, detain ſuch Man in ſome ſecure Houſe or Place; and no Perſon ſo delivered in purſuance of this Act ſhall be liable to be taken out of his Majeſty's Service by any Proceſs other than for ſome criminal Matter.

If Juſtices, at the Time of convicting any ſuch Offender, ſhall not be attended by a proper Officer, they may adjourn, and give Notice thereof to Officer, who ſhall attend in Perſon, or by Deputy.

XIV. And be it further enacted by the Authority aforeſaid, That if the ſaid Juſtices in their Seſſions ſhall not be attended, at the Time of convicting ſuch Offender or Offenders as aforeſaid, by ſome proper Officer of his Majeſty's Land Forces or Fleet, it ſhall and may be lawful for the ſaid Juſtices to adjourn themſelves to ſome other convenient Day, and to give ſuch Directions as they ſhall think proper for ſecuring ſuch Offenders as aforeſaid, and to cauſe Notice to be given to any ſuch Officer of the Day and Place of ſuch Adjournment; and ſuch Officer is hereby required to attend, or appoint ſome other Perſon to attend, the ſaid Juſtices at ſuch Adjournment, and to receive ſuch Perſons as they ſhall adjudge or order to be ſo delivered as aforeſaid, in caſe ſuch Officer ſhall approve of ſuch Perſon or Perſons as able and proper to ſerve his Majeſty in Manner aforeſaid.

Juſtices may levy a Fine upon Gaoler, &c. for ſuffering an Eſcape, or on Pariſh Officers for making Default in Execution of Warrants, &c.

XV. And it is hereby further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid Juſtices to impoſe upon any Gaoler, or Keeper of any Houſe of Correction, or of any Priſon, who ſhall ſuffer any Perſon, committed to his Cuſtody in purſuance of this Act, to eſcape, or upon any Conſtable, Headborough, Tithingman, or Pariſh or Town Officer, for every wilful Neglect or Default in the Execution of any Warrant, Order, or Precept, to them, or any of them, directed in purſuance of this Act, a Fine not exceeding ten Pounds, and to cauſe every ſuch Fine to be levied by Diſtreſs and Sale of the Offender's Goods, rendering the Overplus (if any) to the Owners, and to pay the ſaid Fine to the Informer or Informers.

The Second and Sixth Sections of the Articles of War againſt Mutiny and Deſertion to be read to the Perſons delivered as aforeſaid, and the Oath tendered to them.

Juſtices to certify that ſuch Perſons are adjudged to ſerve his Majeſty, &c.; which Certificate, together with ſuch Men, ſhall be delivered to the proper Officers, and they ſhall be thereupon deemed to be inliſted.

XVI. And be it further enacted by the Authority aforeſaid, That the Juſtices, upon ſuch Conviction as aforeſaid, and Delivery of ſuch Perſons to ſuch Officer or Officers receiving ſuch Perſons as aforeſaid, ſhall cauſe the ſecond and ſixth Sections of the Articles of War againſt Mutiny and Deſertion to be read to the Perſon ſo to be delivered as aforeſaid, in the Preſence of the ſaid Juſtices; and the ſaid Juſtices ſhall tender to every ſuch Perſon the Oath mentioned in the third Section of the Articles of War; and the ſaid Juſtices ſhall, and they are hereby required forthwith to certify under their Hands, that ſuch Perſon or Perſons is or are ordered and adjudged to ſerve his Majeſty, ſetting forth the Name, Age, Pariſh, and laſt Place of Abode, of him or them reſpectively, if known, and that the ſecond and ſixth Sections of the Articles of War againſt Mutiny and Deſertion were read to him or them, and that he or they had taken the Oath mentioned in the ſaid Articles of War, or had refuſed to take the ſaid Oath; and ſhall deliver ſuch Certificate, together with ſuch Man or Men, to the ſaid Officers or Perſons appointed to receive them, and ſuch Man or Men ſhall thereupon be deemed and taken to be inliſted, to all Intents and Purpoſes whatſoever, and ſhall and may be proceeded againſt as if he or they had taken the ſaid Oath according to the ſaid Articles of War; and the ſaid Juſtices ſhall alſo forthwith cauſe an Entry or Memorial to be made, in a Book or Books to be kept by them, or by the Clerks of the Peace of the County or Place, for that Purpoſe, of the Names of the Men ſo delivered as aforeſaid, the Ages, Pariſhes and Places of their laſt Abode, if they can be known, and of the Time and Place when and where ſuch Men were delivered to the ſaid Officers or Perſons appointed to receive them, and the Names of the Officers or Perſons who received them, and for what Regiment or Company, or Ship, they were ſo received; and ſhall cauſe true Copies or Duplicates of ſuch Entries, atteſted by the ſaid Juſtices or the Clerk of the Peace, within forty Days after the delivering ſuch Men as aforeſaid, to be tranſmitted into the Office of the Secretary at War, or into the Office of the Commiſſioners for executing the Office of Lord High Admiral.

An Entry to be made of the Names, Ages, and Places of Abode, &c. of the Men ſo delivered, and of the Names of the Officers who received them, &c.

'XVII. And, for the more effectually preventing any Frauds or Abuſes that may be practiſed in the 'diſcharging of ſuch Perſons,' be it further enacted by the Authority aforeſaid, That no Perſon who ſhall be ordered and adjudged to ſerve his Majeſty as a Soldier or as a Sailor, by virtue of this Act, and ſhall have been approved of as aforeſaid, ſhall, on any Account, during the Term of five Years, unleſs diſabled within that Time by unavoidable Accident or bodily Infirmity, be diſcharged from his Majeſty's Service; and any Officer of his Majeſty's Land Forces, Marines, or Sea Service, who ſhall preſume, knowingly and wilfully, to diſcharge any Perſon ſo raiſed, levied, and delivered over, as aforeſaid, contrary to this Act, or ſhall, by falſe Muſter, or Certificate, or in Conſideration of a Gratuity of any Kind, or by any other colluſive or evaſive Ways or Means whatſoever, ſuffer or permit any ſuch Perſon to avoid the actual Service hereby intended, every ſuch Officer ſhall, for ſuch Offence, be caſhiered.

Perſons adjudged to ſerve his Majeſty by virtue of this Act (unleſs diſabled by Accident, &c.), ſhall not be diſcharged within five Years, nor ſuffered to avoid actual Service. Officers offending herein to be caſhiered.

'XVIII. And, for the better preventing the clandeſtine Sale and Diſpoſal of Coffee, Tea, Cocoa-nuts, 'Chocolate, foreign Brandy, or other foreign Spirituous Liquors, whereby the illegal Importation and 'Running of ſuch Goods is greatly encouraged, and that innocent Perſons may not unwarily be rendered 'liable to Penalties,' be it further enacted by the Authority aforeſaid, That, from and after the firſt Day of *Auguſt*, one thouſand ſeven hundred and ſeventy-nine, every Druggiſt, Grocer, Chandler, Coffee-houſe Keeper, Chocolate-houſe Keeper, and all and every other Perſon or Perſons, who ſhall be a Seller of, or Dealer in, Coffee, Tea, Cocoa-nuts, or of any or either of them, or ſhall be a Maker or Seller of Chocolate, ſhall cauſe to be painted or written in large legible Characters over the Door of each and every Shop, Coffee-houſe, Chocolate-houſe, and other Place by him, her, or them reſpectively made uſe of for the keeping Coffee, Tea, Cocoa-nuts, or Chocolate, the Words *Dealer in Coffee, Tea, Cocoa-nuts*, or *Chocolate*, as the Caſe may be, upon Pain of forfeiting the Sum of two hundred Pounds for every Shop, Coffee-houſe, Chocolate-houſe, or Place, which, from and after the ſaid firſt Day of *Auguſt* one thouſand ſeven hundred and ſeventy-nine, ſhall be ſo made uſe of by any ſuch Druggiſt, Grocer, Chandler, Coffee-houſe Keeper, Chocolate-houſe Keeper, or any other Perſon or Perſons, who ſhall be a Seller or Dealer as aforeſaid reſpectively, without having the ſaid Words painted or written thereon as aforeſaid: And that, from and after the ſaid firſt Day of *Auguſt*, one thouſand ſeven hundred and ſeventy-nine, all and every Importer for Sale, or Dealer in foreign Brandy, Arrack, Rum, Spirits, or other foreign Strong Waters, who ſhall ſell the ſame, either by Wholeſale or Retail, ſhall cauſe to be painted or written in large legible Characters, over the outer Door, or in the Front, or in ſome conſpicuous Part of each and every Houſe, Shop, Warehouſe, Storehouſe, Cellar, Vault, and other Places by him, her, or them reſpectively, made uſe of for the keeping of foreign Brandy, or other foreign Spirituous Liquors, the Words *Importer of*, or *Dealer in, foreign Spirituous Liquors*, upon Pain of forfeiting, for every ſuch Shop, Warehouſe, Storehouſe, Cellar, Vault, or other Place, which, from and after the ſaid firſt Day of *Auguſt*, one thouſand ſeven hundred and ſeventy-nine, ſhall be ſo made uſe of by any ſuch Importer, Seller, or Dealer reſpectively, without having the ſaid Words painted or written as is hereby directed, the Sum of fifty Pounds.

After Aug. 1, 1779, every Druggiſt, Grocer, or other Perſon, who ſhall ſell Coffee, Tea, or Cocoa-nuts, or make or ſell Chocolate, ſhall cauſe to be painted over the Door of his Shop, &c. the Words, 'Dealer in Coffee, Tea, &c.' on Penalty of 200l.: And every Importer for Sale, or Dealer in foreign Spirituous Liquors, ſhall cauſe to be painted over the outer Door, or in the Front of his Houſe, &c. the Words 'Importer of, or Dealer in, foreign Spirituous Liquors,' on Penalty of 50l. Additional Penalty of 100l. on every Dealer in Tea, Coffee, Cocoa-nuts, Chocolate, and on every Dealer in foreign Spirituous Liquors, reſpectively, who ſhall buy any of the ſaid Goods or Liquors of any Perſon not having the Words aforeſaid painted over the Door of his Shop, &c.

XIX. And be it further enacted by the Authority aforeſaid, That if any Dealer or Dealers in Tea, Coffee, Cocoa-nuts, or Chocolate, ſhall buy or procure, or employ any Perſon to buy for him, her, or them, or for his, her, or their Uſe, any Tea, Coffee, Cocoa-nuts, or Chocolate, of any other Perſon or Perſons than of a Dealer in ſuch Commodities, over the Door of whoſe Shop, Coffee-houſe, Chocolate-houſe, and other Place by him, her, or them reſpectively, made uſe of for the keeping of Coffee, Tea, Cocoa-nuts, or Chocolate, ſhall be painted or written, as aforeſaid, the Words *Dealer in Coffee, Tea, Cocoa-nuts*, or *Chocolate*, as the Caſe ſhall be, every ſuch Dealer ſo offending ſhall forfeit and loſe, for every ſuch Offence, the Sum of one hundred Pounds, over and above all former Penalties; and if any Importer or Dealer in foreign Spirituous Liquors ſhall buy or procure, or employ any Perſon to buy for him, her, or them, or for his, her, or their Uſe, any foreign Spirituous Liquors of any other Perſon than of an Importer or Dealer, over the Door of whoſe Shop, Warehouſe, Storehouſe, Cellar, Vault, and other Place, by him, her, or them reſpectively, made uſe of for the keeping of foreign Brandy, and other foreign Spirituous Liquors, ſhall be written or painted, as aforeſaid, the Words *Importer of*, or *Dealer in, foreign Spirituous Liquors*; every ſuch Importer or Dealer ſo offending ſhall forfeit, for every ſuch Offence, the Sum of one hundred Pounds, over and above all former Penalties.

Certain Caſes enumerated in which neither the Dealers in Coffee, Tea, Cocoa-nuts, or Chocolate,

XX. Provided always, That no ſuch Dealer in Coffee, Tea, Cocoa-nuts, or Chocolate, ſhall be ſubject to the ſaid Penalties of one hundred Pounds for or by reaſon of any Purchaſe or Transfer of any Tea, Coffee, or Cocoa-nuts, whilſt the ſame ſhall remain in the reſpective Warehouſes wherein the ſame ſhall be lodged and put, according to the Directions of an Act made in the tenth Year of the Reign of his late Majeſty King *George* the Firſt; nor by reaſon of any Purchaſe of any Tea, Coffee, or Cocoa-nuts, or Chocolate, at any Sale or Sales made by the Direction of the *Eaſt India* Company, or of the Commiſſioners of Cuſtoms or Exciſe reſpectively; or at any Sale made of any Tea, Coffee, or Cocoa-nuts, ſold for the Benefit of the Inſurers or Proprietors thereof, and which may be ſold free of Duty to defray the Charges of Salvage; nor by reaſon of any firſt Purchaſe of any Prize Teas: Nor ſhall any ſuch Dealer in foreign Spirituous Liquors be ſubject to the ſaid Penalty of one hundred Pounds by reaſon of the Purchaſe of any foreign Spirituous Liquors, whilſt the ſame remain on board the Ships in which the ſame were lawfully imported, or on the Quays upon which they ſhall have been lawfully landed; nor to the Purchaſe of any Rum whilſt the ſame remains in any Warehouſe wherein the ſame ſhall have been put, according to the Directions of the Act of the fifteenth and ſixteenth Years of the Reign of his late Majeſty King *George* the Second; nor to the Purchaſe of any Arrack whilſt the ſame remains in the Warehouſes of the United Company of Merchants of *England* trading to the *Eaſt Indies*; nor to the Purchaſe of any Prize foreign Spirituous Liquors; nor to the Purchaſe of any foreign Spirituous Liquors ſold for the Benefit of the Inſurers or Proprietors thereof, and which may be ſold free of Duty to defray the Charges of Salvage; any Thing herein-before contained to the contrary notwithſtanding.

nor the Dealers in foreign Spirituous Liquors, ſhall be ſubject to the ſaid Penalty of 100l.

XX. And

Penalty on Perſons, not having made proper Entries at the Exciſe Office, who ſhall paint over their Doors, &c. the Words aforementioned.

XXI. And be it further enacted by the Authority aforeſaid, That if, at any Time after the ſaid firſt Day of *Auguſt*, one thouſand ſeven hundred and ſeventy-nine, any Perſon or Perſons whatſoever, other than ſuch as ſhall have duly made Entry, at the proper Offices of Exciſe, of the Places by them reſpectively made uſe of for keeping of Coffee, Tea, Cocoa-nuts, or Chocolate, or for the keeping of foreign Brandy, or foreign Spirituous Liquors, ſhall paint or write, or cauſe to be painted or written, over the Door or in the Front of any Place to them reſpectively belonging, the Words *Dealer in Coffee, Tea, Cocoa-nuts*, or *Chocolate*, as the Caſe ſhall be, or the Words *Importer of*, or *Dealer in, Spirituous Liquors*, every Perſon and Perſons reſpectively offending therein, ſhall forfeit and loſe the Sum of fifty Pounds, and ſhall alſo be ſubject to the ſeveral Penalties and Forfeitures to which Perſons ſelling of, or dealing in, Coffee, Tea, Cocoa-nuts, Chocolate, or foreign Spirituous Liquors, without Entry, are now ſubject unto.

If any Perſon, not being ſuch Importer or Dealer as aforeſaid, ſhall buy any Tea, Coffee, &c. or foreign Spirituous Liquors (except as before excepted), of any Perſon not having the aforementioned Words painted over his Door, &c. he ſhall forfeit 10 l.

If the Seller of any Tea, &c. contrary to this Act ſhall, within 20 Days, and before any Information has been lodged againſt him, inform againſt the Buyer, the ſaid Seller ſhall be indemnified from all Penalties for his own Offence.

XXII. And be it further enacted by the Authority aforeſaid, That if any Perſon whatſoever, not being ſuch Importer or Dealer as aforeſaid, ſhall buy or procure, or employ any other to buy for him or her, any Tea, Coffee, Cocoa-nuts, Chocolate, foreign Brandy, or any other foreign Spirituous Liquors (ſave and except at ſuch Sales, and in ſuch Manner as is herein-before provided and excepted), of any other Perſon or Perſons than of ſuch Perſon or Perſons reſpectively over whoſe Door, or in the Front, or on ſome conſpicuous Part of whoſe Houſe, Shop, Warehouſe, Storehouſe, Cellar, Vault, or other Place, ſuch Words ſhall be painted or written as aforeſaid; every ſuch Perſon ſo buying, or ſo procuring or employing any other to buy for him, her, or them, any ſuch Goods as aforeſaid, ſhall, for each Offence, forfeit and loſe the Sum of ten Pounds; and if the Perſon or Perſons, who ſhall have ſold any Tea, Coffee, Cocoa-nuts, or Chocolate, foreign Brandy, or other foreign Spirituous Liquors, to any Dealer therein, or to any other Perſon or Perſons, contrary to the true Intent and Meaning of this Act, ſhall, within twenty Days next after ſuch Sale, and before any Information has been lodged againſt him or them for ſuch Offence, diſcover and inform againſt the Perſon or Perſons who bought, or who procured or employed any other to buy for him, her, or them, ſuch Tea, Coffee, Cocoa-nuts, or Chocolate, foreign Brandy, or other foreign Spirituous Liquors, as aforeſaid, every ſuch Perſon ſo diſcovering and informing ſhall thereupon be diſcharged and indemnified from all Penalties to which, at the Time of ſuch Information given, he might be liable, for or by reaſon of ſuch his own Offence.

Recital of an Act 19 Geo. II.

'XXIII. And whereas by an Act, made in the nineteenth Year of the Reign of his late Majeſty King 'George the Second, intituled, *An Act for the further Puniſhment of Perſons going armed or diſguiſed in Defi-* 'ance of the Laws of Cuſtoms or Exciſe; and for indemnifying Offenders againſt thoſe Laws upon the Terms in 'this Act mentioned; and for the Relief of Officers of the Cuſtoms in Informations upon Seizures; and which 'ſaid Act was to continue in Force for the Space of ſeven Years, and from thence to the End of the next 'Seſſion of Parliament; and which, by ſeveral ſubſequent Statutes, of the twenty-ſixth and thirty-ſecond 'Years of the Reign of his ſaid late Majeſty, and the fourth, eleventh, and eighteenth Years of the Reign of 'his preſent Majeſty, was further continued until the twenty-ninth Day of *September*, one thouſand ſeven 'hundred and eighty-five, and from thence to the End of the then next Seſſion of Parliament; Perſons 'charged with being guilty of Offences in the ſaid Act mentioned and preſcribed, were required to ſurrender 'themſelves within a Time limited by the ſaid Act, and that on Neglect or Refuſal of Surrender, ſuch 'Perſons were to be adjudged, deemed, and taken to be convicted and attainted of Felony: And whereas 'Doubts have ariſen whether the Methods and Orders in the ſaid Act directed and preſcribed, relative to the 'apprehending and harbouring the Offenders therein mentioned, or for cauſing ſuch Offenders to ſurrender, 'are or were re-enacted and continued by the ſaid ſeveral Acts: Now, to put an End to ſuch Doubts,' be it enacted and declared by the Authority aforeſaid, That all and every the Methods, Orders, Directions, Rules, Proclamations, Penalties, Puniſhments, Rewards, Matters, and Things, provided, ordered, ſettled, directed, impoſed, given, and required, by the ſaid Act of the nineteenth Year of the Reign of his ſaid late Majeſty, relative to the Surrender, proclaiming, apprehending, harbouring, and puniſhing ſuch Offenders, was, were, and are continued and re-enacted by the ſaid ſeveral Acts, made in the twenty-ſixth and thirty-ſecond Years of the Reign of his ſaid late Majeſty, and in the fourth, eleventh, and eighteenth Years of the Reign of his preſent Majeſty, and the ſame may be lawfully exerciſed, practiſed, applied, uſed, and impoſed, in regard to all and every Perſon and Perſons that offend, or ſhall in future offend, againſt the ſaid Act of the nineteenth Year of his ſaid late Majeſty.

All the Rules, Penalties, and Rewards, in the recited Act contained, relative to the Surrender, and harbouring, &c. of the Offenders therein mentioned, are continued by the ſeveral Acts made for continuing the ſaid recited Act.

All foreign Thread Lace, imported after Aug. 1, 1779, to be marked at each End of every Piece.

XXIV. And it is hereby further enacted by the Authority aforeſaid, That all foreign Thread Lace which, from and after the firſt Day of *Auguſt*, one thouſand ſeven hundred and ſeventy-nine, ſhall be imported into this Kingdom, ſhall, after the ſame hath been entered at the Cuſtom-houſe, and before it ſhall be diſcharged by the Officers, and delivered into the Cuſtody of the Importer, or his Agent, be marked or ſealed at each End of every Piece, with ſuch Mark or Seal, and by ſuch Officer or Officers, as the reſpective Commiſſioners of the Cuſtoms in *Great Britain* ſhall direct and appoint for that Purpoſe.

All Perſons poſſeſſed of foreign Thread Lace may, on or before Feb. 1, 1780, bring the ſame to the neareſt Cuſtom-houſe, and have it marked, on making Oath that the Import Duties were paid, &c.

XXV. And it is hereby further enacted by the Authority aforeſaid, That if any Perſon or Perſons, having in his, her, or their Cuſtody or Poſſeſſion, in any Part of this Kingdom, for Sale, any foreign Thread Lace ſo directed to be marked or ſealed as aforeſaid, ſhall, on or before the firſt Day of *February*, one thouſand ſeven hundred and eighty, bring or cauſe ſuch Lace to be brought to the Cuſtom-houſe for the Port neareſt to the Place where ſuch Lace ſhall be, and ſhall make Proof on Oath before the Collector and Comptroller, or other principal Officer of the Cuſtoms at ſuch Port (which Oath ſuch Collector and Comptroller, or other Officer, is and are hereby required to adminiſter without Fee or Reward), that the legal Duties due and payable to his Majeſty were paid upon the Importation of ſuch Lace, if the ſame was imported by him, her, or them, or that ſuch Lace was purchaſed by ſuch Perſon or Perſons (having Poſſeſſion thereof) in a legal fair Way of Trade, and that he, ſhe, or they, verily believe the legal Duties due and payable to his Majeſty have been duly paid for the ſame, mentioning the Time when, and the

Port where, ſuch Lace was imported, or the Time when, and of whom, ſuch Lace was purchaſed, as the Caſe may be, ſuch Lace ſhall be thereupon, without Fee or Reward, marked or ſealed at each End of every Piece with ſuch Mark or Seal, and by ſuch Officer or Officers, as the reſpective Commiſſioners of the Cuſtoms in *Great Britain*, or any three or more of them, ſhall direct and appoint for that Purpoſe.

Perſons intending to export ſuch Lace, to give Notice to proper Officer,

XXVI. And be it further enacted by the Authority aforeſaid, That, from and after the ſaid firſt Day of *Auguſt*, one thouſand ſeven hundred and ſeventy-nine, every Perſon intending to export any ſuch foreign Thread Lace which ſhall have been marked or ſealed purſuant to the Directions of this Act, ſhall, before ſuch Lace is ſhipped in order to be exported, give Notice to the proper Officer or Officers, to be appointed for that Purpoſe by the reſpective Commiſſioners of the Cuſtoms in *Great Britain*, when and where he will pack up the ſame in order to be exported; and the ſaid Commiſſioners of the Cuſtoms are hereby impowered and required to cauſe ſuch Officer or Officers to take Care that ſuch Marks or Seals be taken off from every Piece ſo intended to be exported, without Fee or Reward; and no Perſon ſhall be intitled to the Drawback allowed upon the Exportation of ſuch Lace, unleſs he ſhall have given ſuch Notice as herein-before is directed, and until ſuch Marks or Seals ſhall be taken off by the proper Officer or Officers as aforeſaid.

who is to ſee that the Marks are all taken off, otherwiſe no Drawback to be allowed.

All foreign Thread Lace found in this Kingdom, after Feb. 1, 1780, not marked as aforeſaid, ſhall be forfeited.

XXVII. And be it further enacted by the Authority aforeſaid, That, from and after the firſt Day of *February*, one thouſand ſeven hundred and eighty, in caſe any foreign Thread Lace ſhall be found in any Shop, Warehouſe, or other Place whatſoever, upon Land, within this Kingdom, not being marked or ſealed, as herein-before is directed, upon both Ends of every whole and entire Piece, or upon one End of every Remnant of ſuch Lace, the ſame ſhall be forfeited and loſt, and ſhall and may be ſeized by any Officer or Officers of the Cuſtoms, and ſhall and may be proſecuted, recovered, and diſpoſed of in the ſame Manner, and by the ſame Rules and Regulations, as foreign Thread Lace, clandeſtinely imported and run into this Kingdom, may be proſecuted, recovered, and diſpoſed of, by any Law now in Force.

Penalty on counterfeiting any Mark or Seal uſed in purſuance of this Act, or on having in Poſſeſſion any foreign Thread Lace marked or ſealed with ſuch Counterfeit.

XXVIII. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall at any Time forge or counterfeit any Mark or Seal, to reſemble any Mark or Seal which ſhall be provided or uſed in purſuance of this Act, or ſhall forge or counterfeit the Impreſſion of any ſuch Mark or Seal upon any Goods required by this Act to be marked or ſealed, or ſhall ſell, or expoſe to Sale, or have in his, her, or their Cuſtody or Poſſeſſion, any ſuch foreign Thread Lace with a counterfeit Mark or Seal thereon, knowing the ſame to be counterfeited; all and every ſuch Offender and Offenders, and his, her, and their Aiders, Abettors, and Aſſiſtants, ſhall, for every ſuch Offence, forfeit the Sum of one hundred Pounds, one Moiety to his Majeſty, and the other Moiety to ſuch Officer or Officers of the Cuſtoms as ſhall ſue and proſecute for the ſame; and ſuch Offender and Offenders ſhall alſo be adjudged to ſtand in the Pillory, in ſome public Place, for the Space of two Hours.

Every Perſon who, before June 1, 1779, ſhall have been guilty of any Offence againſt the Laws of the Cuſtoms or Exciſe, and for which no Proſecution has been commenced, &c. is indemnified by this Act, on the Conditions following; videlicet,

'XXIX. And whereas, at the ſame Time that the Laws for ſecuring the Revenues of Cuſtoms and Exciſe ought to be enforced, for the Sake of the Fair Trader, and the Honour and Dignity of Government, 'it may be proper to pardon ſuch of thoſe who have been heretofore guilty of ſuch illegal Practices, who 'are deſirous to make ſuch Atonement for their paſt Offences, by dedicating themſelves to the Service of 'their King and Country,' be it therefore enacted by the Authority aforeſaid, That every Perſon who, before the firſt Day of *June*, one thouſand ſeven hundred and ſeventy-nine, ſhall have been guilty of illegal running, loading, unſhipping, concealing, receiving, or carrying, any Wool, prohibited Goods, Wares, or Merchandizes, or any foreign Goods liable to the Payment of Duties of Cuſtoms or Exciſe (the ſame Duties not having been paid or ſecured), or of aiding or aſſiſting therein, or ſhall have been armed with Fire-arms, or other offenſive Arms or Weapons, in order to be aiding or aſſiſting any ſuch Offenders as have been guilty of receiving ſuch Goods, Wares, or Merchandiſes, or ſuch foreign Goods as aforeſaid, where Duties had not been paid for or ſecured, after Seizure from the Officers of the Cuſtoms or Exciſe, or of any other Act or Matter whatſoever whereby Perſons may be deemed and taken to be Runners of foreign Goods and Commodities, within the Intent and Meaning of any Law now in Force; or of hindering, oppoſing, obſtructing, wounding, or beating, any Officer or Officers of the Cuſtoms or Exciſe, in the Execution of his or their Office or Duty, or of aiding or aſſiſting therein; ſhall be, and are, by the Authority of this preſent Act, acquitted, indemnified, releaſed, and diſcharged, againſt the King's Majeſty, his Heirs and Succeſſors, or Officers of the Cuſtoms or Exciſe, and every of them, and all and every other Perſon and Perſons, of and from all and every the ſaid Offences, concerning which no Suit or Information, or Proſecution, ſhall have been commenced, or Compoſition made or offered, before the ſaid firſt Day of *June*, one thouſand ſeven hundred and ſeventy-nine, upon the following Terms and Conditions; (that is to ſay,) That he do, before he ſhall be arreſted for the ſame, and before the twenty-ninth Day of *September*, one thouſand ſeven hundred and ſeventy-nine, inliſt or enter himſelf with ſome Commiſſion Officer of his Majeſty's Land Forces or Fleet, to ſerve as a Soldier or Sailor in the Army or Fleet, and do, for three Years at leaſt, from the Time of ſuch Inliſting or Entry, actually and *bona fide* ſerve and do Duty as ſuch in the ſaid Army or Fleet; and ſhall alſo, before the ſaid twenty-ninth Day of *September*, one thouſand ſeven hundred and ſeventy-nine, regiſter his Name, Employment, and uſual Place of Abode, with the Clerk of the Peace of the County, Riding, or Diviſion, where he reſides, in a Book which is hereby directed to be kept by the ſaid Clerk among the Records of the Seſſions for the ſaid County, Riding, or Diviſion, for this Purpoſe; and ſhall ſign ſuch Regiſter, ſignifying that he claims the Benefit of this Act, and that he has inliſted or entered himſelf with a certain Commiſſion Officer, by the Name of his Majeſty's Land Forces or Fleet, as the Caſe ſhall be, to ſerve as a Soldier or Sailor, which Entry ſhall be in the following Form:

That, before Sept. 29, 1779, and before he ſhall be arreſted for ſuch Offence, he enter himſelf to ſerve as a Soldier or Sailor for three Years, and do Duty as ſuch; and ſhall alſo, before Sept. 29, 1779, regiſter his Name, &c. with the Clerk of the Peace, and ſign ſuch Regiſter.

'*A. B.* of claims the Benefit of an Act of the nineteenth Year of his Majeſty King 'George the Third, and has entered himſelf with *C. D.* a Commiſſion Officer of his Majeſty's Land Forces

Form of Entry.

'[*or* Fleet], and has regiſtered his Name in the Book kept by the Clerk of the Peace of this County
'(Riding, *or* Diviſion), this Day of purſuant to the Directions of the
'ſaid Act.'

Clerk of the Peace to tranſmit to Commiſſioners of Cuſtoms, &c. an Account of all Perſons who have regiſtered their Names.

For which Entry or Regiſter, there ſhall be paid the Clerk of the Peace for ſuch County, Riding, or Diviſion, one Shilling, and no more; and that the ſaid Clerk of the Peace ſhall, immediately after the ſaid twenty-ninth Day of *September*, one thouſand ſeven hundred and ſeventy-nine, tranſmit to the Commiſſioners of the Cuſtoms and Exciſe an exact Account of all the Perſons who have, by ſuch Entry or Regiſter as aforeſaid, entitled themſelves to claim the Benefit of this Act.

Penalty on Perſons claiming the Benefit of this Act, who ſhall afterwards be guilty of the like Offences, or who ſhall deſert, &c.

XXX. Provided always, That every Perſon who ſhall make ſuch Entry, and claim the Benefit of this preſent Act as aforeſaid, and ſhall afterwards be guilty of, or commit any of the like Offences as thoſe herein-before mentioned, or hereby intended to be acquitted, releaſed, and diſcharged, or ſhall at any Time after deſert from the ſaid Service, or, within the ſaid Term of three Years, procure his Diſcharge therefrom, ſhall be ſubject and liable to be proſecuted, not only for or in reſpect of ſuch new Offence, but ſhall alſo be ſubject and liable to all the ſame Penalties, Pains, and Forfeitures, as he would have incurred or been ſubject and liable to, in caſe this Indemnity had never been given; any Thing herein contained to the contrary notwithſtanding.

Penalty on Officer ſuffering ſuch Perſons to avoid actual Service.

XXXI. Provided alſo, That if any Officer of his Majeſty's Land Forces or Navy ſhall, by falſe Muſter or Certificate, or by any other colluſive or evaſive Ways or Means whatſoever, ſuffer or permit ſuch Perſon or Perſons to avoid the actual Service as aforeſaid, ſuch Perſon ſhall not only loſe the Benefit of this Act, but every ſuch Officer ſhall ſuffer the Penalty of five hundred Pounds.

Any Juſtice, on Complaint made of any Officer for Neglect of Duty, may examine into the ſame;

and if there appear reaſonable Grounds of Complaint, the Juſtice ſhall tranſmit the Complaint, with the Examinations taken before him, to the Commiſſioners, &c. who may diſmiſs the Officer, &c.

XXXII. And be it further enacted by the Authority aforeſaid, That in caſe any Officer of the Cuſtoms or Exciſe ſhall not uſe his beſt Endeavours to ſeize any Tea, Coffee, foreign Brandy, or other foreign Spirituous Liquors liable to Forfeiture, and which it ſhall be the Duty of ſuch Officer to ſeize; or to ſtop, detain, and carry and convey before one or more Juſtice or Juſtices of the Peace, any Perſon or Perſons whom ſuch Officer is hereby authoriſed to ſtop, detain, and carry and convey before one or more Juſtice or Juſtices of the Peace; that then, and in any of the ſaid Caſes, it ſhall and may be lawful to and for any Juſtice or Juſtices of the Peace reſiding near to the Place where ſuch Officer ſhall make Default in the Performance of his Duty, upon Complaint thereof made to ſuch Juſtice within three Months after ſuch Default, to examine into the Truth of ſuch Complaint upon the Oath of credible Perſons, which Oath ſuch Juſtice is hereby authoriſed to adminiſter; and if it ſhall appear to ſuch Juſtice that there is a reaſonable Ground for ſuch Complaint, then ſuch Juſtice is hereby required to tranſmit the ſaid Complaint, together with the Examinations taken before him thereon, unto the Commiſſioners of the Cuſtoms, if the Officer complained againſt ſhall belong to the Cuſtoms; and if ſuch Officer ſhall belong to the Exciſe, then unto the Commiſſioners of Exciſe; which Commiſſioners of the Cuſtoms and Exciſe reſpectively, are hereby required to make Enquiry, by ſuch Ways and Means as to them ſhall ſeem meet, into the Truth of the ſaid Complaint; and in caſe they think fit on the Ground thereof to diſmiſs the Officer, againſt whom ſuch Complaint ſhall be made, from his Majeſty's Service, then ſuch Officer is hereby made incapable of executing any Office in his Majeſty's Revenue of Cuſtoms or Exciſe for the future: Provided nevertheleſs, That no Perſon ſhall be compelled to go above five Miles from the uſual Place of his Abode to be examined before any Juſtice of the Peace upon any Complaint to be made to him as aforeſaid.

No Perſon proſecuted under this Act, liable to any other Proſecution for the ſame Offence.

XXXIII. And be it further enacted, That no Perſon who ſhall be proſecuted or puniſhed by any of the Proviſions in this Act, ſhall be liable to be proſecuted or puniſhed for the ſame Offence by any other Act or Acts; any Thing therein contained to the contrary notwithſtanding.

Penalties and Forfeitures how to be recovered and applied.

XXXIV. And be it further enacted by the Authority aforeſaid, That, all Fines, Penalties, and Forfeitures, impoſed by this Act (not otherwiſe hereby directed), ſhall be ſued for, levied, and recovered, or mitigated, by ſuch Ways, Means, or Methods, as any Fine, Penalty, or Forfeiture, is or may be recovered or mitigated by any Law or Laws of Exciſe, or by Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, or in the Court of Exchequer in *Scotland*; and that one Moiety of every ſuch Fine, Penalty, and Forfeiture, ſhall be to his Majeſty, his Heirs and Succeſſors, and the other Moiety to him or them who ſhall inform, ſue for, or diſcover the ſame.

Limitation of Actions.

XXXV. And it is hereby further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall at any Time or Times be ſued or proſecuted for any Thing by him or them done or executed in purſuance of, or by colour of, this Act, or of any Matter or Thing in this Act contained, ſuch Action or Proſecution ſhall be commenced within the Space of three Months after the Offence ſhall be committed; and ſuch Perſon or Perſons ſhall and may plead the General Iſſue, and give this Act and the ſpecial Matter in Evidence, for his and their Defence, and that the ſame was done in purſuance and by Authority of the ſaid Act: And if it ſhall appear ſo to have been done, then the Jury ſhall find for the Defendant or Defendants; and if the Plaintiff ſhall be nonſuited, or diſcontinue his Action after the Defendant or Defendants have appeared, or if Judgment ſhall be given upon any Verdict or Demurrer againſt the Plaintiff, the Defendant or Defendants ſhall and may recover Treble Coſts, and have the like Remedy for the ſame, as the Defendant or Defendants hath or have in other Caſes by Law.

General Iſſue.

Treble Coſts.

CAP.

## CAP. LXX.

An Act for extending the Provisions of an Act, made in the twelfth Year of the Reign of King *George* the First, intituled, *An Act to prevent frivolous and vexatious Arrests*; and for other Purposes.

Preamble. Recital of an Act 12 Geo. I.

'WHEREAS in and by an Act of Parliament, made in the twelfth Year of the Reign of King *George* the First (intituled, *An Act to prevent frivolous and vexatious Arrests*), it is enacted, That, 'from and after the twenty-fourth Day of *June*, one thousand seven hundred and twenty-six, no Person 'shall be held to Special Bail upon any Process issuing out of any superior Court, where the Cause of 'Action shall not amount to the Sum of ten Pounds, or upwards, nor out of any inferior Court, where 'the Cause of Action shall not amount to the Sum of forty Shillings, or upwards: And whereas the Power 'of Arrest and Imprisonment, on mesne Process issuing out of such inferior Court, where the Cause of 'Action does not amount to ten Pounds, is found by Experience to be attended with much Oppression to 'great Numbers of his Majesty's Subjects; for Remedy whereof,' be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, from and after the first Day of *July*, one thousand seven hundred and seventy-nine, no Person shall be arrested or held to Special Bail, upon any Process issuing out of any inferior Court, where the Cause of Action shall not amount to the Sum of ten Pounds, or upwards; but that the like Copies of Process shall be served (for the Service of which Process, a Sum not exceeding two Shillings and Six-pence shall be allowed in Costs), and the like Proceedings shall be had thereupon in such inferior Court, in all Cases where the Cause of Action shall not amount to the Sum of ten Pounds, or upwards, as are directed to be had, by the said recited Act, in such inferior Court in all Cases where the Cause of Action shall not amount to the Sum of forty Shillings; any Law or Usage to the contrary notwithstanding.

After July 1, 1779, no Person shall be arrested, or held to special Bail, upon any Process issuing out of an inferior Court, for less than 10 l.

II. And be it further enacted, That, from and after the first Day of *July*, one thousand seven hundred and seventy-nine, in all Cases in such inferior Court (having Jurisdiction to the Amount of ten Pounds, or upwards) where the Cause of Action shall amount to ten Pounds, or upwards, the like Affidavit shall be made and filed of such Cause of Action, and the like Proceedings shall be had thereupon, as are directed by the said recited Act to be had, where the Cause of Action amounts to the Sum of forty Shillings, or upwards, in such inferior Court.

Proceedings in inferior Courts, in Causes of 10 l. or upwards, shall be the same as by the recited Act are ordered in Causes of 40 s. or upwards.

'III. And whereas divers Acts of Parliament have passed for the Recovery of Debts within certain Dis'tricts and Jurisdictions, which may have authorised the Arrest and Imprisonment of Defendants, where 'the Cause of Action amounts to less than ten Pounds;' be it enacted, That so much of such Act or Acts of Parliament as gives such Power shall be, and the same is hereby repealed.

So much of all Acts for Recovery of Small Debts, as authorises Imprisonment of Defendants for less than 10 l. repealed.

'IV. And, forasmuch as Persons served with Process issuing out of inferior Courts, where the Debt is un'der ten Pounds, may, in order to avoid Execution, remove their Persons and Effects beyond the Limits of 'the Jurisdiction of such Courts;' be it enacted by the Authority aforesaid, That in all Cases where final Judgment shall be obtained, in any Action or Suit in any inferior Court of Record, it shall and may be lawful to and for any of his Majesty's Courts of Record at *Westminster*, upon Affidavit made and filed therein of such Judgment being obtained, and of diligent Search and Enquiry having been made after the Person or Persons of the Defendant or Defendants, or his, her, or their Effects, and of Execution having issued against the Person or Persons, or Effects, as the Case may be, of the Defendant or Defendants, and that the Person or Persons, or Effects, of the Defendant or Defendants, are not to be found within the Jurisdiction of such inferior Court, which Affidavit may be made before a Judge or Commissioner authorised to take Affidavits, and such superior Court, to cause the Record of the said Judgment to be removed into such superior Court, to issue Writs of Execution thereupon to the Sheriff of any County, City, Liberty, or Place, against the Person or Persons, or Effects, of the Defendant or Defendants, in the same Manner as upon Judgments obtained in the said Courts at *Westminster*; and the Sheriff, upon every such Execution, shall, and he is hereby authorised to detain the Defendant or Defendants, until the Sum of twenty Shillings be paid to him, or to levy the same out of the Effects, according to the Nature of the Execution, for the extraordinary Costs of the Plaintiff or Plaintiffs in the inferior Court subsequent to the said Judgment, and of the Execution in the superior Court, over and above the Money for which such Execution shall be issued.

In all Cases where final Judgment shall be obtained in an inferior Court, and Affidavit made thereof in any Court of Record at Westminster, and of Execution having issued against the Person or Effects of the Defendant, and that the same cannot be found within the Jurisdiction of the inferior Court; the Record of such Judgment may be removed into the superior Court, and Writs of Execution issued to the Sheriff of any County, &c.

V. Provided always, and be it further enacted by the Authority aforesaid, That, from and after the first Day of *July*, one thousand seven hundred and seventy-nine, no Execution shall be stayed or delayed, upon or by any Writ of Error, or *Supersedeas* thereon to be sued, for the reversing of any Judgment given, or to be given, in any inferior Court of Record, where the Damages are under ten Pounds, unless such Person or Persons, in whose Name or Names such Writ of Error shall be brought, with two sufficient Sureties, such as the Court (wherein such Judgment is or shall be given) shall allow of, shall first, before such Stay made or *Supersedeas* to be awarded, be bound unto the Party for whom any such Judgment is or shall be given, by Recognizance, to be acknowledged in the same Court, in double the Sum adjudged to be recovered by the said former Judgment, to prosecute the said Writ of Error with Effect, and also to satisfy and pay (if the said Judgment be affirmed, or the said Writ of Error be non-pros'd) all and singular

Upon what Conditions Execution shall be stayed upon any Writ of Error, &c. for reversing Judgment given in an inferior Court, where the Damages are under 10 l.

the Debt, Damages, and Costs, adjudged or to be adjudged, and all Costs and Damages to be awarded for the same delaying of Execution.

No Cause under 10 l. to be removed into a superior Court, unless the Defendant become bound to pay Debt and Costs if Judgment pass against him.

VI. Provided also, and be it further enacted, That no Cause, where the Cause of Action shall not amount to the Sum of ten Pounds, or upwards, shall be removed or removeable into any superior Court, by any Writ of *Habeas Corpus*, or otherwise, unless the Defendant, who shall be desirous of removing such Cause, shall enter into the like Recognizance for Payment of the Debt and Costs, in case Judgment shall pass against him.

## CAP. LXXI.

An Act for granting to his Majesty a certain Sum of Money out of the Sinking Fund; and for applying certain Monies therein mentioned for the Service of the Year One thousand seven hundred and seventy-nine; and for further appropriating the Supplies granted in this Session of Parliament.

*Most Gracious Sovereign,*

"WE, your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain*, in Parliament assembled, towards raising the necessary Supplies which we have chearfully granted to your Majesty in this Session of Parliament, have resolved to give and grant to your Majesty the Sum herein-after mentioned; and do therefore most humbly beseech your Majesty that it may be enacted; &c.'

" 2,071,854 *l.* 13 *s.* 8 *d.* 2 *q.* granted out of the Sinking Fund, for the Service of the current Year. Treasury impowered to raise the Sum of 2,000,000 *l.* or any Part thereof, by Loans or Exchequer Bills, on the Credit of the Sinking Fund. All Persons who shall lend any Money upon the Credit of this Act to have a Tally of Loan, with Orders for Repayment of the Money, with Interest. Orders to be registered in Course. No undue Preference to be given in Payment. No Fee to be taken, on Forfeiture of Treble Damages, with full Costs. Penalty of undue Preference in point of Registry or Payment. Auditor, &c. neglecting his Duty, liable for Damages, &c. to be recovered at *Westminster*. No undue Preference in the registering, where Orders are brought the same Day; nor if subsequent Orders are paid before others not brought in Course, so as Money be reserved for the preceding Orders. Orders may be assigned. If it shall be judged more adviseable, the Treasury may raise the said Sum by Exchequer Bills instead of Loans; and the Bills in such Case to be made in the Manner prescribed by the Land Tax Act of this Session. All Advantages and Penalties in the Land Tax Act of this Session, relating to Loans or Exchequer Bills thereby authorised to be made forth, extended to this Act. The said Exchequer Bills, Interest, and Charges, are to be paid out of the sinking Fund. Bank authorised to lend to his Majesty the Sum of 2,000,000 *l.*; notwithstanding an Act of 5 and 6 *Gul. & Mariæ*. The Sum of 2,763 *l.* 1 *s.* Surplus of the Sinking Fund; and such Monies as shall be paid into the Exchequer between *April* 5, 1779, and *April* 5, 1780, of the Produce of the Duties on *Gum Senega* and *Gum Arabic*; shall be applied towards making good the Supply. The Monies arising by the Land Tax, Malt Tax, Lottery Act, Loans (1,500,000 *l.*), further Loans (1,900,000 *l.*), 1,000,000 *l.* by the Vote of Credit, 2,763 *l.* 1 *s.* remaining in the Exchequer on *April* 5, 1779, of the Surplusses of the Sinking Fund; and such Monies as shall be paid into the Exchequer between *April* 5, 1779, and *April* 5, 1780, of the Produce of the Duties on *Gum Senega*, and *Gum Arabic*; and 2,071,854 *l.* 13 *s.* 8 *d.* 2 *q.* by this Act granted out of the Excesses, *&c.* composing the Sinking Fund; together with the Money arising from the Sale of *French* Prizes taken before the Declaration of War; and also such Sums of Money as his Majesty shall direct to be applied to the public Service, which shall arise out of the Sale of the Ceded Islands in the *West Indies*; shall be applied to the Uses following: 4,589,069 *l.* 6 *s.* 1 *d.* towards Naval Services; 395,438 *l.* 15 *s.* 4 *d.* for the Charges of the Office of Ordnance; 521,935 *l.* 13 *s.* 5 *d.* for the Charges of the Office of Ordnance, not provided for in 1778; 6,013,082 *l.* 5 *s.* 11 *d.* 3 *q.* towards maintaining the Land Forces, *&c.*; of which 833,911 *l.* 18 *s.* 6 *d* for defraying the Charges of 30,346 effective Men, *&c.* and 3213 Invalids, for Guards, *&c.* in *Great Britain*, &c.; 1,103,118 *l.* 11 *s.* for Forces and Garrisons in *Africa*, &c.; 52,923 *l.* 1 *s.* 6 *d.* to make good the Difference of Pay between the *British* and *Irish* Establishment of Troops serving in *America*; 37,206 *l.* 8 *s.* 6 *d.* 2 *q.* for General and General Staff-officers in *Great Britain*; 56,074 *l.* 19 *s.* 4 *d.* 2 *q.* for five *Hanoverian* Battalions at *Gibraltar* and *Minorca*, and for Provisions for three of the said Battalions at *Gibraltar*, for the Year 1779; 367,203 *l.* 9 *s.* 10 *d.* for 13,472 Troops of *Hesse Cassel*, &c.; 35,441 *l.* 19 *s.* 9 *d.* 2 *q.* for two Regiments of *Hanau*, &c.; 17,498 *l.* 3 *s.* 2 *d.* 3 *q.* for a Regiment of *Waldeck*, &c.; 93,947 *l.* 15 *s.* 8 *d.* for 4,300 *Brunswickers*, &c.; 39,644 *l.* 14 *s.* 3 *d.* for 1,447 Troops of *Brandebourg Anspach*; 7,958 *l.* 10 *s.* 11 *d.* 2 *q.* to make good a Deficiency for the Troops of *Brandebourg Anspach*; 16,630 *l.* 11 *s.* 9 *d.* 1 *q.* for Infantry, *&c.* of *Anhalt Zerbst*; 48,668 *l.* 3 *s.* 9 *d.* 1 *q.* for Provisions for foreign Troops serving in *America*; 27,683 *l.* 14 *s.* for defraying the Charge of Artillery for foreign Troops, for 1779; 610,882 *l.* 5 *s.* for defraying the Charge of the Militia in *South Britain*, and three Regiments of Fencibles in *North Britain*, for 1779; 85,760 *l.* 17 *s.* 2 *d.* for defraying the Charge of Clothing for Militia in *South Britain*, for 1779; 5,421 *l.* 18 *s.* 6 *d* for defraying the Charge of additional Companies to Militia in *South Britain*, for 1778; 2,650 *l.* 4 *s.* for defraying the Charge of Clothing for additional Companies of Militia in *South Britain* for 1778; 259,713 *l.* 3 *s.* 4 *d.* for Augmentations of his Majesty's Forces, for 1779; 87,703 *l.* 8 *s.* 4 *d.* to the reduced Officers of the Land Forces and Marines; 628 *l.* 2 *s.* 11 *d.* to the two Troops of Horse Guards reduced, *&c.*; 103,127 *l.* 14 *s.* 2 *d.* to the Out-pensioners of *Chelsea Hospital*; 63,195 *l.* 11 *s.* 10 *d.* for completing the whole Charge of the Pay of one Regiment of Light Dra-

" goons, and six Regiments of Foot, serving in *America*, for 1779; 49,584 *l.* 2 *s.* for a Regiment of " Fencibles, to be raised in *North Britain*, for 1779; 6,246 *l.* 5 *s.* 6 *d.* to make good the Charge of form- " ing three Regiments of Light Dragoons, of 411 Men each, *&c.* 4,113 *l.* 6 *s.* 8 *d.* for Augmentation " to a Corps of Royal Highland Emigrants, from *May* 25, to *Dec.* 24, 1779; 2,026,137 *l.* 4 *s.* 4 *d.* 2 *q.* " for Extraordinaries of Land Forces, from *Jan.* 31, 1778, to *Feb.* 1, 1779; 1,500,000 *l.* for discharging " Exchequer Bills of last Session; 1,000,000 *l.* for paying off the Exchequer Bills of last Session; 500,000 *l.* " for paying off the other Exchequer Bills of last Session; 32,068 *l.* 2 *s.* 8 *d.* to make good to his Majesty " the like Sum issued in pursuance of the Addresses of the House of Commons; 3,156 *l.* for the Civil Esta- " blishment of the Island of *St. John*; 2,900 *l.* for the Civil Establishment of *Georgia*; 4,796 *l.* 10 *s.* 5 *d.* " for supporting the Civil Establishment of *Nova Scotia*; 4,950 *l.* for the Civil Establishment of *East Flo-* " *rida*; 4,900 *l.* for the Civil Establishment of *West Florida*; 2,041 *l.* 5 *s.* for defraying Expences at- " tending Surveys in *North America*; 6,995 *l.* 18 *s.* 11 *d.* on account of new Roads, *&c.* in the Highlands " of *Scotland*; 60,527 *l.* 3 *s.* 6 *d.* for Relief of *American* Civil Officers, *&c.*; 5,000 *l.* for assisting the *Le-* " *vant* Company; 5,000 *l.* to *James Berkenhout* and *Thomas Clark*, for the Discovery of their Method of " dying Scarlet, *&c.*; 13,586 *l.* 17 *s.* to make good to his Majesty the like Sum issued to *Duncan Camp-* " *bell*, for the Expence of confining, *&c.* Convicts on the *Thames*. 40,540 *l.* 9 *s.* 4 *d.* 2 *q.* to the Sinking " Fund, to make good the Deficiency on *July* 5, 1778, *&c.*; 98,891 *l.* 3 *s.* 8 *d.* to make good the Defi- " ciency of the Fund for paying Annuities granted last Session; 66,744 *l.* 4 *s.* 3 *d.* 3 *q.* to make good the " Deficiency of Grants for the Service of the Year 1778. The said Aids to be applied only to the Uses " before mentioned. Rules to be observed in the Application of the Half-pay. By Act 18 Geo. III. a " Sum not exceeding 20,939 *l.* 15 *s.* was appropriated to be paid to reduced Officers. Overplus Monies, " above satisfying said Officers, to be disposed of to Officers who were maimed, *&c.* in the late Wars, or " to Officers Widows and Children, as his Majesty shall direct."

## CAP. LXXII.

An Act to explain, amend, and render more effectual, the several Laws now in being relative to the Militia Forces of this Kingdom; and for making certain Provisions relative to the Fencible Men in that Part of *Great Britain* called *Scotland*.

Preamble.

'WHEREAS many Advantages may arise from further Regulations in the Militia Laws,' be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of an Act, made in the eighteenth Year of his present Majesty's Reign (intituled, *An Act to amend and render more effectual the Laws relating to the raising and training the Militia within that Part of* Great Britain *called* England; *and to establish certain Regulations with respect to Officers serving in the Corps of Fencible Men directed to be raised in that Part of* Great Britain *called* Scotland, *and certain other Corps therein mentioned)*, as relates to the Relief to be given to the Families of Substitutes serving in the Militia, shall be, and the same is hereby repealed.

So much of 18 Geo. III. Cap. 59, as relates to the Relief to be given to the Families of Substitutes, repealed.

'II. And whereas the Families of Substitutes, hired Men, or Volunteers, serving in the Militia, when 'embodied and called out into actual Service, and ordered to march, may become chargeable to the Pa- 'rishes to which they belong;' be it enacted by the Authority aforesaid, That in case any Substitute, whose Family may so become chargeable, shall not serve for the Parish where his Family shall dwell, it shall be lawful for the Justice of the Peace, who shall make any Order for the Relief of such Family, at the same Time to direct the Overseers of the Parish for which he shall serve, to reimburse the Money so paid to the Overseer or Overseers who shall have advanced the same, in pursuance of the Order before-mentioned, if such Parish shall be situated within the same County; and if such Parish shall be situated in any other County, the said Justice shall cause the same to be reimbursed in Manner herein-after mentioned.

How the Families of Substitutes, that may become chargeable, shall be supported.

III. Provided always, That no such Allowance shall occasion such Family to be removeable or compelled to be sent to any Workhouse or Poorhouse, nor shall such Substitute be thereby deprived of his legal Settlement elsewhere, nor of his Right of voting for the Election of Members to serve in Parliament.

Family of Substitute not to be sent to the Workhouse, &c. nor he deprived of voting.

of his Privilege

IV. And be it further enacted by the Authority aforesaid, That in case the Substitute, whose Family shall be relieved as aforesaid, shall serve for any Parish situate in another County, the Monies advanced by the Overseers of the Parish, Township or Place, where the Family shall dwell, shall be repaid them out of the County Stock by the Treasurer of the County to which the Parish, Township, or Place, shall belong, on producing a Certificate of the Order of the Justice allowing such Relief (which Certificate such Justice is hereby required to grant accordingly); and the Treasurer who shall so repay such Overseer, shall transmit such Certificate, and also an Account of all Monies so repaid by him from Time to Time, quarterly, to the Treasurer of the County, Riding, or Place, in the Militia whereof such Substitute shall serve; and the Treasurer to whom the same shall have been so transmitted, shall forthwith reimburse the same to the Treasurer from whom the said Account was received; which Account so received and reimbursed, shall be laid before the Justices of the Peace at their next General or Quarter Session which shall be held for such County, Riding, or Place, for their Allowance thereof; and the said Justices shall, and they are hereby required to allow the same accordingly, and forthwith to make an Order for the Overseers of the Poor of the Parish, Township, or Place, for which such Substitute shall serve, to make good the same to the Treasurer of the County, out of the Poor Rates of such Parish, Township or Place; and all Payments so made by such Treasurer or Treasurers, Overseer or Overseers, in pursuance of such Order or Orders of such Justice or Justices, shall be allowed and passed in their respective Accounts, in like Manner as other Expences

In case the Family of a Substitute become chargeable to his Parish, and he serve for a Parish in a different County, then his Parish shall be reimbursed out of the Stock of the County for which he serves. Accounts to be laid before the Quarter Sessions; who are to order the Overseers of the Parish for which the Substitute serves to make good the

same to the County Treasurer out of the Parish Rates.

Expences incurred on account of the Militia are by the Militia Laws now in being directed to be paſſed and allowed.

Proviſo relating to peculiar Juriſdictions.

V. Provided always, That in all Places having peculiar Juriſdictions, and not contributing to the County, ſuch Account ſhall be made over to the Treaſurer, Receiver, or other public Officer belonging to ſuch peculiar Juriſdiction, to be by him reimburſed, accounted for, and allowed, in Manner aforeſaid.

Captain-lieutenants to be appointed. Their Rank.

VI. And be it further enacted by the Authority aforeſaid, That, from and after the paſſing of this Act, it ſhall and may be lawful to and for his Majeſty's Lieutenants of Counties to appoint Captain-lieutenants to all Regiments or Battalions of Militia to which ſuch Appointment hath not been already made; and that all Captain-lieutenants ſhall rank with the Officers of his Majeſty's other Forces of equal Degree as youngeſt of their Rank.

Qualifications of Captain-lieutenants.

VII. And be it enacted by the Authority aforeſaid, That for the future all Perſons to be appointed Captain-lieutenants, ſhall have the ſame Qualifications as Perſons ſerving as Captains are required to have; provided that it ſhall not be neceſſary for any Perſon having acted as Captain-lieutenant before the firſt Day of *July*, one thouſand ſeven hundred and ſeventy-nine, to hold any other Qualification than as a Lieutenant.

Officers who have neglected to qualify themſelves agreeable to Militia Act 18 Geo. III. not liable to the Penalties thereof:

VIII. And be it further enacted, That in caſe any Officer or Officers of Militia ſhall have neglected or omitted to deliver in his or their ſeveral reſpective Qualification or Qualifications, agreeable to the Directions of an Act, made in the eighteenth Year of his Majeſty's Reign (intituled, *An Act to amend and render more effectual the Laws relating to the raiſing and training the Militia within that Part of* Great Britain *called* England; *and to eſtabliſh certain Regulations with reſpect to Officers ſerving in the Corps of Fencible Men directed to be raiſed in that Part of* Great Britain *called* Scotland, *and certain other Corps therein mentioned*), ſuch Officer or Officers, notwithſtanding ſuch Omiſſion or Neglect, ſhall not be ſubject or liable to any of the Penalties impoſed by the ſaid recited Act; and all Acts done by them in virtue of their reſpective Commiſſions as Officers in the Militia are hereby declared to be valid and of full Effect; any Thing in the ſaid recited Act to the contrary notwithſtanding.

Provided they ſhall ſo qualify themſelves on or before the Firſt of Dec. next,

IX. Provided always, That this Act ſhall not extend to prevent ſuch Officer or Officers, who ſhall neglect or omit to deliver in his or their reſpective Qualification or Qualifications, on or before the firſt Day of *December* next, according to the Directions of the Act of the eighteenth Year of his preſent Majeſty's Reign, *to amend and render more effectual the Laws relating to the raiſing and training the Militia within that Part of* Great Britain *called* England; *and to eſtabliſh certain Regulations with reſpect to Officers ſerving in the Corps of Fencible Men directed to be raiſed in that Part of* Great Britain *called* Scotland, *and certain other Corps therein mentioned*, from being liable to the Penalties impoſed by the ſame for ſuch Neglect or Omiſſion.

All Militia Officers above the Rank of Lieutenant, to tranſmit to the Clerk of the Peace, on or before the firſt of Dec. next, or within ſix Months after accepting their Commiſſions, a Deſcription of their Qualifications, &c.

X. And be it further enacted, That every Officer now holding, or hereafter accepting a Commiſſion as Colonel, Lieutenant Colonel, Major, or Captain, in the Militia, ſhall, on or before the firſt Day of *December*, one thouſand ſeven hundred and ſeventy-nine, or within ſix Months after having accepted any ſuch Commiſſion in future, tranſmit to the Clerk of the Peace of the County in the Militia whereof ſuch Officer ſhall ſerve, a true Deſcription of his Qualification for holding ſuch Commiſſion as aforeſaid, and alſo a Certificate of his having taken the Oaths required; and the Clerk of the Peace ſhall forthwith enter and inrol the ſame, and alſo ſhall tranſmit to the Lieutenant of the ſaid County, a true Copy of every ſuch Liſt and Certificate ſo entered as aforeſaid; and the Lieutenant ſhall (unleſs juſt Cauſe be ſhewn to the contrary within the Time by this Act limited), on Receipt thereof, give Notice to the Officer or Officers who ſhall not have been certified by the Clerk of the Peace to have entered his or their Qualification, that he ſhall proceed to the Appointment of other fit Perſons to ſerve in the Militia, if proper Perſons duly qualified ſhall offer themſelves for ſuch Service, in the Room of ſuch Officers as ſhall, at the Time or Times above mentioned, have omitted ſo to deliver in the ſaid Liſts and Certificates reſpectively; and ſuch Lieutenant ſhall, and he is hereby required and directed to declare, in the *London Gazette*, within ſix Weeks, the Commiſſion of ſuch Officer to be vacant, and ſhall proceed to ſuch Appointment accordingly: And that, for the better aſcertaining the Time of granting any ſuch Commiſſions, the ſaid Lieutenants ſhall, from Time to Time, cauſe to be inſerted in the *London Gazette*, the Dates of the Commiſſion, and Names and Rank of the Officers, together with the Names of the Officers in whoſe Stead they are ſo commiſſioned, in like Manner as Commiſſions in the Army are publiſhed from the War-office; and the ſaid Clerk or Clerks of the Peace ſhall, on or before the firſt Day of *December* in every Year, tranſmit to one of his Majeſty's principal Secretaries of State, in order that they may be laid before Parliament, a true Copy of all Entries to be made and inrolled, and alſo an Account of all Returns ſo tranſmitted by him to the ſaid Lieutenants, together with the Dates of the ſaid Entries and Returns; and every ſuch Clerk of the Peace being guilty of any Neglect herein, ſhall be liable to the ſame Penalties as by the Militia Laws now in being are impoſed on Clerks of the Peace for any Neglect of Duty.

How Lord Lieutenant to proceed reſpecting thoſe Officers who ſhall neglect to deliver in their Qualifications.

Account to be publiſhed in the Gazette of the Dates of the new Commiſſions, &c. and the Names of the Officers whom they ſucceed.

Clerk of the Peace to tranſmit, annually, to one of the Secretaries of State, to be laid before Parliament, a Copy of all Returns by him tranſmitted to the Lord Lieutetenants, &c.

Penalty on Perſons who ſhall receive Money to ſerve as Subſtitutes, and ſhall neglect to appear to be ſworn, agreeable to Act 2 Geo. III.

XI. And be it further enacted, That in caſe any Perſon or Perſons ſhall take and receive of and from any Man ballotted to ſerve in the ſaid Militia, or of and from any Perſon employed by him for that Purpoſe, any Sum or Sums of Money for the Purpoſe of ſerving as a Subſtitute in the Militia, in the Room of ſuch ballotted Man, as aforeſaid, and ſhall afterwards neglect to appear at the uſual Meeting appointed for ſwearing the Militia Man, or before ſome one Deputy Lieutenant, in the Manner and according to the Directions of an Act, made in the ſecond Year of his preſent Majeſty's Reign (intituled, *An Act to explain, amend, and reduce into one Act of Parliament, the ſeveral Laws now in being relating to the raiſing and training the Militia within that Part of* Great Britain *called* England), ſuch Perſon or Perſons ſo neglecting as aforeſaid, upon Conviction thereof before any Juſtice of the Peace, or before any Deputy Lieutenants

at their ſaid Meeting, ſhall not only return the Sum ſo by him taken and received, but ſhall forfeit and pay any Sum not exceeding twenty Shillings, to be paid to the ballotted Man, or to the Poor of the Pariſh, at the Diſcretion of the Juſtices or Deputy Lieutenants; and if ſuch Offender ſhall not immediately pay the Sum ſo by him received, and the ſaid Penalty, he ſhall be committed to the Houſe of Correction for the Space of fourteen Days.

Commanding Officer of every Company of Militia to lay out, to the moſt Advantage of each Man under his Command, the Guinea to which he is entitled, by Act 2 Geo. III. on receiving Orders to march out of the County.

XII. And be it further enacted, That it ſhall and may be lawful for the Captain, or other commanding Officer of each Company of Militia, to lay out, in the Manner moſt advantageous for the Militia Man under his Command, the Sum of one Guinea, which, by the ſaid recited Act, paſſed in the ſecond Year of the Reign of his preſent Majeſty, is directed to be paid to all Militia Men, when the Regiment, Battalion, or Independent Company, to which they belong, is ordered to be embodied, and march out of the County, and to every Recruit who ſhall afterwards join the Regiment, Battalion, or Company, giving an Account, within three Months, or as ſoon as deſired, to the Militia Man ſo intitled to receive the ſaid Sum of one Guinea, how ſuch Money has been expended.

Deputy Lieutenants, &c. who have ballotted and ſworn in Militia Men before the Time appointed by Law, are hereby indemnified, and their Proceedings declared valid.

'XIII. And whereas the Deputy Lieutenants, Chief Magiſtrates, and Juſtices of the Peace, in ſeveral 'Counties, Cities, and Places, where the Militia have been raiſed, have, in ſome Inſtances, proceeded to 'chuſe by Lot, and to ſwear in Militia Men and Subſtitutes for ſuch reſpective Counties, Cities, and 'Places, previous to the Times at which the ſame ought to have been done, purſuant to the Proviſions 'contained in the Militia Laws now in being;' be it enacted by the Authority aforeſaid, That ſuch Proceedings of the ſaid Deputy Lieutenants, Chief Magiſtrates, and Juſtices of the Peace, are hereby declared valid and effectual, and the ſaid Deputy Lieutenants, Chief Magiſtrates, and Juſtices of the Peace, are hereby reſpectively indemnified for ſuch their Proceedings.

Recital of a Clauſe in Militia Act 2 Geo. III.

'XIV. And whereas, by an Act, made in the ſecond Year of the Reign of his preſent Majeſty (in-'tituled, *An Act to explain, amend, and reduce into one Act of Parliament, the ſeveral Laws now in being re-'lating to the raiſing and training the Militia within that Part of* Great Britain *called* England), it is (amongſt 'other Things) enacted, That in caſe any Perſon ſhall be choſen by Lot to ſerve in the Militia, for any 'Pariſh, Tithing, or Place, or Pariſhes, Tithings, or Places, and ſuch Perſon ſhall be ſworn and inrolled, 'or ſhall provide a fit Perſon to ſerve as his Subſtitute, who ſhall be ſworn and inrolled, the Church-'warden or Overſeer, or Churchwardens or Overſeers, of ſuch Pariſh, Tithing, or Place, ſhall, within 'one Month after the Time of ſuch ſwearing or inrolling of the Man ſo choſen by Lot, or of the 'Subſtitute reſpectively, pay to every ſuch Perſon ſo choſen by Lot, if the Regiment or Battalion, in 'which he or his Subſtitute ſhall ſerve, ſhall be then embodied, any ſuch Sum of Money, not ex-'ceeding five Pounds, as three Deputy Lieutenants, or two Deputy Lieutenants and one Juſtice, or 'one Deputy Lieutenant and two Juſtices, in whoſe Preſence ſuch Perſon ſhall be choſen by Lot, ſhall ad-'judge to be, as near as may be, one Half of the current Price then paid for a Volunteer in the County or 'Riding where ſuch Perſon ſhall be ſo choſen by Lot: And whereas by an Act, made in the eighteenth 'Year of the Reign of his preſent Majeſty, intituled, *An Act to amend and render more effectual the Laws* and 18 Geo. III. Cap. 59. '*relating to the raiſing and training the Militia within that Part of* Great Britain *called* England; *and to* '*eſtabliſh certain Regulations with reſpect to Officers ſerving in the Corps of Fencible Men directed to be raiſed* '*in that Part of* Great Britain *called* Scotland, *and certain other Corps therein mentioned*, it is (amongſt other 'Things) enacted, That at any Meeting for any County, City, or Town, whoſe Militia ſhall be at that 'Time on actual Service, it ſhall be lawful for any two or more of the Deputy Lieutenants of ſuch 'County, City, or Town, or for any one Deputy Lieutenant, together with any one Juſtice of the 'Peace of ſuch County, to have and exerciſe all the Powers conferred by the therein (and herein) recited 'Act, with reſpect to the Militia, on any three Deputy Lieutenants, or any two Deputy Lieutenants 'together with any one Juſtice of the Peace, or any one Deputy Lieutenant together with any two 'Juſtices of the Peace of any County at large;' now, be it hereby enacted by the Authority aforeſaid, That in caſe any Churchwarden or Overſeer of any Pariſh, Tithing, or Place, or Pariſhes, Tithings, or Places, ſhall, after the paſſing of this Act, refuſe or neglect to pay to any Perſon choſen by Lot as aforeſaid, who ſhall have been ſworn and inrolled, or who ſhall have provided a fit Perſon to ſerve as his Subſtitute, who ſhall have been ſworn and inrolled, within one Month after ſuch Swearing and Inrolling, ſuch Sum, not exceeding five Pounds, as two Deputy Lieutenants, or one Deputy Lieutenant and one Juſtice of the Peace of ſuch County, Riding, City, or Place, ſhall adjudge to be as near as may be one Half of the current Price then paid for a Volunteer in the County or Riding where ſuch Perſon ſhall be ſo choſen by Lot, upon his producing to ſuch Churchwarden or Overſeer an Order for that Purpoſe, under the Hands of two Deputy Lieutenants, or one Deputy Lieutenant and one Juſtice of the Peace of ſuch County, Riding, City, or Place, the Militia thereof then being embodied, and in actual Service; that ſuch Churchwarden or Overſeer, ſo refuſing or neglecting, ſhall forfeit the Sum of ten Pounds, to be levied by Diſtreſs and Sale of the Goods and Chattels of ſuch Churchwarden or Overſeer, by Warrant under the Hand and Seal of any one Juſtice of the Peace of the County, Riding, City, or Place, where ſuch Churchwarden or Overſeer ſhall dwell, rendering the Overplus (if any) on Demand, after deducting the Charges of ſuch Diſtreſs and Sale, to ſuch Churchwarden or Overſeer; and one Half of which Sum ſhall be paid to the Perſon ſo choſen by Lot as aforeſaid, in Lieu of the Sum ordered to be paid to him as aforeſaid, and the other Half thereof to the Clerk of the Regiment or Battalion, to be added to the common Stock.

Every Churchwarden, &c. who ſhall refuſe to pay to any Perſon choſen by Lot, and ſworn, or who ſhall have provided a Subſtitute, ſuch Sum, not exceeding 5l. as ſhall be adjudged, by the Deputy Lieutenants, &c. to be Half the current Price paid for a Volunteer (on producing a proper Order for that Purpoſe), ſhall forfeit 10l. Application thereof.

So much of the Militia Act of laſt Seſſion as relates to the Half-pay of Lieutenants and Enſigns ſerving in

XV. And be it further enacted by the Authority aforeſaid, That ſo much of an Act, paſſed in the laſt Seſſion of Parliament, intituled, *An Act to amend and render more effectual the Laws relating to the raiſing and training the Militia within that Part of* Great Britain *called* England; *and to eſtabliſh certain Regulations with reſpect to Officers ſerving in the Corps of Fencible Men directed to be raiſed in that Part of* Great Britain *called* Scotland, *and certain other Corps therein mentioned*, as relates to the Half-pay of Lieutenants and Enſigns

the Militia, &c. repealed.

ſigns ſerving in the Militia, and the Oath therein directed to be taken by them, be, and the ſame is hereby repealed.

Perſons intitled to Half-pay not to forfeit it whilſt they ſerve as Lieutenants, &c. in the Militia.

XVI. And be it further enacted by the Authority aforeſaid, That no Perſon who is intitled to Half-pay ſhall be deemed or taken to forfeit or quit ſuch Half-pay during the Time he ſhall ſerve as Lieutenant, Enſign, Adjutant, Quarter-maſter, or Surgeon, in any Regiment of Militia, but that the ſame ſhall nevertheleſs continue; and inſtead of the Oath now appointed, ſuch Officer ſhall take the following Oath:

New Oath for Half-pay Officers ſerving in the Militia.

'I *A. B.* do ſwear, That I had not, between the any Place or Employment of Profit, Civil or Military, under his Majeſty, beſides my Allowance of Half-pay, as a reduced in late Regiment of (*or* Allowance as in late Troop of Horſe Guards, *or* Regiment of Horſe reduced), ſave and except my Pay as Lieutenant, Enſign, Adjutant, Quarter-maſter, *or* Surgeon *(as the Caſe may be)*, for ſerving in a Regiment of Militia.'

And the taking of the ſaid Oath ſhall be ſufficient to intitle ſuch Perſon to receive his Half-pay, or the ſaid Allowance, without taking any other Oath; any Thing in the ſaid recited Act, or any other Law, Statute, or Uſage to the contrary notwithſtanding.

Half-pay not to be forfeited for ſerving as Lieutenant, &c. in the Fencibles.

XVII. And be it further enacted by the Authority aforeſaid, That no Perſon who is intitled to Half-pay ſhall be deemed or taken to forfeit or quit ſuch Half-pay, during the Time he ſhall ſerve as a Lieutenant, Enſign, Adjutant, Quarter-marter, or Surgeon, in any Regiment of Fencible Men, but that the ſame ſhall nevertheleſs continue; and inſtead of the Oath now appointed, ſuch Officer ſhall take the following Oath:

New Oath for Half-pay Officers ſerving in the Fencibles.

'I *A. B.* do ſwear, That I had not, between the any Place or Employment of Profit, Civil or Military, under his Majeſty, beſides my Allowance of Half-pay, as a reduced in late Regiment of (*or* Allowance as in late Troop of Horſe Guards, *or* Regiment of Horſe reduced), ſave and except my Pay as a Lieutenant, Enſign, Adjutant, Quarter-maſter, *or* Surgeon *(as the Caſe may be)*, for ſerving in a Regiment of Fencible Men.'

And the taking of the ſaid Oath ſhall be ſufficient to intitle ſuch Perſon to receive his Half-pay, or the ſaid Allowance, without taking any other Oath; any Thing in the ſaid recited Act, or any other Law, Statute, or Uſage, to the contrary notwithſtanding.

Serjeants on the Eſtabliſhment of Chelſea Hoſpital at 1s. a Day, being appointed to ſerve in the Fencibles, ſhall receive the ſaid Allowance, together with their Pay in the Fencibles.

XVIII. And be it enacted by the Authority aforeſaid, That any Perſon being a Serjeant on the Eſtabliſhment of *Chelſea Hoſpital*, at an Allowance of Twelve-pence a Day, and being appointed to ſerve in any Corps of Fencible Men, ſhall and may receive the ſaid Allowance of Twelve-pence a Day, together with his Pay from the ſaid Corps of Fencible Men; any Law, Uſage, or Cuſtom, to the contrary notwithſtanding.

The Duty of Clerks of Subdiviſion Meetings.

XIX. And be it enacted by the Authority aforeſaid, That the Clerk or Clerks of the Subdiviſion Meetings ſhall, after any Subdiviſion Meeting hath been appointed, give reaſonable Notice in Writing, of the Time and Place appointed for the ſame, to every Deputy Lieutenant and Juſtice of the Peace who ſhall be reſident within the ſaid Subdiviſion; and alſo to the Commanding Officer of the Regiment, if on actual Service, or, if not on actual Service, to the Colonel thereof, an Account of the Days fixed for receiving Liſts, ballotting and ſwearing in the Men, of ſuch Subdiviſion; and ſhall, as ſoon as the Men are ſworn in, likewiſe tranſmit to the Commanding Officer or Colonel as aforeſaid, a Liſt, ſpecifying the Names, Trades, and uſual Places of Abode, of ſuch Men as are ſworn, and, if Subſtitutes, the Names, Trades, and Places of Abode, of the Principals in the Room of whom they were ſworn.

Recital of Part of the Militia Act 2 Geo. III. relating to Subdiviſion Meetings.

'XX. And whereas, by an Act, made in the ſecond Year of the Reign of his preſent Majeſty, intituled, *An Act to explain, amend, and reduce into one Act of Parliament, the ſeveral Laws now in being relating to the raiſing and training the Militia within that Part of* Great Britain *called* England, it is enacted, That, in the ſeveral Counties, Ridings, and Places, where the Militia has been, or ſhall be, raiſed, four Subdiviſion Meetings ſhall, on the laſt *Tueſday* in *May*, or on the laſt *Tueſday* in *October*, be appointed for the Purpoſes of the ſaid Act; and ſeveral Directions, Proviſions, and Penalties, are contained in the ſaid Act, reſpecting the ballotting, inrolling, and providing Subſtitutes, and for other Purpoſes, to be done at ſuch four Subdiviſion Meetings: And whereas Subdiviſion Meetings are likewiſe, by the ſaid Act, directed to be held, upon ſeven Days Notice being given, for filling up Vacancies in the Militia, and for other Purpoſes therein mentioned; but Doubts have ariſen whether the ſeveral Powers, Proviſions, and Penalties, in the ſaid Act contained, can extend to enforce the Orders made at any other Subdiviſion Meeting than at the four that may be appointed by the General Meetings on the laſt *Tueſday* in *May*, or on the laſt *Tueſday* in *October*;' be it therefore enacted by the Authority aforeſaid, That in all Caſes where Ballots are directed to be taken by any of the Laws relating to the Militia, every Perſon choſen purſuant to the ſaid Acts, at any Subdiviſion Meeting thereby appointed, ſhall be inrolled, and every Subſtitute provided ſhall ſubſcribe his Conſent to ſerve, and ſhall ſerve in the ſaid Militia for the Space of three Years, and ſhall be liable and ſubject to all the ſeveral Directions, Proviſions, and Penalties, in the ſaid herein-before recited Act of the ſecond of his preſent Majeſty contained, or in any other Act relating to the Militia of this Kingdom.

Every Perſon ballotted purſuant to the Militia Laws, at any Subdiviſion Meeting, ſhall be inrolled; and every Subſtitute ſubſcribe his Conſent to ſerve for three Years.

Recital of a Clauſe in the Militia Act 18 Geo. III.

'XXI. And whereas, by the ſaid Act of the eighteenth Year of his preſent Majeſty, Power is given to the Deputy Lieutenants and Juſtices, upon Certificate from the Commanding Officer of any Regiment, Battalion,

'Battalion, or Company, to ballot for other Men to serve in the Militia, where the Time of any Militia-'man shall be within four Months of its Expiration, when the Regiment shall be embodied, and at a Dis-'tance from Home: And whereas Doubts have arisen how far the same Power extends when the Regi-'ment shall be embodied, and within the County; and it is highly expedient that the said Clause should 'be explained and made clear, so that no future Doubts may arise thereupon;' be it enacted by the Authority aforesaid, That all the same and like Powers, Directions, and Provisions, given by that Act to the Commanding Officers, Deputy Lieutenants, Justices, and others, with respect to the ballotting for proper Men to serve in the Militia, in Lieu of others, four Months previous to the Expiration of their Time, when embodied, and at a Distance from Home, shall be, and are hereby continued and given to the Commanding Officers, Deputy Lieutenants, Justices, and others, to proceed to ballot for such other Men, and to execute the Powers necessary thereto, at any Time within four Months previous to the Expiration of their Time, when the Regiment, Battalion, or Company, shall be within the County, Riding, or Place, to which it belongs, or in any other County, Riding, or Place; and further, that the Commanding Officer of the Regiment, Battalion, or Company, shall have Power to discharge such Number of Men of his Regiment, Battalion, or Company serving therein, whose Times of Service are within the Time of the Expiration aforesaid, and to receive such other Men, in Lieu thereof, as shall be so ballotted, or inrolled and sworn in as ballotted Men or Substitutes, at any Time within the Term so allowed, whether the Regiment shall be within the County, or absent from Home in any other Part of the Kingdom; and the Time of the Service of such Men so received, sworn in, and inrolled, shall commence at any Time within the Term allowed as aforesaid, or at the End thereof.

The same Powers given by that Act to Commanding Officers, Deputy Lieutenants, &c. respecting ballotting four Months previous to the Expiration of the Time of Service, when the Regiment, &c. shall be at a Distance from Home, are hereby continued, whether they are in or out of the County.

Commanding Officer impowered to discharge so many of his Men whose Time of Service is near expired, as there are others ballotted as aforesaid to supply their Places.

'XXII. And whereas it frequently happens that Persons drawn, by Ballot, to serve in the Militia, ne-'glect to appear, agreeable to the Order of the Deputy Lieutenants and Justices of the Peace, to be sworn 'in and inrolled, or to find a Substitute to serve in their Stead, or to pay the Sum of ten Pounds, and such 'Persons so neglecting have not sufficient Effects whereon to levy the said Sum by Distress and Sale, and 'by the Laws now in being, in case they are apprehended for such Failure or Neglect, can only be pu-'nished by three Months Imprisonment in the House of Correction, which Punishment is by no Means 'adequate, when the Militia in which they are drawn to serve are embodied;' be it therefore enacted, for Remedy thereof, That, from and after the passing of this Act, whenever any Person drawn, by Ballot, to serve in any Militia Regiment or Company, shall neglect to appear to be sworn in, or to find a Substitute to serve in his Stead, or to pay the Sum of ten Pounds, or shall not have sufficient Effects whereon to levy the same by Distress and Sale, and be afterwards apprehended, by Warrant from any Deputy Lieutenant or Justice of the Peace, for such Offence, instead of being punished by Commitment to the House of Correction, as aforesaid, his Name shall be entered on the Rolls, and he shall be delivered over to some proper Officer of the Regiment or Company for which he was drawn, and be compelled to serve for the full Term of three Years from the Time of his Apprehension, and be liable to the same Punishments for afterwards absconding, deserting, or otherwise, as if he had originally attended, and been duly sworn and inrolled.

If any Person ballotted to serve in the Militia, shall not appear to be sworn in, nor find a Substitute, nor pay 10*l.* &c. but shall be afterwards apprehended, his Name shall be entered on the Rolls, and he shall be delivered to a proper Officer, and compelled to serve three Years.

'XXIII. And whereas, by an Act, passed in the Second Year of his Majesty's Reign, intituled, *An Act 'to explain, amend, and reduce into one Act of Parliament, the several Laws relating to the Militia Forces in 'that Part of* Great Britain *called* England, certain Powers were granted to Deputy Lieutenants and Jus-'tices to hold Subdivision Meetings, and to order fresh Ballots for the Purpose of filling up Vacancies, in 'the Cases therein mentioned, giving seven Days Notice of such Meetings; and Doubts have arisen to 'what Cases or Vacancies such Powers extend;' be it enacted, That the said Deputy Lieutenants and Justices shall, and they are hereby required, in all Cases, when a regular Discharge of any Militia Man shall be produced to them, from any Commanding Officer, certifying the Reason of such Discharge, and that such Reason renders such Militia Man unfit for Service, to proceed to confirm the same, and also to cause the Lists to be amended, and other Persons to be chosen to fill up such Vacancies, in like Manner as in and by the said recited Act, or any other Law now in Force relating to the Militia, is directed and provided.

Deputy Lieutenants, &c. on receiving from a Commanding Officer a regular Discharge of any Militia Man, &c. are to chuse another in his Stead.

'XXIV. And whereas great Inconveniencies have arisen from certain Powers granted by an Act, passed 'in the eighteenth Year of his Majesty's Reign, intituled, *An Act for defraying the Charge of the Pay and 'Cloathing of the Militia, in that Part of* Great Britain *called* England, *for one Year, beginning the twenty-fifth 'Day of* March, *one thousand seven hundred and seventy-eight; and for filling up Vacancies in the Militia, in 'the Cases therein mentioned*;' be it enacted, That so much of the said Act as relates to the Powers granted to Deputy Lieutenants and Justices, and to Colonels or Commanders of Regiments or Battalions, to discharge Militia Men, and order fresh Ballots, before the Expiration of the Term for which such Militia Men shall have been chosen by Lot, and inrolled to serve, shall be, and the same is hereby repealed.

Part of 18 Geo. III. Cap. 14. repealed.

'XXV. And whereas, by the Militia Laws now in being, it is enacted, That his Majesty's Lieute-'nant for every County, Riding, and Place, together with any two Deputy Lieutenants, or in the Ab-'sence, Removal, or Death, of his Majesty's Lieutenant, any three Deputy Lieutenants, shall, for se-'veral of the Purposes in the said Act declared, appoint Subdivisions of the said Deputy Lieutenants, 'within their respective Counties, Ridings, and Places, and shall issue out their Orders to the Chief Con-'stable, and where there is no Chief Constable, to some other Officer of the several Hundreds, Rapes, 'Laths, Wapentakes, or other Divisions, within their respective Counties, Ridings, and Places, to require, 'by Orders under their Hands, the Constable, Tithing-man, Headborough, or other Officer, of each Pa-'rish, Tithing, or Place, within their respective Hundreds, Rapes, Laths, Wapentakes, or other Divi-'sions, to return to the Deputy Lieutenants, within their respective Subdivisions, at the Place and on the 'Day appointed at the said first General Meeting, fair and true Lists in Writing of the Names of all the Men 'usually,

Recital of Part of former Militia Laws relating to the appointing of Subdivisions of Deputy Lieutenants.

'uſually, and at that Time, dwelling within their reſpective Pariſhes, Tithings, and Places, between the 'Ages of eighteen and forty-five, diſtinguiſhing their reſpective Ranks and Occupations, and for the ſeveral 'other Purpoſes in the ſaid Act directed: And whereas, for the different Rapes in the County of *Suſſex*, 'there are no Peace Officers who can act officially as belonging to the ſaid Rapes: And whereas the Rapes 'in the ſaid County are the moſt convenient Diſtricts to be appointed as the Subdiviſions for the Deputy 'Lieutenants to execute the ſeveral Purpoſes directed by the ſaid Acts, and do contain within their Bound-'aries ſeveral Hundreds, to each of which there is a Peace Officer belonging: And whereas the Boroughs 'and Tithings, over which there are Headboroughs, Tithingmen, or other Peace Officers, are uncertain in 'their Boundaries, and often include Parts of various Pariſhes, from which great Inconveniencies ariſe, 'both in ballotting for the Men to be drawn by Lot for the Service of the ſaid Militia, and alſo in the 'Payment of the Money directed to be paid by the Pariſhes to thoſe who may be allotted to ſerve: And 'whereas it would be more expedient that the ballotting for Men to ſerve in the ſaid Militia for the County 'of *Suſſex* ſhould be by the Diviſion of Pariſhes, to which Diviſion there are no Peace Officers;' be it

Lord Lieutenant of Suſſex, after the laſt Tueſday in next October, to iſſue Orders to the Chief Conſtables of Hundreds to iſſue their Precepts to Churchwardens, &c. to return to the Deputy Lieutenants Liſts of the Names of all Men dwelling in their Pariſhes between the Ages of 18 and 45, &c. Churchwardens and Overſeers, for the Purpoſes of the Militia Laws, to be deemed the Officer of ſuch Pariſh, &c.

therefore enacted by the Authority aforeſaid, That, from and after the laſt *Tueſday* in *October* next, his ſaid Majeſty's Lieutenant, or on his Death or Removal, or on his Abſence, any three or more Deputy Lieutenants of the County of *Suſſex*, ſhall and may iſſue out his or their Orders to the Chief Conſtable of the ſeveral Hundreds in the Rapes in the ſaid County where their Subdiviſions may have been or may be appointed, directing ſuch Chief Conſtables to iſſue their Precepts to the Churchwardens or Overſeers of the Poor of each Pariſh within their reſpective Hundreds or other Diviſions, to return to the Deputy Lieutenants within their reſpective Subdiviſions, at the Place and on the Days by them directed, fair and true Liſts in Writing of the Names of all the Men uſually dwelling within their reſpective Pariſhes, between the Ages of eighteen and forty-five, diſtinguiſhing their reſpective Ranks and Occupations, and for ſuch ſeveral other Purpoſes as are directed to be done by the Conſtables, Tithingmen, Headborough, or other Officer, of each Pariſh, Tithing, or Place, within their reſpective Hundreds or other Diviſions, in an Act, made in the ſecond Year of his preſent Majeſty, intituled, *An Act to explain, amend, and reduce into one Act of Parliament, the ſeveral Laws now in being relating to the raiſing and training the Militia within that Part of* Great Britain *called* England; and that the Churchwardens and Overſeers of the Poor of the ſeveral Pariſhes in the ſaid County, to whom ſuch Orders ſhall be iſſued, ſhall, for the Purpoſes of the ſeveral Acts of Parliament relating to the Militia of this Kingdom, be deemed the Officer of ſuch Pariſh, and ſhall be inveſted with all the Powers and Authorities, and be liable to the ſeveral Pains, Penalties, and Forfeitures, as the Conſtable, Tithingman, Headborough, or other Officer, of any Pariſh, Tithing, or Place, are ſubject and liable to, for or upon account of his refuſing or neglecting to return ſuch Liſts, as aforeſaid, or being guilty of Fraud or wilful Partiality in making thereof, or not attending the Orders iſſued by his Majeſty's Lieutenant, or any three Deputy Lieutenants, or for the ſeveral other Offences in the ſaid recited Act or in the preſent Act contained.

## CAP. LXXIII.

An Act for enabling his Majeſty to raiſe the Sum of one million, for the Uſes and Purpoſes therein mentioned.

## CAP. LXXIV.

An Act to explain and amend the Laws relating to the Tranſportation, Impriſonment, and other Puniſhment, of certain Offenders.

Preamble.

'WHEREAS the Puniſhment of Felons, and other Offenders, by Tranſportation to his Majeſty's 'Colonies and Plantations in *America*, is attended with many Difficulties:' Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That, from and after the firſt Day of *July*, one thouſand ſeven hundred and ſeventy-nine, when any Perſon, at any Seſſion of Oyer and Terminer, or Gaol Delivery, or at any Quarter or other General Seſſion of the Peace, to be holden for any County, Riding, Diviſion, City, Corporation, or Place, within that Part of *Great Britain* called *England*, or at any Great Seſſion to be holden for the County Palatine of *Cheſter*, or within the Principality of *Wales*, ſhall be lawfully convicted of any Grand or Petty Larceny, or any other Crime, for which he or ſhe is or ſhall be liable by Law to be tranſported to any of his Majeſty's Colonies or Plantations in *America*; or if any Perſon convicted of ſuch Crime hath already been ordered to be tranſported, but ſuch Order hath not yet been executed; it ſhall and may be lawful for the Court before which any ſuch Perſon hath been or ſhall be ſo convicted; or any Court holden for the ſame Place with like Authority, if ſuch Court ſhall think fit, to order and adjudge that ſuch Perſon ſhall be tranſported to any Parts beyond the Seas, whether the ſame be ſituated in *America*, or elſewhere, in ſuch and the like Manner, and for any Term of Years not exceeding ſuch and the ſame Term as and for which ſuch Perſon is or ſhall be liable to be tranſported to any of his Majeſty's Colonies and Plantations in *America* aforeſaid; any Law, Statute, or Uſage, to the contrary notwithſtanding.

When any Perſon is convicted, in England or Wales, of any Crime puniſhable by Tranſportation to America, the Court may order him to be tranſported to any Parts beyond the Seas, either in America, or elſewhere.

When any Convict ſhall be ordered for Tranſportation as aforeſaid, or any Offender, excluded from Be-

II. And be it further enacted, That when any ſuch Perſon, who hath already been, or ſhall hereafter be ſo convicted, ſhall, in conſequence thereof, be ordered to be tranſported to any Parts beyond the Seas, or if his Majeſty, his Heirs and Succeſſors, ſhall hereafter be graciouſly pleaſed to extend the Royal Mercy to any Offender convicted or attainted of any Felony by which he or ſhe is excluded from the Benefit of Clergy, or of ſuch Statutes as are equivalent thereunto, upon the Condition of Tranſportation to any Parts

beyond the Seas as aforesaid, then and in any such Cases all Laws, Statutes, Usages, and Customs now in Force, with regard to the Transportation of Criminals to any of his Majesty's Colonies or Plantations in *America*, and their Punishment for being afterwards at large, within any Part of the Kingdom of *Great Britain*, before the Expiration of the several Terms for which they were ordered to be transported, or had agreed to transport themselves, and particularly the several Provisions contained in an Act, made in the fourth Year of King *George* the First, intituled, *An Act for the further preventing Robbery, Burglary, and other Felonies; and for the more effectual Transportation of Felons, and unlawful Exporters of Wool; and for declaring the Law upon some Points relating to Pirates*; and in one other Act, made in the sixth Year of King *George* the First, intituled, *An Act for the further preventing Robbery, Burglary, and other Felonies; and for the more effectual Transportation of Felons*; and in one other Act, made in the sixteenth Year of his late Majesty King *George* the Second, intituled, *An Act for the more easy and effectual Conviction of Offenders found at large within the Kingdom of* Great Britain, *after they have been ordered for Transportation*; and in one other Act, made in the eighth year of his present Majesty, intituled, *An Act for the more speedy and effectual Transportation of Offenders*; shall take place, be in Force, and enure, with regard to the Transportation of all such Offenders as aforesaid, to any Part or Parts beyond the Seas, and with regard to their Punishment for being afterwards at large in this Kingdom before the Expiration of their respective Terms, in like Manner as if the same had been repeated and specially inserted in this Act.

nefit of Clergy, shall receive his Majesty's Pardon on Condition of Transportation as aforesaid, all Laws relating to Transportation of Criminals to America, and their returning before the Expiration of their Term, shall be in Force with respect to the Offenders first mentioned.

'III. And whereas the Punishment of Burning in the Hand, when any Person is convicted of Felony 'within the Benefit of Clergy, is often disregarded, and ineffectual; and sometimes may fix a lasting Mark 'of Disgrace and Infamy on Offenders, who might otherwise become good Subjects, and profitable Mem-'bers of the Commonwealth;' be it therefore enacted, That, from and after the passing of this Act, when any Person shall, in any of the Courts before mentioned, be lawfully convicted of any Felony within the Benefit of Clergy, for which he or she is liable by Law to be burned or marked in the Brawn of the left Thumb, it shall and may be lawful for the Court before which any Person shall be so convicted, or any Court holden for the same Place with the like Authority, if such Court shall think fit, instead of such Burning or Marking, to impose upon such Offender such a moderate pecuniary Fine as to the Court in its Discretion shall seem meet; or otherwise it shall be lawful, instead of such Burning or Marking, in any of the Cases aforesaid, except in the Case of Manslaughter, to order and adjudge that such Offender shall be once, or oftener, but not more than three Times, either publicly or privately whipped, such private Whipping to be inflicted in the Presence of not less than two Persons, besides the Offender and the Officer who inflicts the same; and in case of Female Offenders, in the Presence of Females only; and such Fine or Whipping, so imposed or inflicted, instead of such Burning or Marking, shall have the like Effects and Consequences to the Party on whom the same, or either of them, shall be so imposed or inflicted, with respect to any Discharge from the same, or other Felonies, or any Restitution to his or her Estates, Capacities, and Credits, as if he or she had been burned or marked as aforesaid.

When any Person is convicted of any Felony for which he shall be liable to be burnt in the Hand, the Court may, instead thereof, impose on him a moderate Fine; or order him to be whipped.

IV. Provided always, and be it further enacted, That nothing in this Act contained shall abridge or deprive any of the said Courts of the Powers now vested in them by Law of detaining and keeping in Prison, for any Time not exceeding one Year, or of committing to the House of Correction, or public Workhouse, to be kept to hard Labour for any Time not less than six Months, or exceeding two Years, any such Offender as aforesaid; but that such Offender may, if such Court shall think fit, after such Burning or Marking, or after such Whipping or Fine, as shall by virtue of this present Act be inflicted or imposed instead thereof, be so detained or committed, and with such accumulated Punishment, in case of Escape from such House of Correction or Workhouse, as if this Act had never been made.

This Act not to abridge the Powers vested in the said Courts of imprisoning Offenders.

'V. And whereas, if many Offenders, convicted of Crimes for which Transportation hath been usually 'inflicted, were ordered to solitary Imprisonment, accompanied by well-regulated Labour, and religious 'Instruction, it might be the Means, under Providence, not only of deterring others from the Commission 'of the like Crimes, but also of reforming the Individuals, and inuring them to Habits of Industry;' be it therefore further enacted, That it shall and may be lawful for his Majesty, in his Privy Council, to appoint three Persons to be Supervisors of the Buildings to be erected in pursuance of this Act, and from Time to Time to remove them, or any of them, and appoint others in the Place of such as shall be so removed, or shall die, or resign their Trust; and the said Supervisors, or any two of them, shall, as soon as conveniently may be, fix upon any Common, Heath, or Waste, or any other Piece or Pieces of Ground, which may be lawfully purchased under the Powers of this Act, and which shall be situated within any one of the Counties of *Middlesex*, *Essex*, *Kent*, or *Surrey*, upon which they, or any two of them, shall erect, or cause to be erected, two plain, strong, and substantial Edifices or Houses, which shall be called *The Penitentiary Houses*, for the Purpose of confining and employing in hard Labour, in one of the said Houses, such Male Convicts, and in the other, such Female Convicts, as, in pursuance of the Powers herein-after contained, shall be ordered to Imprisonment and hard Labour: Provided always, That in fixing upon such Piece or Pieces of Ground as aforesaid, Regard shall be especially had to Healthiness and the Accommodation of Water, avoiding, as far as possible, any Place where other Buildings are or may be erected contiguous to, or within a small Distance from the outward Fence or Inclosure of such Houses, or a Situation within any populous Town: Provided also, That the Situation and other Circumstances of such Piece or Pieces of Ground shall be reported to and approved of by the Lord Chancellor, the Speaker of the House of Commons, the Justices of the Courts of King's Bench and Common Pleas, the Barons of the Coif of the Court of Exchequer, and the Lord Mayor of *London*, for the Time being respectively, or by any eight or more of them, before the same shall be finally fixed upon, or any Purchase made of the same.

His Majesty impowered to appoint three Supervisors, who are to fix upon a Piece of Ground, and to erect thereon two substantial Edifices, to be called Penitentiary-Houses, for confining and employing Convicts.

In the Choice of the Ground, special Regard to be had to Healthiness and Accommodation of Water, &c. The Situation, &c. to be approved of by the Lord Chancellor, the Speaker, the Judges, and Lord Mayor.

VI. And be it further enacted, That when such Piece or Pieces of Ground shall be fixed upon, with such Approbation as aforesaid, the said Supervisors, or any two of them, shall, as soon as may be, contract for the absolute Purchase, in Fee-simple, of the said Piece or Pieces of Ground, for the Purpose of erect-

After such Approbation, the Supervisors to purchase the

Ground, which shall be conveyed to the Clerk of Assize of the Home Circuit for the Time being.

ing thereon such Penitentiary Houses, and other Buildings and Inclosures, in such Manner as herein is directed; which Ground so to be purchased shall be conveyed to the Clerk of Assize of the Home Circuit for the Time being, and to his Successors for ever; and the said Clerk of Assize for the Time being is hereby made and declared to be a Corporation Sole, for the special Purpose of being capable to take and hold, in perpetual Succession, the said Piece or Pieces of Ground for the Uses and Purposes of this Act.

Incapacitated Persons impowered to sell and convey for the Purposes of this Act.

VII. And be it further enacted, That it shall and may be lawful for all Corporations Aggregate or Sole, Ecclesiastical, Civil, or Eleemosynary, Husbands, Guardians, Committees, Executors, Administrators, and all Trustees whatsoever, not only on Behalf of themselves, but also on Behalf of their *Cestuique* Trusts, whether Infants or Issue unborn, Lunatics, Idiots, *Femes-covert*, or other Person or Persons under any Disability whatsoever, and also for all other Persons who are or shall be seised, possessed of, or interested in, any Piece or Pieces of Ground on which the said Penitentiary Houses, or either of them, shall be appointed to be erected, to contract or agree for, sell, convey, and assure such Piece or Pieces of Ground unto such Clerk of Assize for the Time being; and all such Contracts, Agreements, Sales, Conveyances, and Assurances, shall be valid and effectual in the Law, to all Intents and Purposes whatsoever, any Law, Statute, Usage, or Custom, to the contrary notwithstanding, and all Corporations and Persons so agreeing or conveying, are hereby indemnified for what they shall respectively do by virtue of this Act.

Sums paid for Ground to Corporations, &c. to be laid out in the Purchase of Lands subject to the same Limitations, &c.;

VIII. And be it further enacted, That all Sums of Money which shall be agreed to be paid to any Corporations, Husbands, Executors, Administrators, Guardians, Committees, or other Trustees whatsoever, for or on Behalf of any Infants, Lunatics, Idiots, *Femes-covert*, or other *Cestuique* Trusts, or to any other Person or Persons whose Lands shall be limited in strict Settlement, for the Purchase of any such Piece or Pieces of Ground as aforesaid, shall, in case such Sums of Money shall exceed the Sum of one hundred Pounds, be laid out by such Corporations, Husbands, Executors, Administrators, Guardians, Committees, or other Trustees, or any Person or Persons seised of Land so limited in strict Settlement, as soon as conveniently may be, in the Purchase of Lands, Tenements, and Hereditaments, in Fee-simple, to be conveyed to, or to the Use of, such Corporations, Husbands, Executors, Administrators, Guardians, Committees, or other Trustees, and to and for such other Person or Persons, and for such Estate and Estates, and to, for, upon, and subject to such Uses, Trusts, Limitations, Remainders, and Contingencies, as the Lands or Grounds for or in respect whereof such Purchase-money shall be paid as aforesaid, shall be limited, settled, and assured, at the Time such Purchase or Contract shall be made in Manner aforesaid, or such as shall be then capable of taking Effect, the Charges of such Conveyances and Settlements to be paid in the same Manner as the Expence of building on such Ground; and in the mean Time, and until such Purchase or Purchases shall be made, such Money, whether the same shall or shall not exceed the Sum of one hundred Pounds, shall be laid out by such Corporations, or other Persons for the Time being interested therein, in some Government Securities, in the Names of two Persons, one to be nominated by the Party or Parties for the Time being interested therein, and the other by the Supervisors aforesaid; and the Interest arising from such Securities shall be paid to such Person or Persons respectively as would have been intitled to the Rents and Profits of such Piece or Pieces of Ground, in case the same had not been sold, or would for the Time being be intitled to the Rents and Profits of such Lands, Tenements, and Hereditaments so to be purchased, in case the same were purchased and settled as aforesaid.

and, till such Purchase shall be made, to be placed out on Government Security.

If Owners refuse to treat, or to accept the Price offered by the Supervisors, the Value of the Ground to be ascertained by a Jury.

IX. And be it further enacted, That if any such Corporations, Husbands, Guardians, Committees, Executors, Administrators, or other Trustees, or any Person or Persons for the Time being interested in any such Piece or Pieces of Ground as aforesaid, upon Notice to him, her, or them given, or left in Writing at the House or Houses, or other Place or Places of Abode, of such Person or Persons, or of the principal Officer or Officers of any such Corporation, shall, for the Space of twenty-one Days next after such Notice given or left, neglect or refuse to treat, or shall refuse to accept such Price as shall be offered by the said Supervisors, or their Agent, or shall otherwise not agree for the Sale of such Piece or Pieces of Ground, or if, by Reason of Absence or Incapacity, they shall be prevented from treating for such Sale, then, and in every such Case, the said Supervisors, or any two of them, shall cause the Value of such Ground to be inquired into and ascertained by a Jury of indifferent Men of the County, Riding, Liberty, Division, City, Corporation, or Place, wherein the same shall be situated; and to that End shall summon and call before such Jury, and examine upon Oath (which Oath any one or more of such Supervisors is and are hereby impowered to administer), any Person or Persons whomsoever; and such Supervisors, or any two of them, shall, by ordering a View, or otherwise, use all Ways and Means for the Information of themselves, and of such Jury, in the Premises; and when such Jury shall have enquired of and ascertained the Value of such Ground, the said Supervisors shall thereupon order that the Sum or Sums of Money which shall so appear to be the Value of such Ground, shall be paid and applied in such Manner as is herein-before directed touching the Money to be paid for Ground, for Sale whereof the Person or Persons interested shall contract and agree in Manner aforesaid; which Verdict or Inquisition, and Order, shall be filed of Record by the Clerk of the Peace of the said County, Riding, Liberty, Division, City, Corporation, or Place, and shall be final and conclusive, to all Intents and Purposes whatsoever, against all Parties and Persons whomsoever, claiming or to claim in Possession, Remainder, Reversion, or otherwise, their Heirs and Successors, as well absent as present, Infants, *Femes-covert*, Lunatics, Idiots and Persons under any Disability whatsoever, Corporations, Husbands, Guardians, Trustees, Committees, Executors, Administrators, or any other Person or Persons whomsoever.

Witnesses may be examined on Oath.

Supervisors to order such Sum to be paid as shall be ascertained by the Jury.

Verdict of the Jury, and Order thereupon, to be recorded, and final.

How the Jury shall be summoned.

'X. And, for summoning and returning such Juries,' be it further enacted, That such Supervisors, or any two of them, may issue their Warrant or Warrants to the Sheriff or Bailiff of any particular County, Riding, Liberty, Division, City, Corporation, or Place, within the Limits of which the said Ground

ſhall be ſituated, requiring him to impannel, ſummon, and return, an indifferent Jury of twenty-four Perſons, qualified to ſerve upon Juries, to appear before the ſaid Supervifors, or any two of them, at ſuch Time and Place as in ſuch Warrant or Warrants ſhall be appointed; and ſuch Sheriff or Bailiff is and are hereby required to impannel, ſummon, and return, ſuch Number of Perſons accordingly; and out of the Perſons ſo ſummoned, impannelled, and returned, or out of ſuch of them as ſhall appear upon ſuch Summons, the ſaid Supervifors, or any two of them, ſhall, and they are hereby impowered and required to draw by Ballot, and to ſwear, or cauſe to be ſworn, twelve Men, who ſhall be the Jury for the Purpoſes aforeſaid; and in Default of a ſufficient Number of Jurymen ſo returned, the ſaid Sheriff or Bailiff ſhall take ſuch other honeſt and indifferent Men of the By-ſtanders, or that can ſpeedily be procured to attend that Service, to make up the Number of twelve; and all Perſons concerned ſhall have their lawful Challenges againſt any of the ſaid Jurymen when they come to be ſworn; and the ſaid Supervifors, or any two of them, ſhall have Power, from Time to Time, to impoſe a Fine or Fines upon ſuch Sheriff or Bailiff, or his Deputy or Deputies, making Default in the Premiſes, and on any of the Perſons who ſhall be ſummoned and returned on ſuch Jury, and who ſhall not appear, or appearing, ſhall refuſe to be ſworn on the ſaid Jury, or being ſworn, ſhall refuſe to give, or ſhall not give, a Verdict, or ſhall in any other Manner wilfully neglect his or their Duty therein; and alſo on any Perſons who, being ſummoned and required to give Evidence before the ſaid Jury, ſhall refuſe or neglect to appear, or appearing, ſhall refuſe to be ſworn, or to give Evidence; ſo that no ſuch Fine be more than ten Pounds, nor leſs than twenty Shillings, on any one Perſon for one Offence.

Jurors may be challenged.

Supervifors may impoſe a Fine on Sheriff, &c. making Default.

XI. And be it further enacted, That in caſe any Jury ſhall give in and deliver a Verdict for more Money, as the Value of ſuch Ground ſo to be purchaſed, than what ſhall have been offered for the Purchaſe thereof by the ſaid Supervifors or their Agent, to any Perſon capable of contracting for the ſame, the Coſts and Expences of ſummoning and maintaining the Jury and Witneſſes ſhall be borne and paid out of the ſame Fund as the Expence of the Buildings to be erected thereon; but if ſuch Jury ſhall give in and deliver a Verdict for no more, or for leſs Money than the Money which ſhall have been ſo offered by ſuch Supervifors, or their Agent, then the Coſts and Expences of ſummoning and maintaining the ſaid Jury and Witneſſes ſhall be borne and paid by the Perſon or Perſons with whom ſuch Controverſy or Diſpute, touching the Value of ſuch Grounds, ſhall ariſe.

Expences of Jury and Witneſſes by whom to be paid.

XII. And be it further enacted, That upon Payment of the Money ſo ordered to be paid for the Purchaſe of ſuch Grounds and Premiſes, or, upon Refuſal or Inability to receive the ſame, leaving the ſame in the Hands of the Clerk of the Peace of the County where ſuch Penitentiary Houſes are to be built, for the Uſe of the Perſons or Parties intitled thereto, it ſhall be lawful for the ſaid Supervifors, or any two of them, their Workmen or Agents, to enter upon and take Poſſeſſion of ſuch Grounds and Premiſes, for the Uſes and Purpoſes of this Act, and thereupon all ſuch Perſons and Parties ſhall be diveſted of all Right and Title to ſuch Grounds and Premiſes.

On Payment or Tender of Purchaſe Money, Supervifors may take Poſſeſſion of the Premiſes.

XIII. Provided always, and be it further enacted, That nothing in this Act contained ſhall extend to compel the Sale of any Ground, with a Houſe or other Building *bona fide* intended for the Purpoſes of Habitation, upon it; or of any Park, Paddock, Orchard, or other Ground, incloſed for the immediate Convenience of any Houſe, or of the Offices belonging thereto; or any Ground improved as Pleaſure Ground, or planted with Wood; or any incloſed Ground immediately adjoining to any Houſe, Park, Paddock, Garden, Orchard, Yard, or Pleaſure Ground, and occupied therewith; or any Ground between any Houſe and any Park, Paddock, Yard, Offices, Garden, Orchard, or Pleaſure Ground, belonging to ſuch Houſe, and occupied therewith.

Limitation of the Power to compel Owners of Ground to ſell.

XIV. And be it further enacted, That the ſaid Supervifors, or any two of them, ſhall contract with proper Perſons for erecting ſuch Penitentiary Houſes, together with the ſeveral Buildings and Incloſures thereunto belonging, and ſhall ſuperintend the Erection of ſuch Houſes and Buildings, and the due Performance of ſuch Contracts as ſhall be entered into touching the ſame; and the ſaid Penitentiary Houſes ſhall be made ſufficiently large to contain, the one of them ſix hundred Male Convicts, and the other of them three hundred Female Convicts; and each of ſuch Houſes, or the Buildings and Incloſures thereunto belonging, ſhall contain proper Storehouſes, Warehouſes, Workhouſes, and Lodging-rooms, an Infirmary, a Chapel, and Burying-ground, a Priſon divided into dark but airy Dungeons, a Kitchen Garden, and alſo proper airing Grounds, Yards, Offices, and other neceſſary Apartments for the ſeveral Officers and Servants herein-after directed to be appointed: Provided always, That before any ſuch Contracts ſhall be made or entered into by the ſaid Supervifors, the Plan of ſuch Houſes and Buildings, with the Eſtimates of the Expence of erecting the ſame, ſhall be laid before, and approved of by, the ſame Perſons to whom the Approbation of the Piece or Pieces of Ground whereon the ſame are intended to be erected is herein-before referred, or by any eight or more of them: Provided alſo, That the Expences of purchaſing the ſaid Ground, of erecting the ſaid Buildings, and of making a proper Compenſation to the ſaid Supervifors for their Trouble and Charges, being previouſly examined and ſettled, from Time to Time, by the Juſtices of the Peace of the County or Place wherein ſuch Ground ſhall be ſituated, at their Quarter or other General Seſſion, and approved and allowed by the Juſtices of Aſſize, at their then next ſubſequent Aſſizes, or, if in *Middleſex*, by the Juſtices of the Court of *King's Bench*, ſhall from Time to Time be defrayed by Warrants from the Commiſſioners of his Majeſty's Treaſury, or the High Treaſurer for the Time being, and ſhall be provided for in the Manner herein-after mentioned.

Supervifors to ſuperintend the Erection of the Houſes, &c. One of which ſhall be large enough to contain 600 Males, and the other 300 Females; with proper Storehouſes, &c. A Plan of the Buildings, and an Eſtimate of the Expence, to be approved of by the Lord Chancellor, &c. Expences of purchaſing the Ground, and erecting the Buildings, &c. to be defrayed by Warrants from the Treaſury.

XV. And be it further enacted, That it ſhall and may be lawful for his Majeſty in his Privy Council to nominate and appoint three Gentlemen, or other creditable and ſubſtantial Perſons, as and for a Committee to ſuperintend the ſaid Houſes, and from Time to Time to remove all or any of the Perſons compoſing the ſaid Committee, and appoint others in their Stead, or in the Stead of ſuch as ſhall die or reſign; which Perſons ſo compoſing the ſaid Committee, ſhall be intitled to ſuch Allowance *per Diem* for their Trouble and Expences, in every Day's actual Attendance on the Duties of their Office, as the ſaid Juſtices of

His Majeſty impowered to appoint a Committee of three Perſons, to ſuperintend the ſaid Houſes.

of the Peace, at their Quarter or other General Seſſion, with the Approbation and Allowance of the Juſtices of Aſſize, at their then next ſubſequent Aſſizes, or, if in *Middleſex*, by the Juſtices of his Majeſty's Court of *King's Bench*, ſhall from Time to Time order and direct; and the ſaid Committee, or any two of them, ſhall and may appoint a Clerk, to continue during their Pleaſure, with ſuch Salary as they ſhall judge to be reaſonable; which Clerk ſhall keep regular Minutes of the Proceedings of the ſaid Committee: and the ſaid Committee, or any two of them, are alſo hereby authoriſed and required to appoint ſtated Meetings, giving two Days Notice thereof, and from Time to Time to adjourn the ſame, and at ſuch ſtated and adjourned Meetings, and not otherwiſe, nor in any leſs Number, to carry this Act into Execution; and at every ſuch Meeting the Chairman of ſuch Committee ſhall not only have a ſingle Voice or Vote, but, in caſe of Equality of Numbers, a deciſive or caſting Vote.

Committee to appoint a Clerk, who ſhall minute their Proceedings.

XVI. And be it further enacted, That when the ſaid Penitentiary Houſes ſhall be erected, and ſo fitted up as to be ready or nearly ready for the Reception of the Offenders herein-after directed to be ſent thereto, the Committee ſhall elect ſuch Officers as are herein-after directed, and ſhall make Proviſion for Stock and Materials for the Uſe and Employment of the Offenders to be confined in the ſaid Penitentiary Houſes; and alſo ſhall make Orders for the Regulation of the ſaid Houſes, and of ſuch Offenders, in ſuch Caſes as are not by this Act particularly provided for; which Orders of Regulation being approved of by the ſaid Juſtices of the Peace, at their Quarter or other General Seſſions, and confirmed and allowed by the Juſtices of Aſſize at their then next ſubſequent Aſſizes, or, if in *Middleſex*, by the Juſtices of the Court of *King's Bench*, ſhall be carried into Execution; and the ſaid Committee ſhall, in like Manner, from Time to Time, as often as they ſhall think neceſſary, make any other Orders of Regulation, as well for Repeal of ſuch Orders before made, as by way of Addition thereto, which, before they are carried into Execution, ſhall alſo be approved of, confirmed, and allowed by the Juſtices aforeſaid.

Committee to elect Officers, and provide Materials for employing Offenders; and to make Orders of Regulation, which muſt be approved by the Juſtices, &c. before they are carried into Execution.

XVII. And be it further enacted, That for the Regulation and Management of each of ſuch Penitentiary Houſes, and previouſly to the opening thereof for the Reception of Offenders, there ſhall be elected and appointed by the ſaid Committee, a Governor, a Chaplain, a Surgeon or Apothecary, a Storekeeper, and a Taſk-maſter; and alſo, in the Houſe ſet apart for Female Convicts, a Matron; and in each of them, ſuch other Officers as the ſaid Committee, with ſuch Approbation, Confirmation, and Allowance, as aforeſaid, ſhall judge neceſſary; and ſuch Officers ſhall from Time to Time be removeable by any Order of the ſaid Committee; and when any Vacancy ſhall happen, new Officers ſhall be elected by the ſame Authority; and ſuch Salaries and other Allowances ſhall be made to the ſaid Officers, with ſuch Approbation, Confirmation, and Allowance, as aforeſaid, and alſo ſuch of them from whom the ſaid Committee may deem it proper to require Security for the due and faithful Execution of their Offices, ſhall give ſuch Security accordingly, as the ſaid Committee from Time to Time ſhall direct.

Enumeration of Officers to be appointed by the Committee;

who ſhall allow them Salaries.

XVIII. Provided always, That the Salaries of the reſpective Governors and Taſk-maſters ſhall totally, if poſſible, or at leaſt in great Meaſure, ariſe from the Profits of the Work that ſhall be done and performed in each ſeveral Penitentiary Houſe; and the ſaid Committee is hereby required, with ſuch Approbation, Confirmation, and Allowance, as aforeſaid, ſo to order and appoint ſuch Salaries, that the ſame may bear a conſtant Proportion to the Quantity of Labour performed in each ſeveral Houſe, and that it may become the Intereſt, as well as Duty, of each Governor and Taſk-maſter to ſee that all Perſons under his and their Cuſtody and Direction be regularly and profitably employed.

Salaries of Governors and Taſk-maſters to ariſe as much as poſſible from the Profits of Work done in the Houſes.

XIX. Provided nevertheleſs, and be it further enacted, That it ſhall be lawful for the ſaid Committee, from Time to Time, with ſuch Approbation, Confirmation, and Allowance as aforeſaid, to increaſe, diminiſh, diſcontinue, or vary the Number of Officers to be appointed for any ſuch Houſe in purſuance of the Directions aforeſaid, except by taking away or diſcontinuing any of the Offices of Governor, Matron, Chaplain, and Surgeon or Apothecary to the ſame.

Committee may, with ſuch Approbation as aforeſaid, vary the Number of Officers.

XX. And be it further enacted, That the Governor of every ſuch Penitentiary Houſe ſhall be a Body Corporate, and ſhall ſue and be ſued, by the Name of *The Governor of the Penitentiary Houſe for Males* (or *for Females*, as the Caſe ſhall require), in the Pariſh or Place wherein it ſhall happen to be ſituated; and ſhall from Time to Time employ ſuch Servants, Overſeers, and Aſſiſtants, as he ſhall think proper and neceſſary, and for whoſe Conduct he ſhall be anſwerable; provided that the ſaid Governor do employ no other but Males, in the Houſes ſet apart for Male Convicts, and Females, where the Work can be performed by Females, in ſuch as ſhall be ſet apart for Female Convicts.

The Governor of each Houſe to be a Body Corporate, and accountable for the Conduct of his Servants.

XXI. And be it further enacted, That the ſaid Governor ſhall alſo have Power to make Contracts with any Perſons whomſoever, for the Clothing, Diet, and all other Neceſſaries for the Maintenance and Support of the Offenders confined in ſuch Houſe, for Implements or Materials of any Kind of Manufacture, Trade, or Myſtery, in which Offenders confined in ſuch Houſe ſhall be employed, ſuch Contracts being previouſly approved by the Committee, and alſo to carry on ſuch Manufacture and Myſtery in ſuch Houſe, and to ſell ſuch Goods, Wares, and Merchandize, as ſhall be there wrought and manufactured; and the Governor of every ſuch Penitentiary Houſe ſhall cauſe all Accounts touching the Maintenance of ſuch Houſe, and the Offenders therein, to be entered regularly in a Book or Books to be kept for that Purpoſe; and alſo the Governor and Storekeeper ſhall each keep ſeparate Accounts of all ſuch Stock and Materials as ſhall be brought into ſuch Houſe for employing ſuch Offenders; and ſuch Stock and Materials ſhall from Time to Time be delivered out by the ſaid Storekeeper, as Occaſion ſhall require, to the Taſk-maſter, who ſhall give Receipts to ſuch Storekeeper for the ſame, and ſhall diſtribute the ſame amongſt the ſeveral Offenders to be employed in working thereon; and ſuch Taſk-maſter, or his Aſſiſtants, ſhall conſtantly ſuperintend the Work of the ſaid Offenders, and take an Account of every Neglect of Work, or other Miſbehaviour, and likewiſe of any extraordinary Diligence or good Behaviour in any of ſuch Offenders, and from Time to Time ſhall report the ſame to the Governor, who ſhall cauſe the ſame to be entered in a Book to be kept for that Purpoſe; and ſuch Taſk-maſter ſhall alſo keep Accounts of the Quantities daily worked by the ſeveral Offenders, and ſhall return the Materials, when wrought and manufactured, to the Storekeeper;

Governor impowered to contract for Clothing, Diet, &c. neceſſary for the Offenders, with the Approbation of the Committee.

Accounts relating to the Maintenance of each Houſe, &c. to be entered in a Book.

Duty of the Store-keeper and Taſk maſter.

Storekeeper; who shall give Receipts to the Task master for the same, and shall from Time to Time, with the Privity and Approbation of the Governor, sell and dispose thereof, and pay the Money arising from such Sales to the Governor, who shall be accountable for the same to the Committee, in Manner hereinaftermentioned; and the said Governor and Storekeeper shall keep separate Accounts of the Materials so wrought, manufactured, sold, and disposed of, and the several Sums of Money for which the same shall be so sold, and when sold, and to whom, in Books to be provided for those Purposes.

The Books to be kept by the Governor and Storekeeper shall be examined by the Committee;

XXII. And be it further enacted, That the said several Books so to be kept by the said Governor and Storekeeper, and the several Entries therein, shall be examined by the said Committee, and shall be by them compared with the several Receipts and other Vouchers, and shall be verified by such Governor and Storekeeper, upon Oath, if required, before such Committee, and shall, if approved of by such Committee, be allowed, and signed by any two of them; and if such Committee shall disapprove of any Articles in such Accounts, they shall disallow the same.

who, on Suspicion of any fraudulent Charges, &c. may examine upon Oath any Persons concerning the same.

XXIII. And be it further enacted, That if the said Committee shall suspect any fraudulent or improper Charges in any of such Accounts of the said Governor or Storekeeper, or any Omission thereout, they may examine upon Oath the said Governor, Storekeeper, or any of the Officers or Servants belonging to such House, or any of the Persons employed about the same, or any Persons of whom any Necessaries, Stock, Materials, or other Things, have been purchased for the Use of such House, or any Persons to whom any Stock or Materials, wrought or manufactured therein, have been sold, or any of the Offenders confined in such Penitentiary House, or any other Persons, touching any of the Articles contained in such Accounts, or any Omission thereout; and in case there shall appear in any such Accounts any false Entry, knowingly or wilfully made, or any fraudulent Omission thereout, or any other Fraud whatsoever, or any Collusion between any Officer or Officers, or Servants, belonging to such House, or between any such Officer or Officers, Servant or Servants, and any other Person or Persons, then, besides the private Satisfaction in Damages which the Parties or Party injured may be intitled to recover by Law, the said Committee may dismiss any such Officer or Officers, who shall to them appear to have been guilty of any such false Entry, Omission, Fraud, or Collusion, and appoint another, or others, in his, her, or their Stead; and if the said Committee shall see fit, they shall cause an Indictment or Indictments to be preferred against the Officer or Officers, Servant or Servants, so offending, at the next Quarter or other General Session of the Peace to be holden for the County, Riding, Liberty, Division, City, Corporation, or Place, wherein such Penitentiary House shall be situated, or for any other adjoining County; and in case such Person or Persons so indicted shall be found guilty of such Offence or Offences, he, she, or they shall be punished by Fine and Imprisonment, or either of them, at the Discretion of the Court.

If any Fraud or Collusion shall appear, the Committee may dismiss the Offender.

and may prefer an Indictment against him at the next Quarter Sessions.

Committee to certify to the Court of King's Bench when the Penitentiary Houses are fitted for Reception of Offenders; after which, a limited Number of Persons convicted, at any Session of Oyer and Terminer, &c. in England or Wales, of any Crime punishable by Transportation, may be sent to and confined in such Houses.

XXIV. And be it further enacted, That when the Penitentiary Houses herein-before directed to be built, shall be fitted and completed for the Reception of Offenders, and proper Officers shall be appointed for the Care and Management thereof, the said Committee shall certify, under their Hands and Seals, to the Justices of the Court of *King's Bench*, that such Houses are so fitted and completed, and that such Officers have been appointed; and after the making of such Certificate where any Person shall, at any Session of Oyer and Terminer, or Gaol Delivery, to be holden for the County of the City of *London*, or the County of *Middlesex*, or during the Assizes for any other County within that Part of *Great Britain* called *England*, or at any Great Session to be holden for the County Palatine of *Chester*, or within the Principality of *Wales*, be lawfully convicted of Grand or Petty Larceny, or any other Crime for which he or she shall be liable by Law, either under this Statute or any other Statute now in Force, or hereafter to be made, to be transported to any Parts beyond the Seas, it shall be lawful for the Court before which any such Person shall be so convicted, or any Court held for the same Place with like Authority, if such Court shall think fit, in the Place of such Punishment by Transportation, to order and adjudge that such Person shall be punished, by being imprisoned and kept to hard Labour, in one of such Penitentiary Houses, for any Term not exceeding two Years, in case of Petty Larceny; and for any Term, if such Offender be a Male, not less than one Year, or if such Offender be a Female, not less than six Months, nor exceeding, in either Case, five Years, if he or she is liable by Law, on account of any other Crime, to be transported for seven Years; and for any Term not less than two Years, nor exceeding seven Years, in case any such Offender is liable by Law to be transported for fourteen Years.

The respective Terms of Confinement.

Limitation of the Number of Offenders to be sent from each of the Welch Circuits, and from each of the English Circuits respectively.

XXV. Provided always, That during the Continuance of this Act, not more than two Offenders shall be sent to such Penitentiary Houses, from all the Great Sessions to be holden within any one of the four Circuits of *Chester* or *Wales*, either in Spring or Summer; nor shall more than four Offenders be sent from any one Session of Oyer and Terminer, and Gaol Delivery, to be holden for the City of *London*, nor more than nine Offenders from any one Session of Oyer and Terminer, and Gaol Delivery, to be holden for the County of *Middlesex*; and that not more Offenders than is herein-after specified shall be sent from all the Sessions of Oyer and Terminer, and Gaol Delivery, to be holden within each of the several Spring Circuits, and not more than the like Number from all the said Sessions within each of the Summer Circuits of *England*; that is to say, from all the said Sessions within each of the two Annual Northern Circuits, eight; within each of the two Annual Midland Circuits, ten; within each of the two Annual *Norfolk* Circuits, ten; within each of the two Annual *Oxford* Circuits, twelve; and within each of the two Annual Western Circuits, twelve; and within each of the two Annual Home Circuits, sixteen Offenders.

Until Certificate shall be made as aforesaid, the Court in which such Offenders shall be convicted, may order the Number above specified to hard Labour in

XXVI. Provided also, and be it further enacted, That in the mean Time, and until such Certificate shall be made as aforesaid, it shall be lawful for the Court in which any such Offenders as aforesaid shall be convicted, or any other Court held for the same Place, and with like Authority, to order and adjudge such Offenders, not exceeding the Numbers herein-before respectively limited, to be imprisoned and kept to hard Labour, for the several Terms aforesaid, in the respective Houses of Correction, or other proper Places, within each respective County; which Houses of Correction, or other proper Places, shall, during such Time, be deemed and esteemed to be Penitentiary Houses to all Intents and Purposes, within the Meaning

the House of Correction, &c. for the County; all of whom shall be transferred to the Penitentiary Houses as soon as they are ready for their Reception.

Meaning of this Act, except only with regard to the Appointment of Officers and Servants, and other interior Regulations of such Houses, directed by this Act; and when such Certificate shall be made as aforesaid, the Offenders then imprisoned in such Houses of Correction, or other Places, by virtue of this Act, shall be transferred to such new-erected Penitentiary Houses, for the Residue of the several Terms during which they were ordered and adjudged to be imprisoned; and the Justices of the Peace for every County, at their several Quarter Sessions to be holden next after the Feast of *Saint Thomas the Martyr*, in the Year of our Lord one thousand seven hundred and seventy-nine, or at any Adjournment of the same Sessions, are hereby required to give Directions for the temporary Reception, safe Custody, Employment, and due Regulation of such Offenders, the Expences of which, being previously examined and allowed by the said Justices at their Quarter Sessions, shall be paid by the Treasurer of each respective County, who shall be allowed the same in his Accounts.

Any Male convicted in England or Wales, of any Crime (except Petty Larceny) punishable by Transportation, may, if of competent Age and bodily Strength, be kept to hard Labour in cleansing the Thames, &c. for any Term not less than one Year, nor more than seven Years.

'XXVII. And, for the more severe and effectual Punishment of atrocious and daring Offenders,' be it further enacted, That, from and after the first Day of *July*, one thousand seven hundred and seventy-nine, where any Male Person, at any Session of Oyer and Terminer, or Gaol Delivery, to be holden for the County of the City of *London*, or for any other County within that Part of *Great Britain* called *England*, or for the Royal Franchise of *Ely*, or at any Great Session to be holden for the County Palatine of *Chester*, or within the Principality of *Wales*, shall be lawfully convicted of Grand Larceny, or any other Crime, except Petty Larceny, for which he shall be liable by Law to be transported to any Parts beyond the Seas, it shall and may be lawful for the Court before whom any such Person shall be so convicted, or any Court holden for the same Place with like Authority, if such Court shall think fit, in the Place of such Punishment by Transportation, to order and adjudge that such Person, appearing to be of competent Age, and free from any bodily Infirmity, shall be punished by being kept on board Ships or Vessels properly accommodated for the Security, Employment, and Health of the Persons to be confined therein, and by being employed in hard Labour in the raising Sand, Soil, and Gravel from, and cleansing, the River *Thames*, or any other River navigable for Ships of Burthen, or any Port, Harbour, or Haven, within that Part of *Great Britain* called *England*, such River, Port, Harbour, or Haven, being previously approved and appointed for that Purpose by Order of his Majesty in his Privy Council, or in any other Service for the Benefit of the Navigation of the said Rivers, Ports, Harbours, or Havens, or in any other public Works upon the Banks or Shores of the same, under the Management and Direction of such Superintendant or Superintendants as hath been or shall be appointed, for the River *Thames*, by the Justices of the Peace for the County of *Middlesex*, and for other Rivers, Ports, Harbours, or Havens, by the Justices of the Peace for the Counties wherein such Rivers, Ports, Harbours, or Havens, are situated, or of such of the Counties next adjoining to the same, respectively, as his Majesty in Council shall direct, at their Quarter or other General Session of the Peace, for such Term, not less than one Year, nor exceeding five Years, or in case such Offender shall be liable to be transported for fourteen Years, not exceeding seven Years, as such Court of Oyer and Terminer, or Gaol Delivery, shall think fit to order and adjudge.

In case his Majesty should extend his Mercy to any Person convicted of any Felony punishable by Death, the Judge shall order the Offender to be kept to hard Labour in a Penitentiary House, or on the Thames, &c. for the Time specified by the Secretary of State.

XXVIII. And be it further enacted, That where any Person shall, at any Session of Oyer and Terminer, or Gaol Delivery, or Great Session, within *England* or *Wales*, be lawfully convicted of any Robbery, or other Felony, for which he or she shall by Law, either under this Statute, or under any other Statute now in Force, or hereafter to be made, be liable to suffer Death, without Benefit of Clergy, and his Majesty shall be graciously pleased to extend the Royal Mercy to any such Offender, upon Condition of being kept to hard Labour, during any specified Term, in any Penitentiary House to be erected in pursuance of this Act, or, such Offenders being Males, upon Condition of being kept to hard Labour, during any specified Term, in the Custody of such Superintendant or Superintendants as aforesaid, for the Benefit of the said Navigations; and such Intention of Mercy shall be notified, in Writing, by one of his Majesty's Principal Secretaries of State, to the Court in which such Offender shall be convicted, or to any Court held for the same Place with the like Authority; or, if no such Court shall be sitting, then to any Justice of Oyer and Terminer, or Gaol Delivery, or Justice of Great Sessions, by or before whom such Offender shall have been convicted or condemned; such Court or Justice may and shall, immediately on receiving such Notification, allow to every such Offender the Benefit of a conditional Pardon, in the same Manner as if there was a conditional Pardon under the Great Seal; and may and shall order, that every such Offender shall be kept to hard Labour in such Penitentiary House as aforesaid, or in the Custody of such Superintendant or Superintendants as aforesaid, for the Time specified in the Notification from such Secretary of State.

When any Offender shall be ordered to hard Labour, the Clerk of Assize, &c. shall give a Certificate to the Sheriff or Gaoler,

who shall deliver such Offender and Certificate to the Governor or Superintendant, &c. who shall give a Receipt for the same.

XXIX. And be it further enacted, That when any Offender shall be ordered and adjudged to be kept to hard Labour in any of the Manners aforesaid, the Clerk of Assize, or other Clerk of the Court in which such Offender shall be convicted, shall give to the Sheriff or Gaoler, having the Custody of such Offender, a Certificate in Writing, under his Hand, containing an Account of the Christian Name, Surname, and Age, of such Offender; of his or her Offence, of the Court before which he or she was convicted, and of the Term for which he or she shall be so ordered to hard Labour; and the Sheriff or Gaoler, having the Custody of such Offender, shall, with all convenient Speed, after the making of such Order, and the receiving such Certificate, convey such Offender, or cause him or her to be conveyed to such House or Place to which such Order shall direct him or her to be conveyed; and shall deliver such Offender, or cause him or her to be delivered, together with such Certificate, to such Governor or Superintendant as aforesaid, or to such Person or Persons as such Governor or Superintendant shall appoint; and such Governor or Superintendant, or other Person or Persons to whom such Offender shall be so delivered, shall give a proper Receipt in Writing, under his or their Hand or Hands, to the Sheriff or Gaoler so delivering such Offender, which shall be his sufficient Discharge; and such Governor or Superintendant shall transmit such Certificate to the Clerk of the Peace of the County or Place wherein such Penitentiary House, or other Place of Confinement, shall be situated, to be filed with the Records of the Sessions.

XXX. And

XXX. And be it further enacted, That the Clerk of Aſſize, or other Clerk of the Court, ſhall have the ſame Fee, Gratuity, or Satisfaction, on granting ſuch Certificate, and the Sheriff or Gaoler ſhall have the ſame Fee on delivering out of his Cuſtody any ſuch Offender ſo to be ordered to any ſuch Penitentiary Houſe, or other Place of hard Labour, as hath uſually been paid, and would have been due to them reſpectively, if ſuch Offender had been ſentenced to Tranſportation, except in the Caſe of Petty Larceny, wherein they ſhall have only ſuch Fees as have uſually and of Right been paid upon Conviction for the ſaid Offence, and Judgment to be whipped for the ſame; and ſuch Fees, Gratuities, and Satisfaction, and alſo all Expences to be incurred by any Sheriff or Gaoler in the Conveyance of any ſuch Offender whatever to the Houſe or Place to be appointed for his or her Confinement, ſuch Expences being previouſly examined and allowed by the Juſtices of the Peace at their Quarter or other General Seſſion, ſhall be paid by the Treaſurer of the County or Place for which the Court in which ſuch Offender ſhall be convicted ſhall have been held, to ſuch Clerk of Aſſize, or other Clerk of the Court, and to ſuch Sheriff or Gaoler, reſpectively, and every ſuch Treaſurer ſhall be allowed every ſuch Payment in his Accounts.

Fees to be paid to the Clerk of Aſſize, &c. and to the Sheriff or Gaoler.

Such Fees, and the Expences of conveying Offenders to their Place of Confinement, to be paid by the County Treaſurer.

XXXI. And be it further enacted, That after Delivery of any ſuch Offender as aforeſaid into the Cuſtody to which he or ſhe ſhall be ordered or adjudged, ſuch Governor or Superintendant, or other Perſon having the Cuſtody of Offenders under his Direction, ſhall, during the Term for which ſuch Offender ſhall be ordered to hard Labour, have the ſame Powers over ſuch Offender as are incident to the Office of a Sheriff or Gaoler; and in caſe of any Abuſe of ſuch Cuſtody, or other Miſbehaviour or Negligence in the Diſcharge of his Office, ſhall be liable to the ſame Puniſhment as a Gaoler is now liable to by Law.

Governor or Superintendant to have the ſame Power over Offenders in his Cuſtody as a Sheriff or Gaoler.

XXXII. And be it further enacted, That every ſuch Governor of each ſuch Penitentiary Houſes ſhall, during the Term preſcribed for the Impriſonment and hard Labour of ſuch Offender, keep him or her, ſo far as may be conſiſtent with his or her Sex, Age, Health, and Ability, to Labour of the hardeſt and moſt ſervile Kind, in which Drudgery is chiefly required, and where the Work is little liable to be ſpoiled by Ignorance, Neglect, or Obſtinacy, and where the Materials or Tools are not eaſily ſtolen or embezzled, ſuch as treading in a Wheel, or drawing in a Capſtern, for turning a Mill or other Machine or Engine, ſawing Stone, poliſhing Marble, beating Hemp, raſping Logwood, chopping Rags, making Cordage, or any other hard and laborious Service; and thoſe of leſs Health and Ability, Regard being alſo had to Age and Sex, in picking Oakum, weaving Sacks, ſpinning Yarn, knitting Nets, or any other leſs laborious Employment: And if the Work to be performed by any ſuch Offenders ſhall be of ſuch a Nature as may require previous Inſtruction, proper Perſons ſhall be provided to give the ſame, by Order of the ſaid Committee, to whom a ſuitable Allowance ſhall be made.

All Offenders in the Penitentiary Houſes, who are able, are to be kept to Labour of the hardeſt and moſt ſervile Kind; and thoſe of leſs Ability are to be employed in leſs laborious Work.

XXXIII. And be it further enacted, That ſuch Offenders as ſhall be ſent to either of ſuch Penitentiary Houſes ſhall, during their Hours of Reſt, be kept entirely ſeparate and apart from each other, and be lodged in ſeparate Rooms or Cells, not exceeding twelve Feet in Length, eight Feet in Breadth, and eleven Feet in Heighth, nor leſs than ten Feet in Length, ſeven Feet in Breadth, and nine Feet in Height, and without any Window within ſix Feet of the reſpective Floors; which Rooms or Cells ſhall be dried and moderately warmed, in damp or cold Weather, by Flues from the Fires in the Kitchens, and other public Fires belonging to each Houſe; and the ſaid Offenders ſhall alſo, during their Hours of Labour, in caſe the Nature of their ſeveral Employments will permit, be in like Manner kept ſeparate and apart from each other; and where the Nature of the Employment may require two Perſons to work together, the Room in which ſuch two Perſons ſhall work ſhall be of ſuitable Dimenſions; and if the Nature of the Work wherein any ſuch Offenders ſhall be employed ſhall require the Labour of many Perſons at one Time, a common Work-room or Shed ſhall be allotted to them for that Purpoſe; but during the Time the Offenders are employed in ſuch common Work-room or Shed, the Governor of the ſaid Houſe, or the Taſk-maſter, or one or more of their Servants or Aſſiſtants, ſhall be conſtantly preſent, to attend to the Behaviour of ſuch Offenders; and ſuch two or more Perſons ſhall not be ſuffered to continue together, except during the Hours of Labour, and Divine Service, and the Times reſpectively allotted for their Meals and Airings.

Offenders during the Hours of Reſt, to be lodged in ſmall Rooms, ſeparate from each other;

and during the Hours of Labour alſo to be kept ſeparate as much as the Nature of their Employments will allow.

XXXIV. And be it further enacted, That ſuch Offenders ſhall be employed in Work, at the ſaid Penitentiary Houſes, every Day in the Year, except *Sundays*, *Chriſtmas-day*, and *Good-Friday*, and alſo except ſuch Days when ill Health will not allow of their working; and the Hours of Work in each Day ſhall be as many as the Seaſon of the Year, with an Interval of Half an Hour for Breakfaſt, and an Hour for Dinner, will permit, but not exceeding eight Hours in the Months of *November*, *December*, and *January*, nine Hours in the Months of *February* and *October*, and ten Hours in the reſt of the Year; and when ſuch Hours of Work are paſſed, the working Tools, Implements, and Materials, or ſuch of them as will admit of daily Removal, ſhall be removed to Places proper for their ſafe Cuſtody, and there be kept till the Hour of Labour ſhall return.

The Hours of Work in different Parts of the Year.

XXXV. And be it further enacted, That every Offender who ſhall be ordered to either of ſuch Penitentiary Houſes ſhall, during the Time of his or her Confinement therein, be fed and ſuſtained with Bread, and any coarſe Meat, or other inferior Food, and Water, or ſmall Beer; and alſo be clothed with a coarſe and uniform Apparel, with certain obvious Marks or Badges affixed to the ſame, as well to humiliate the Wearers as to facilitate Diſcovery in caſe of Eſcapes; the Whole to be ordered in ſuch Manner as the Committee aforeſaid ſhall from Time to Time appoint for thoſe Purpoſes; and no ſuch Offender ſhall, during the Time of his or her Confinement, be permitted to have any other Food, Drink, or Clothing, than ſuch as ſhall be ſo appointed; and if any Perſon or Perſons ſhall wilfully ſupply any ſuch Offender, at any Time during the Term of his or her Confinement, with any Food, Drink, or Clothing, other than ſuch as ſhall be ſo appointed, or with any Money, he or ſhe ſo ſupplying ſuch Offender ſhall, for every ſuch Offence, forfeit a Sum not exceeding ten Pounds, nor leſs than forty Shillings.

How the Offenders ſhall be fed and clothed.

Penalty on ſupplying them with other Food or Clothing.

XXXVI. And be it further enacted, That no Officer or Servant of either of ſuch Penitentiary Houſes ſhall ſupply any of the Offenders therein with any Money, Clothing, Proviſions, or Diet, or with any Spirituous

If any Officer or Servant in either of the Peniten-

tiary Houſes ſhall ſupply any Offender with Money, Proviſions, &c. contrary to this Act, he ſhall be ſuſpended by the Governor, and reported to the Committee; who may puniſh him by Fine and Impriſonment.

Spirituous or other Liquors whatſoever, except ſuch Money, Clothing, Proviſions, or Diet, or ſuch Water and Small Beer, as the Governor of the Houſe ſhall from Time to Time permit or direct, and except ſuch Diet and Liquors as the Surgeon or Apothecary attending ſuch Houſe ſhall think proper to order for any ſuch Offenders, in caſe of Illneſs; and in caſe any ſuch Officer or Servant ſhall be found guilty of carrying to any ſuch Offender, or of knowingly permitting to be carried to any ſuch Offender, any Money, Clothing, Proviſions, or Diet, or Liquors whatſoever, contrary to the Intent of this Act, ſuch Officer or Servant ſhall immediately be ſuſpended by the ſaid Governor; who ſhall report the ſame to the Committee at their next Meeting; and ſuch Committee ſhall enquire thereof upon Oath, and ſhall puniſh ſuch Officer or Servant by Forfeiture of Office, by any Fine not exceeding ten Pounds, and by Impriſonment for any Term not exceeding ſix Months, or by any one or more of ſuch Puniſhments, as the ſaid Committee ſhall, in their Diſcretion, think proper.

Offenders, when brought to the Penitentiary Houſes, to be ſeparately lodged, and waſhed, and examined by the Surgeon;

and when diſcharged, to be furniſhed with decent Clothing and Money; and after having continued in a reputable Service for one Year, to be entitled to a further Sum of Money.

XXXVII. And be it further enacted, That when any Offender, who ſhall be ordered to hard Labour in either of ſuch Houſes as aforeſaid, ſhall be brought thither in purſuance of the Powers contained in this Act, he or ſhe ſhall be ſeparately lodged, and waſhed, cleanſed and purified, and ſhall then be examined by the Surgeon or Apothecary, and ſhall continue in ſuch ſeparate Lodging until it be certified by ſuch Surgeon or Apothecary that he or ſhe is fit to be received among the other Convicts, and the Clothes in which he or ſhe ſhall then be clothed ſhall be burnt, if neceſſary, or otherwiſe ſhall be ſold and diſpoſed of at the Diſcretion of the Governor, and the Produce thereof ſhall be accounted for to the Committee aforeſaid; and ſuch Offender ſhall not be diſmiſſed at the End or other Determination of his Term, unleſs at his own Requeſt, if he ſhall then labour under any acute or dangerous Diſtemper, nor until he can be ſafely diſcharged; and when ſuch Offender ſhall be finally diſcharged, ſuch other decent Clothing as ſhall be judged neceſſary and proper by the Committee aforeſaid, ſhall be delivered to ſuch Offender, and alſo ſuch Sum of Money, for his or her immediate Subſiſtence, as the ſaid Committee ſhall think proper, ſo as ſuch Sum ſhall not exceed three Pounds, nor be leſs than twenty Shillings, in caſe ſuch Offender ſhall have been confined in ſuch Penitentiary Houſe for the Space of one Year, and ſo in Proportion for any ſhorter Term of Confinement; and if ſuch Offender, at the End or other Determination of his or her Term, ſhall procure any reputable Maſter of a Ship, or Tradeſman, or other ſubſtantial Houſekeeper, to take him or her into Service, or provide him or her with proper Employment for one Year then next enſuing, the ſame to be approved by the Committee aforeſaid, he or ſhe, having ſerved accordingly, ſhall be entitled at the End of the Year to another Sum of Money, equal to that which was allowed to him or her at the Time of his or her Diſmiſſion.

The Offenders to be divided into three Claſſes, and the Term of their Confinement to be divided into three equal Parts, &c.

XXXVIII. Provided always, and be it further enacted, That the ſeveral Offenders to be ſent to each of ſuch Penitentiary Houſes ſhall be divided into three Claſſes, which ſhall be called *The Firſt*, *Second*, and *Third Claſs*; for which Purpoſe the Time for which ſuch Offenders ſhall ſeverally be committed ſhall be divided into three equal Parts; and during the firſt Part of the Time of the Impriſonment of every ſuch Offender, he or ſhe ſhall be ranked in the firſt Claſs, and during the ſecond Part of ſuch Time, he or ſhe ſhall be ranked in the ſecond Claſs, and during the third and laſt Part of ſuch Time, he or ſhe ſhall be ranked in the third Claſs; and the Confinement and Labour of ſuch Offenders as ſhall from Time to Time be ranked in the firſt Claſs, ſhall be the moſt ſtrict and ſevere, and the Confinement and Labour of the Offenders ranked in the ſecond Claſs, ſhall be more moderate, and the Confinement and Labour of thoſe ranked in the third Claſs, ſhall be ſtill more relaxed; which ſeveral Degrees of Confinement and Labour, ſo to be affixed to each Claſs, ſhall from Time to Time be ſettled by the ſaid Committee, by Orders of Regulation to be approved of in Manner aforeſaid, but ſo as not to defeat or elude the ſpecial Proviſions made and appointed by this Act.

Governor may employ Offenders in the third Claſs as Servants, &c.

XXXIX. Provided alſo, That it ſhall and may be lawful to and for the Governor of each ſuch Houſes to employ, at his Diſcretion, any of the Offenders aforeſaid, who ſhall be ranked in the ſaid third Claſs, as Servants, Overſeers, or Aſſiſtants, in the Management of the Works, and Care of their Fellow Priſoners, inſtead of being confined to ſuch their daily Labour as aforeſaid.

How the Lodging-rooms ſhall be furniſhed.

XL. And be it further enacted, That each of the Lodging-rooms which ſhall be appointed in the ſaid Penitentiary Houſes, for the Offenders ſo confined therein, ſhall be provided with an Iron Bedſtead, with Matting for lying upon, one or more hempen Sheets, a Coverlit, and two or more coarſe Blankets; and no Perſon, except the Officers and Servants of the Houſe, and ſuch Perſon or Perſons as ſhall be authoriſed by Order of any two of the Committee aforeſaid, ſhall be permitted to go at any Time into ſuch Lodging-rooms, or to ſee or converſe with the Offenders; and every Night in the Year the Doors of all ſuch Lodging-rooms ſhall be locked, and all Lights therein extinguiſhed, after the Hour of Nine; and a Watchman ſhall patrole each of ſuch Penitentiary Houſes at leaſt twice in every Hour during the Night, and until Return of the Time of Labour in the Morning of the next Day.

The Doors to be locked, and the Lights extinguiſhed, every Night at Nine.

Juſtices for the County may inſpect the Penitentiary Houſes, &c. at all ſeaſonable Times.

XLI. Provided always, That it ſhall and may be lawful for any Juſtice or Juſtices of the Peace, acting for the County or Place wherein ſuch Penitentiary Houſes, or Places of Confinement, to be provided in purſuance of this Act, ſhall be ſituated, at all ſeaſonable Times, to viſit and inſpect every Part of ſuch Penitentiary Houſes, or Places of Confinement, in order to make Report to the Quarter Seſſions, or give Notice to the Inſpector, herein-after mentioned, of any Abuſe or Miſmanagement which he or they may obſerve therein.

Chaplain to read Morning and Evening Prayers, and preach two Sermons, every Sunday, &c.; and to viſit the Offenders, with the Governor's Leave.

XLII. And be it further enacted, That the Chaplain ſhall read Morning and Evening Prayers, in the Chapel of each of ſuch Penitentiary Houſes, and preach a Sermon both Morning and Afternoon, on every *Sunday* in the Year, and alſo on every *Chriſtmas-day* and *Good Friday*; and all the Offenders confined in ſuch Houſe, who ſhall not be diſabled by Illneſs, ſhall attend the ſaid Prayers and Sermons, which ſhall alſo be attended by the reſident Officers, and by the Servants of ſuch Houſe, or ſuch of them as can be ſpared from their ſeveral Employments, and ſhall not be prevented by Illneſs; and the ſaid Chaplain ſhall viſit, with the Leave of the Governor, any of the Offenders, either ſick or in Health, that may deſire or

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ſtand in need of his ſpiritual Advice and Aſſiſtance, provided that ſuch Viſitation, to ſuch of the Offenders as ſhall be in Health, ſhall not interfere with their ſtated Hours of Labour.

Large Yards, properly ſecured, to be adjoining to the Penitentiary Houſes, for the Offenders to walk in and air themſelves.

XLIII. And be it further enacted, That there ſhall be, adjoining to each of ſuch Penitentiary Houſes, one or more large and airy Yards or Places, incloſed and properly ſecured, in which, and on the Top of ſuch Houſe, if the Building will admit ſuch a Convenience, the Offenders ordered to be confined in ſuch Houſe ſhall be permitted to walk and air themſelves, for ſuch ſtated Time as their Health may require, and the Governors ſhall reſpectively permit; and if proper Employment can be found, ſuch Offenders may alſo be permitted to work in ſuch Yards, inſtead of their Lodging-rooms or Work-rooms; but ſuch airing or working in ſuch Yards ſhall never be permitted unleſs in the Preſence or within the View of the Governor or Taſk-maſter, or ſome of their Servants or Aſſiſtants.

Offenders, when ſick, to be viſited by the Surgeon, and, if neceſſary, to be ſent to the Infirmary.

XLIV. And be it further enacted, That in caſe any ſuch Offender ſhall appear to be ſick, he or ſhe ſhall be viſited by the Surgeon or Apothecary attending ſuch Houſe, and if the Sickneſs be found to be real, the ſaid Surgeon or Apothecary ſhall report the ſame to the Governor; who ſhall, if the Sickneſs be of ſuch a Nature as to require it, order ſuch Offender to be ſent to the Infirmary belonging to ſuch Houſe, and to be entered in a Book to be kept for that Purpoſe as ſick; and when ſuch Offender ſhall have ſo far recovered his or her Health, as that the ſaid Surgeon or Apothecary ſhall judge him or her in a proper Condition to quit the Infirmary, and to return to his or her Employment, and the ſaid Apothecary ſhall ſo report, the ſaid Governor ſhall order ſuch Offender to be brought back to his or her Lodging-room, and to be again employed in Labour, ſo far as ſhall be conſiſtent with the Health of ſuch Offender.

Two of the Committee to attend at each Penitentiary Houſe every Fortnight, when they ſhall ſee the Offenders, and inſpect the Accounts of the Governor and Storekeepers, &c.

XLV. And be it further enacted, That the ſaid Committee, or any two of them, ſhall attend at each of the ſaid Penitentiary Houſes once at leaſt in every Fortnight; and on every ſuch Attendance ſhall examine the State of ſuch Houſe, and ſhall ſee every Offender confined there, and not diſabled by Sickneſs; and ſhall inſpect the Accounts of the Governor and Storekeepers, and alſo examine the Conduct and Management of ſuch Houſe, and the Behaviour of the Officers thereof, and of the Offenders confined therein; and the ſaid Committee are hereby authoriſed and impowered to confer Rewards and Encouragements on ſuch of the ſaid Offenders as ſhall appear the moſt diligent and meritorious, by giving them a ſmall Part of the Profits of their daily or weekly Earnings, to be properly applied for the Uſe and Benefit of themſelves or Families, or by permitting them to work, during the Intervals of their ſtated Labour, for the like Uſe and Benefit.

Governor impowered to hear Complaints of certain Offences, and to puniſh the Offenders.

XLVI. And be it further enacted, That the Governor of each of ſuch Penitentiary Houſes ſhall have Power to hear all Complaints touching any of the following Offences; that is to ſay, Diſobedience of any of the Orders of the Houſe; Aſſaults by one Perſon confined in ſuch Houſe upon another, when no dangerous Wound or Bruiſe is given; profane Curſing and Swearing, or indecent Behaviour; Abſence from Chapel, or irreverent Behaviour there; and Idleneſs or Negligence in Work, or wilful Miſmanagement of it; all which are declared to be Offences by this Act; and the ſaid Governor may examine any Perſons touching ſuch Offences, and may determine thereupon, and may puniſh ſuch Offences, either by moderate Whipping, or by ordering the Offenders to cloſe Confinement in the Dungeons of ſuch Houſe, and by keeping them upon Bread and Water only, for any Term not exceeding three Days.

Enormous Offenders to be confined by the Governor, and reported to the Committee at their next Meeting.

Committee to enquire concerning ſuch Offences, and to puniſh the Offenders.

XLVII. And be it further enacted, That if any Offender who ſhall be committed to any ſuch Penitentiary Houſe ſhall, during the Term for which he ſhall be ſo committed, be guilty of any Offence which the Governor of ſuch Houſe is not hereby authoriſed to puniſh, or for which the Puniſhment which ſuch Governor is hereby authoriſed to inflict ſhall by ſuch Governor be deemed not ſufficient, by reaſon of the Enormity of the Offence, or the Repetition thereof, ſuch Governor may, and he is hereby required to confine ſuch Offender, either in his or her own Lodging-room, or in one of the Dungeons belonging to ſuch Houſe, till the next Meeting of the ſaid Committee, and ſhall then report ſuch Offence, with the Nature and particular Circumſtances thereof, and the Name of the Offender, to the ſaid Committee; and ſuch Committee ſhall have Power to enquire of, upon Oath, and determine concerning all ſuch Offences ſo reported to them as aforeſaid, and ſhall order ſuch Offenders to be puniſhed, either by moderate Whipping, or repeated Whippings, by cloſe Confinement in one of the Dungeons, with Bread and Water only for Suſtenance, for any Term not exceeding one Month, or by removing ſuch Offenders, if ranked in the ſecond or third Claſs, into any prior Claſs, or by any or all of ſuch Puniſhments; and in caſe of Removal into any prior Claſs, the Offender ſhall, from the Time of making ſuch Order of Removal, go through ſuch prior Claſs, and alſo the ſubſequent Claſs or Claſſes, in the ſame Manner as under his or her original Commitment, and for ſuch additional Time as ſuch Committee ſhall think proper to order, ſo as the whole Time of Confinement, to be computed from ſuch Order of Removal into ſuch prior Claſs, to the final Diſcharge of the Offender, ſhall not exceed the original Term for which he or ſhe was committed.

Any one of the Committee may adminiſter an Oath, &c.

Penalty on Perſons ſummoned who ſhall refuſe to appear, &c.

XLVIII. And be it further enacted, That whenever by this Act the ſaid Committee, or any two of them, are impowered or directed to make any Enquiry, or receive any Proof upon Oath, any one of the ſaid Committee is hereby authoriſed to tender and adminiſter ſuch Oath; and any two of the ſaid Committee may ſummon, or cauſe to be ſummoned, ſuch Witneſſes as they ſhall think meet, to appear and give Evidence before them; and if any Perſon, being duly ſummoned, ſhall refuſe or neglect to appear, or being preſent, and competent to be a Witneſs, ſhall refuſe to be ſworn, or being ſworn, ſhall refuſe to give Evidence, ſuch Perſon ſhall forfeit any Sum not leſs than twenty Shillings, or more than ten Pounds, at the Diſcretion of the ſaid Committee.

Committee to report to the Judges at the next Aſſizes all Offenders who ſhall manifeſt extraordinary Diligence or Merit;

XLIX. And be it further enacted, That if the ſaid Committee ſhall at any Time obſerve, or be ſatisfactorily informed of, any extraordinary Diligence or Merit in any of the Offenders under their Inſpection, they ſhall report the ſame to the Juſtices of Oyer and Terminer, and Goal Delivery, or Great Seſſions, at their next or any ſubſequent Seſſion to be holden for the County in which ſuch Offender was convicted; and ſuch Juſtices, if the Offender ſhall be committed for a certain Term of Months or Years, ſhall and may, if they ſhall think proper, ſhorten the Confinement of ſuch Offender, on Condition that ſuch Of-

who may shorten their Time of Confinement, &c.

fender, being a Male, shall engage himself to serve in the Sea or Land Forces, or without any Condition, as to them in their Discretion shall seem meet; and if the Offender shall be committed for Life, in pursuance of a conditional Pardon, such Justices shall, if they think proper, report him or her to his Majesty as an Object of Royal Mercy.

Male Convicts, after they are delivered to the Superintendant, shall be washed, and their Clothes changed, &c.

L. And be it further enacted, That after the Delivery of any such Male Offender into the Custody of any such Superintendant or Superintendants as aforesaid, he shall be confined in some secure Place or Vessel, to be provided for the sole Purpose of receiving such Offenders on their first Arrival, and shall be washed and cleaned, and his Clothes shall be burnt, if it is deemed necessary, and others provided for him; and he shall remain there for the Space of four Days at the least, unless, during that Time, he shall be found to be infected with any putrid or contagious Fever, or other Disease; in which Case he shall be immediately sent to the Hospital or Infirmary, till such Time as the Surgeon or Apothecary attending the same shall think it safe to remove him on board one of the Vessels appointed for the Confinement of Offenders in general, and to lodge him among the healthy Convicts.

An Hospital to be provided for the Sick, &c.;

LI. And be it further enacted, That there shall be provided for the Reception of such Offenders, in the Custody of every Superintendant, as shall happen to be sick, or to be disabled by any Wound or Accident, a secure Place or Vessel, to serve as an Hospital or Infirmary, with such proper Assistants as may be necessary for their speedy Recovery, but the Whole to be under the Charge and Controul of such Superintendant aforesaid, who shall be liable to answer for the Escape of any Offender so removed to such Hospital or Infirmary; and there shall also be provided, by the said Superintendant, a large Piece of Ground, securely fenced and inclosed, for a Garden and Airing-ground, in which shall be raised proper Vegetables for the Use of the Offenders under the Custody of every such Superintendant; who shall be at Liberty to employ such of the invalid Offenders, recommended for that Purpose by the Surgeon or Apothecary, as the said Superintendant shall think proper, and for whose Escape he shall be liable to answer, in the Culture and Management of such Garden.

likewise a large Garden for raising Vegetables for the Use of the Offenders.

Offenders, in Custody of the Superintendant, to be employed in raising Sand, &c. for the Benefit of the Navigation of the Thames, &c.;

LII. And be it further enacted, That, subject to the Exceptions and Provisions aforesaid, every such Superintendant or Superintendants shall, during the Term prescribed for the Imprisonment and Hard Labour of every such Offender, keep him to hard Labour, either in raising Sand, Soil, and Gravel, or in any other laborious Service, for the Benefit of the Navigation of the *Thames*, or of such other Navigable Rivers, Ports, Harbours, or Havens, as aforesaid, or in any other public Works upon the Banks or Shores of the same; but when the said laborious Service shall be for the Navigation of the *Thames*, then at such Places only, and subject to such Limitations and Restrictions, as the Master, Wardens, and Assistants of the Trinity house shall, from Time to Time, prescribe.

but not in delivering Ballast to Masters of Ships.

LIII. Provided nevertheless, That such Offenders shall in no Case be employed in delivering Tonnage or Ballast to Masters and Commanders of Ships, but only in digging, raising, and taking up the Gravel, Sand, and Soil, from the Shelves and Sand-banks of the said Rivers, Ports, Harbours, or Havens, and in discharging the same upon the Shore, above the High-water Mark, except in such Cases where any Embankment or Sea-wall shall be directed to be made or repaired, or in some other laborious Service for the Benefit of such Navigations, or for completing such other public Works as aforesaid.

Offenders to be fed with Bread, coarse Meat, &c. and Water or Small Beer.

LIV. And be it further enacted, That every Offender who shall be ordered to Hard Labour in the Custody of such Superintendant or Superintendants as aforesaid, shall, during the Time of such Service, be fed and sustained with Bread, and any coarse Meat, or other inferior Food, and Water or Small Beer, and also clothed, at the Discretion and under the Direction of such Superintendant or Superintendants; and such Offender shall not, during the Term of such Service, be permitted to have any other Food, Drink, or Clothing, than such as shall be so directed; and if any Person shall supply any such Offender, at any Time during the Term of his said Service, with any Drink, Food, or Clothing, other than such as shall be so directed, or with any Money, he or she so supplying shall, for every such Offence, forfeit a Sum not exceeding ten Pounds, nor under forty Shillings.

Penalty on Persons supplying them with any other Food, &c.

Offenders who refuse to work, or otherwise misbehave themselves, may be whipped, &c.

LV. And be it further enacted, That if any Offender, who shall be so delivered to such Superintendant or Superintendants to be kept to Hard Labour, shall, during the Term of such Service, refuse to perform any Labour authorised by this Act, or shall be guilty of any other Misbehaviour or disorderly Conduct, it shall be lawful for the Superintendant or Superintendants, having the Custody of any such Offender, to order such Whipping, or other moderate Punishment, to be inflicted upon him, as may be inflicted by Law on Persons committed to a House of Correction for Hard Labour.

Every Offender, at the End of his Confinement, shall receive a Sum of Money, not less than 20 s. nor more than 3 l. with decent Clothing.

His Majesty, on the good Behaviour of Offenders, may shorten the Term of their Confinement.

Offenders, who shall continue in a reputable Service for one Year from the Time of their Dismission, to be in-

LVI. And be it further enacted, That every Offender, who shall be delivered to such Superintendant or Superintendants to be kept to Hard Labour in Manner aforesaid, shall, at the End of the Term of such Service, and upon being restored to his Liberty, receive from the Superintendant or Superintendants, under whom he shall have so served, such Sum of Money, not being less than twenty Shillings, nor more than three Pounds, in case he hath been confined for one Year, and so in Proportion for any shorter Term, together with such decent Clothing as the Court, into which such Returns shall be made, as herein-after mentioned, shall appoint: And if any such Offender, whilst confined to Hard Labour in Manner aforesaid, shall, by his Industry and other good Behaviour, shew such Signs of Reformation as shall induce the said Court to recommend him as an Object of his Majesty's Mercy, and it shall be thereupon signified, by a Letter from one of his Majesty's principal Secretaries of State, to the Superintendant or Superintendants as aforesaid, that his Majesty thinks fit, in Consideration of such good Behaviour, to shorten the Duration of such Offender's Term, such Offender shall be accordingly set at Liberty at the Time mentioned in such Letter, and shall, together with necessary Clothing, receive a Sum of Money from his Superintendant or Superintendants, in Proportion to the Time of his Confinement, according to the Rates aforesaid; and any such Offender so dismissed at the End or other Determination of his Term, who shall procure any reputable Master of a Ship, or Tradesman, or other substantial House-keeper, to take him into Service, or provide him with proper Employment, for one Year then next ensuing, the same to be approved by such Super-

Superintendant or Superintendants, and who shall serve accordingly, shall be entitled, at the End of the Year, to another Sum of Money, equal to that which was allowed him at the Time of his Dismission.

titled to a further Sum of Money.

LVII. Provided always, That no Offender shall be dismissed out of the Custody of the said Superintendant or Superintendants, at the End or other Determination of his Term, unless at his own Request, if he shall then labour under any acute or dangerous Distemper, nor until he can be safely discharged.

Offenders labouring under acute Distempers not to be dismissed, unless they desire it.

LVIII. And be it further enacted, That in case any of the said Offenders shall happen to die in the Custody of such Superintendant or Superintendants as aforesaid, they shall be buried in the most commodious Places adjacent to the several Rivers, Ports, Harbours, and Havens, in or near which they shall have been respectively employed, according to the Form for Burial prescribed by the Liturgy of the Church of *England*; and the necessary Charges of such Funerals, and also of the Coroners who shall sit on the Bodies of the Offenders so dying in such Custody, together with the necessary Expences of providing such Chaplains, Surgeons, and Apothecaries, as the said Superintendant or Superintendants shall find it expedient, or shall be required by the Court into which such Returns as are herein-after mentioned shall be made, from Time to Time, to employ in attending the Offenders in his or their Custody or Custodies, shall be paid by such Superintendant or Superintendants, and brought to Account in Manner herein-after mentioned.

Directions relative to the Burial of Offenders who shall die in Custody of the Superintendants.

LIX. Provided always, That such Chaplains so to be employed as aforesaid shall read Morning and Evening Prayer, and preach a Sermon after each, in every such Place of Confinement, on every *Christmas-day*, *Good Friday*, and *Sunday*, throughout the Year.

The Chaplain's Duty.

LX. And be it further enacted, That every such Superintendant shall, in the Custody, Treatment, and Employment of the Offenders committed to his Care, conform to and observe the several Directions herein-before given for regulating the Conduct of the Governors of the said Penitentiary Houses, so far as the Nature of the Service in which the said Offenders shall be employed, and their different Places and Modes of Confinement, will permit, and so far as is consistent with the other Regulations and Orders contained in this Act, with respect to the said Offenders.

Superintendant, in the Treatment and Employment of Offenders, to observe the Directions before given to the Governors of the Penitentiary Houses, &c.

LXI. And be it further enacted, That each of the Governors and Superintendants of the several Places of Confinement to be appointed by virtue of this Act, shall keep a regular Book or Books, for the Purposes herein-after mentioned; and from thence, from Time to Time, shall make true and just Returns, specifying the Names of all and every the Person or Persons who shall be committed to their Custody, the Offences of which they shall have been guilty, the Court before which each Person was convicted, the Sentence of the Court, the Age, bodily Estate, and Behaviour of every such Convict while in Custody, and also the Names of all and every the Person or Persons who shall have died under such Custody, or shall have escaped from such Place of Confinement, or shall have been discharged from thence by Order from one of his Majesty's principal Secretaries of State, or otherwise; which Returns shall be made, the first Day of every Term, to his Majesty's Court of King's Bench, and shall be verified on the Oath of the Person making the same.

Governors and Superintendants to keep regular Books; from which Returns are to be made, the first Day of every Term, to the Court of King's Bench, specifying the Names and Offences, &c. of all Persons committed to their Custody.

LXII. And be it further enacted, That a State of the Accounts of each of the said Penitentiary Houses shall be laid before the Justices of the Peace for the County in which the same shall be situated, four Times in the Year, at their General Quarter Sessions of the Peace, and the said Accounts shall be then, or at any other adjourned Sessions to be then appointed for that Purpose, inspected, and carefully examined; and if the said Justices shall observe any notorious Waste to have happened, or any extravagant Expences to have been incurred, or any other gross Mismanagement, they shall report the same to the Justices of his Majesty's Court of King's Bench, who shall immediately take Order therein, and check or redress the same.

A State of the Accounts of each Penitentiary House to be laid before every Quarter Sessions for the County; who, if they observe any notorious Waste, &c. are to report the same to the Court of King's Bench.

LXIII. And be it further enacted, That it shall and may be lawful for his Majesty to appoint one fit and able Person to be Inspector of the two Penitentiary Houses to be erected by virtue of this Act, and of the several Ships and Vessels, to be employed on the River *Thames* for the Confinement of Offenders as aforesaid, and of all other Gaols and Places of criminal Confinement within the City of *London* and County of *Middlesex*; which Inspector shall personally visit and inspect every such Place of Confinement once at least in every Quarter of a Year, or oftener, if Occasion shall require, and shall diligently examine into the several Particulars herein-before directed to be returned to his Majesty's Court of King's Bench, and also into the State of the Buildings, the Behaviour and Conduct of the respective Officers, the Treatment and Condition of the Prisoners, the Amount of the several Earnings, and the Expences attending every such Place of Confinement, and shall make a faithful Report of the same to both Houses of Parliament, at the Beginning of every Session, and also in Matters of extreme or pressing Necessity, shall and may make a special Report thereof to the Justices of his Majesty's Court of King's Bench, who shall immediately take Order therein, and regulate or redress the same; and such Inspector shall continue in such Office during his Majesty's Pleasure, and shall receive such Salary as his Majesty shall appoint, not exceeding two hundred Pounds *per Annum*.

His Majesty may appoint an Inspector of the Penitentiary Houses, &c.; who shall visit and inspect every such Place of Confinement once a Quarter, and make a faithful Report of the state thereof to both Houses of Parliament, at the Beginning of every Session.

LXIV. And be it further enacted, That the Expences of carrying this Act into Execution, not herein-before specially provided for, shall be annually laid before the House of Commons, and after deducting thereout the Nett Profits, if any, arising from the Earnings of the Offenders who shall be kept to Hard Labour in any of the Places of Confinement to be appointed by virtue of this Act, shall be provided for in the next Supplies to be granted to his Majesty by Parliament.

Expences of executing this Act to be laid annually before the House of Commons, &c.

LXV. And be it further enacted, That if any Person who shall be ordered to Hard Labour in any of the Places of Confinement to be appointed by virtue of this Act, instead of being capitally punished, shall, at any Time during the Term for which he or she shall be so ordered to Confinement, break Prison, or escape

Punishment of Persons ordered to hard Labour who shall break

Prison, or escape from lawful Custody.

escape from the Place of his or her Confinement, or in his or her Conveyance to such Place of Confinement, or from the Person or Persons having the lawful Custody of such Offender, he or she so breaking Prison or escaping, shall be guilty of Felony, without Benefit of Clergy; but in case he or she so breaking Prison, or escaping, hath been ordered to Hard Labour instead of Transportation, he or she shall be punished by an Addition of three Years to the Term for which he or she, at the Time of his or her Breach of Prison, or Escape, was subject to be confined; and if such Person, so punished by such Addition to the Term of Confinement, shall afterwards be convicted of a second Escape, or Breach of Prison, he or she shall be adjudged guilty of Felony, without Benefit of Clergy.

If any Person shall rescue, or attempt to rescue, any Offender ordered to hard Labour;

or any Person having the Custody of such Offender shall voluntarily permit his Escape, or any other Person shall be assisting therein; every such Person shall be guilty of Felony.

LXVI. And be it further enacted, That if any Person shall rescue any Offender, who by Force of this Act, or any Part of it, shall be ordered to Hard Labour, in any Place of Confinement appointed by virtue of this Act, either during the Time of his or her Conveyance to the Place appointed for such Hard Labour, or whilst such Offender shall be in the Custody of the Person or Persons under whose Care and Charge he or she shall be so confined; or if any Person shall be aiding or assisting in any such Rescue; every such Person so rescuing, aiding, or assisting, shall be guilty of Felony, and may be ordered to Hard Labour in any Place of Confinement appointed by virtue of this Act, for any Term not less than one, nor exceeding five Years: And if any Person having the Custody of any such Offender as aforesaid, or being employed by the Person having such Custody, as a Keeper, Under-keeper, Turnkey, Assistant, or Guard, shall voluntarily permit such Offender to escape; or if any Person whatsoever shall, by supplying Arms, Tools, or Instruments of Disguise, or otherwise, be in any Manner aiding and assisting to any such Offender in any Escape, or in any Attempt to make an Escape, though no Escape be actually made, or shall attempt to rescue any such Offender, or be aiding and assisting in any such Attempt, though no Rescue be actually made, every such Person so permitting, attempting, aiding, or assisting, shall be guilty of Felony; and if any Person having such Custody, or being so employed by the Person having such Custody as aforesaid, shall negligently permit any such Offender to escape, such Person so permitting shall be guilty of a Misdemeanor; and, being lawfully convicted of the same, shall be liable to Fine or Imprisonment, or to both, at the Discretion of the Court.

Method of Trial and Conviction of Offenders for making Escape, or breaking Prison; and of Persons for assisting therein.

'LXVII. And, to the Intent that the Prosecutions for Escapes, Breaches of Prison, and Rescues, may be 'carried on with as little Trouble and Expence as is possible;' be it further enacted, That any Offender escaping, breaking Prison, or being rescued, in Manner aforesaid, may and shall be tried before the Justices of Oyer and Terminer, or Gaol Delivery, or at the Great Sessions for the County where he or she shall be apprehended and retaken; and in case of any Prosecution for any such Escape, Attempt to escape, Breach of Prison, or Rescue, either against the Offender escaping, or attempting to escape, or having broke Prison, or been rescued, or against any other Person or Persons concerned therein, or aiding, abetting, or assisting the same, a Copy, properly attested, of the Certificate herein-before directed to be given to the Sheriff or Gaoler by the Clerk of the Assize, or other Clerk for the Time being of the Court in which such Offender shall be convicted, and by such Sheriff or Gaoler to be delivered, together with the Offender, to such Governor or Superintendant as aforesaid, and by such Governor or Superintendant to be transmitted to the Clerk of the Peace, to be filed with the Records of the Sessions, shall, after Proof made that the Person then in Question before the Court is the same that was delivered with such Certificate, be sufficient Evidence to the Court and Jury, not only of the Nature and Fact of the Conviction itself, and the Species of Confinement to which such Person was ordered, but also that the Person then in Question is the same that was so convicted, and ordered to such Confinement.

Penalties of this Act how to be recovered and applied.

LXVIII. And be it further enacted, That any pecuniary Penalties created by this Act, for the Recovery of which no Mode is herein-before prescribed, shall be recoverable before two or more Justices of the Peace in the County, Riding, Division, City, Liberty, Borough, Town, or Place, in which the Offence shall be committed, on Proof of the Offence by the Oath or Oaths of one or more credible Witness or Witnesses, or on Confession of the Offender; and one Moiety thereof shall be paid to the Use of the Penitentiary House, or other Place of Confinement, to which the Offence more immediately relates, and the other Moiety to the Informer or Informers prosecuting for the same; and in case of Nonpayment, shall be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hands and Seals of such Justices; and the Overplus of the Money raised, after deducting the Penalty, and the Expences of the Distress and Sale, shall be rendered to the Owner; and for Want of sufficient Distress the Offender shall be sent by such Justices to the Prison of such County, Riding, Division, City, Borough, Town, or Place, for such Term, not exceeding six Months, nor less than one Month, as such Justices shall think most proper.

Allowance to be made to the County of Middlesex for their disproportionate Expences.

LXIX. Provided always, and be it further enacted, That in Consideration of the great and disproportionate Expences which the County of *Middlesex* will probably incur, in providing for the temporary Reception and Maintenance of great Numbers of Offenders as aforesaid, it shall and may be lawful for the Commissioners of his Majesty's Treasury, or the High Treasurer for the Time being, to issue and allow to the Treasurer of the said County of *Middlesex*, from Time to Time, till such Certificate shall be made as aforesaid, such Sum or Sums of Money as shall appear to be reasonable, in Aid of such extraordinary Expences, not exceeding the Sum of three hundred Pounds for one Year, and so in Proportion for any longer or shorter Time.

Regulation relative to the Lodgings of the Judges at County Assizes.

'LXX. And whereas the Courts of Assize, *Nisi Prius*, Oyer and Terminer, and Gaol Delivery, for 'several Counties at large in this Kingdom, are often held in or near Cities or Towns that are Counties 'of themselves, and at the same Time with the like Courts for the said Cities or Towns; and Inconvenien-'cies frequently arise, in transacting the Business of the several Courts, for that the Lodgings of the Judges 'are situate either only in the County at large, or only in the County of such City or Town;' be it therefore further enacted, That whenever the Courts of Assize, *Nisi Prius*, Oyer and Terminer, or Gaol Delivery, for any County at large, in that Part of *Great Britain* called *England*, shall be held in or near any City or Town that is also a County of itself, and at the same Time with the like or any of the like Courts for the said City or Town, the Lodgings of the Judge or Judges shall be construed and taken to be situate

both within the County at large, and also within the County of such City or Town, for the Purpose of carrying this Act into Execution, and of transacting the Business of the Assizes for such County at large, and for the County of such City or Town, during the Time that such Judge or Judges shall continue therein for the Execution of their several Commissions.

Persons prosecuted under this Act may plead the General Issue,

LXXI. And be it further enacted, That if any Suit or Action shall be prosecuted against any Person or Persons for any Thing done in pursuance of this Act, such Person or Persons may plead the General Issue, and give this Act or the special Matter in Evidence at any Trial to be had thereupon, and that the same was done by the Authority of this Act; and if a Verdict shall pass for the Defendant or Defendants, or the Plaintiff or Plaintiffs shall become Nonsuit, or discontinue his, her, or their Action or Actions, after Issue joined; or if on Demurrer, or otherwise, Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall recover Treble Costs, and have the like Remedy for the same as any Defendants have by Law in other Cases; and though a Verdict shall be given for any Plaintiff, in any such Action or Suit as aforesaid, such Plaintiff shall not have Costs against the Defendant, unless the Judge, before whom the Trial shall be, shall certify his Approbation of the Verdict.

and recover Treble Costs.

Limitation of Actions.

LXXII. And be it further enacted, That all Actions, Suits, and Prosecutions, to be commenced against any Person or Persons for any Thing done in pursuance of this Act, shall be laid and tried in the County or Place where the Fact was committed, and shall be commenced within six Months after the Fact committed, and not otherwise.

So much of 16 Geo. III. Cap. 43, continued as relates to the Terms of Confinement of Offenders unexpired at the passing of this Act,

LXXIII. And be it further enacted, That an Act, made and passed in the sixteenth Year of the Reign of his present Majesty, intituled, *An Act to authorise, for a limited Time, the Punishment by Hard Labour of Offenders who, for certain Crimes, are or shall become liable to be transported to any of his Majesty's Colonies and Plantations*; and which was continued by two subsequent Acts, the one made in the eighteenth Year of the Reign of his present Majesty, and the other in this present Session of Parliament, till the first Day of *July*, one thousand seven hundred and seventy-nine, shall, with regard to such Offenders whose respective Terms of Confinement under and by virtue of the said Acts are subsisting and unexpired at the passing of this Act, continue and remain in Force till the End or other Determination of their said respective Terms; the Time limited for the Expiration of the said Acts, or any other Matter or Thing, to the contrary notwithstanding; save only that such Offenders so confined shall, from and after the said first Day of *July*, be subject to the Orders and Regulations herein-before contained, instead of those contained in the said former Act.

Continuance of this Act.

LXXIV. And be it further enacted, That this Act shall continue in Force until the first Day of *June*, which shall be in the Year of our Lord one thousand seven hundred and eighty-four, and from thence to the End of the then next Session of Parliament, and no longer; except with regard to Offenders whose respective Terms of Confinement under and by virtue of this Act shall be then subsisting and unexpired, with regard to whom it shall continue in Force till the End or other Determination of their respective Terms.

## CAP. LXXV.

### An Act for removing certain Difficulties with respect to the more speedy and effectual Manning of his Majesty's Navy, for a limited Time.

Preamble.

'WHEREAS by several Acts of Parliament, Persons under certain Descriptions are protected from 'being impressed into his Majesty's Service at Sea: And whereas it is equally just and expedient 'that such Protections should not be used to obstruct the public Defence in an arduous and difficult Con'juncture;' be it therefore enacted by the King's most excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of an Act, passed in the second Year of the Reign of her Majesty Queen *Anne* (intituled, *An Act for the Increase of Seamen, and better Encouragement of Navigation, and Security of the Coal Trade*), as grants any Exemption or Protection to any Apprentice or other Person from being impressed, or permitted or suffered to list or enter into his Majesty's Sea Service; and also one Act passed in the thirteenth Year of his late Majesty's Reign (intituled, *An Act for the Increase of Mariners, and Seamen to navigate Merchant Ships, and other trading Ships or Vessels*); and also so much of an Act, passed in the second Year of his Majesty's Reign (intituled, *An Act for the better supplying the Cities of* London *and* Westminster *with Fish, and to reduce the present exorbitant Price thereof, and to protect and encourage Fishermen*), as grants any Protection to the Persons therein described from being impressed into his Majesty's Service at Sea; and also so much of an Act passed in the eleventh Year of his Majesty's Reign (intituled, *An Act for the better Support and Establishment of the* Greenland *and Whale Fishery*), as grants the like Protection to the Persons therein described, shall be, and the same are hereby declared and enacted to be of no Force and Effect, for and during the Space of five Calendar Months, to be computed from the sixteenth Day of *June*, one thousand seven hundred and seventy-nine.

Part of an Act 2 Annæ, for Increase of Seamen, &c.; and 13 Geo. II. Cap. 17.; and Part of 2 Geo. III. Cap. 15; and Part of 11 Geo. III. Cap. 38, suspended for 5 Months, from June 16, 1779.

II. Provided nevertheless, That the Suspension of the above-mentioned Acts, so far as they relate to Persons serving on board of Ships and Vessels employed in the Coal Trade, shall not continue longer than one Calendar Month, to be computed from the sixteenth Day of *June* aforesaid.

Exception in favour of Persons employed in the Coal Trade.

III. And be it further enacted, That no Person or Persons shall be sued or molested for taking and impressing, or causing to be taken and impressed, within the Time aforesaid, any Person or Persons for his Majesty's Service at Sea, contrary to the Provisions of the before recited Acts, or any of them.

No Person to be molested for impressing, within the Time aforesaid, contrary to the recited Acts.

## CAP. LXXVI.

### An Act for augmenting the Militia.

Preamble. Recital of the Militia Act 2 Geo. III.

'WHEREAS by an Act, made in the second Year of the Reign of his present Majesty, intituled, *An Act to explain, amend, and reduce into one Act of Parliament, the several Laws now in being relating to* 'the

'*raiſing and training the Militia within that Part of* Great Britain *called* England; it is, amongſt other 'Things, enacted, That the Number of Private Men to be raiſed, by virtue of the ſaid Act, in that Part 'of *Great Britain* called *England*, the Dominion of *Wales*, and Town of *Berwick upon Tweed*, ſhall con- 'ſiſt of the Numbers therein particularly mentioned: And whereas, in the preſent Situation of public 'Affairs, it is highly neceſſary and expedient that the Number of the Militia Forces ſhould be augmented:

and 18 Geo. III. Cap. 59.

'And whereas by an Act, paſſed in the laſt Seſſion of Parliament, intituled, *An Act to amend and render 'more effectual the Laws relating to the raiſing and training the Militia within that Part of* Great Britain 'called England; *and to eſtabliſh certain Regulations with reſpect to Officers ſerving in the Corps of Fencible 'Men directed to be raiſed in that Part of* Great Britain *called* Scotland, *and certain other Corps therein men- 'tioned*, it is enacted, That it ſhall and may be lawful for any of his Majeſty's Lieutenants to authoriſe 'the Acceptance of any Number of Volunteers in any Regiment or Battalion of Militia, and to ap- 'point Officers to command ſuch Volunteers, provided the Number of ſuch Volunteers does not exceed 'the Complement of any one Company in any ſuch Regiment or Battalion: And whereas it may be ex- 'pedient further to extend the Proviſions of the ſaid Act with reſpect to the raiſing Volunteer Companies 'in the Militia Forces of this Kingdom;' be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That, from and after the paſſing of this Act, if any Perſon or Perſons, properly qualified according to the Laws now in Force, ſhall offer to his Majeſty's Lieutenant of any County to raiſe one or more Company or Companies to be added to the Regiment or Battalion of any County or Riding, it ſhall and may be lawful for his Majeſty's Lieutenant to accept ſuch Offers, and to appoint ſuch Officers accordingly; and ſhall certify to his Majeſty, his Heirs or Succeſſors, the Names and Ranks of ſuch Officers, within one Month after they ſhall be ſo appointed; and in caſe his Majeſty, his Heirs or Succeſſors, ſhall, within one Month after ſuch Certificate laid before his Majeſty, his Heirs or Succeſſors, ſignify his or their Diſapprobation of any Perſon to be ſuch Officer in the Militia, his Majeſty's Lieutenant ſhall not grant a Commiſſion to ſuch Perſon, but ſhall grant Commiſſions to ſuch Perſons ſo appointed who ſhall not be diſapproved of by his Majeſty, his Heirs or Succeſſors, as aforeſaid; and on the Certificate of his Majeſty's Lieutenant, or of the Commanding Officer of the Regiment or Battalion to which ſuch Company or Companies ſhall be annexed, that ſuch Company or Companies are actually raiſed, ſuch Company or Companies ſhall be intitled to the ſame Allowance of Bounty, Subſiſtence Money, Arms, and Clothing, as the reſt of his Majeſty's Militia Forces in this Kingdom.

Lord Lieutenants impowered to accept of Volunteer Companies, and to appoint Officers therein.

Such Companies to be intitled to the ſame Pay, &c. as the other Militia Forces.

II. And be it enacted, That when any ſuch Companies of Volunteers ſhall be added to any Regiment, ſuch Addition ſhall not make it neceſſary to ſeparate ſuch Regiment into two Battalions, but ſuch Regiment ſhall remain and continue one Regiment.

Augmented Regiments not to be made two Battalions.

III. And be it further enacted by the Authority aforeſaid, That all and every the ſeveral Laws, and all the Rules, Regulations, Penalties, Forfeitures, Clauſes, Matters, and Things therein contained, and now in Force, or which ſhall be paſſed in this Seſſion of Parliament, relative to the raiſing, training, paying, clothing, embodying, and calling out, the Militia, ſhall be applied, practiſed, and put in Execution, with reſpect to the additional Volunteer Companies by this Act directed to be raiſed, in as full and ample Manner as if the ſaid ſeveral Laws, Rules, Regulations, Penalties, Forfeitures, Clauſes, Matters, and Things, were herein again at large repeated and re-enacted in the Body of this preſent Act; ſave and except ſo far as the ſame are altered by any Proviſions contained in this Act.

Volunteer Companies to be ſubject to all the Laws, Regulations, &c. now in Force relating to the Militia;

and to be reduced when the Militia ſhall be diſembodied, &c.

IV. And be it further enacted by the Authority aforeſaid, That all Volunteer Companies which ſhall be raiſed in purſuance of this Act, ſhall be reduced and diſſolved whenever the Militia of the Counties, Ridings, and Places, in which ſuch Companies ſhall be raiſed, ſhall be diſembodied, or at ſuch earlier Period as his Majeſty ſhall ſignify his Pleaſure to reduce ſuch Companies.

Continuance of this Act.

V. And be it further enacted by the Authority aforeſaid, That this Act ſhall be and continue in Force until the firſt Day of *December*, one thouſand ſeven hundred and eighty-two, and no longer.

## CAP. LXXVII.

An Act to enable the Commiſſioners of his Majeſty's Treaſury to compound a Debt due to the Crown from *James Gildart* and his Sureties, and for veſting the Eſtates of the ſaid *James Gildart* in *Francis Gildart* and *Thomas Gildart*; and for other Purpoſes therein mentioned.

"Preamble reciting ſeveral Bonds entered into by *James Gildart*, and his Sureties. A Writ of Extent "iſſued by the Court of Exchequer. Commiſſioners of the Treaſury impowered to compound with *Fran- "cis Gildart* and *Thomas Gildart*, for the Money remaining due to the Crown from *James Gildart*, as "Receiver-general of the Land Tax, *&c.* for *Lancaſhire*, or from his Sureties. All the Eſtates, both real "and perſonal, which *James Gildart* was poſſeſſed of or intitled to at the ſuing out of the Extent; and alſo "the Eſtates which were deviſed as aforeſaid by *Richard Gildart*, are veſted in *Francis Gildart* and *Thomas "Gildart*; ſubject to the Payment of the Compoſition herein mentioned for the Debts aforeſaid. Upon "Payment of the Compoſition above-mentioned, or giving Security for the ſame, the ſaid Eſtates to be "abſolutely veſted in them and their Heirs, freed from all Debts due from *James Gildart* to the Crown, "and from the Bonds entered into by his Sureties. *Francis Gildart* and *Thomas Gildart* impowered to "bring Actions for recovering Poſſeſſion of Premiſes, *&c.* After Payment of, or giving Security for, "the Compoſition herein mentioned, the aforeſaid Eſtates veſted in *Francis* and *Thomas Gildart*, and any "Eſtate which *James Gildart* may hereafter acquire, and alſo his ſeveral Sureties, are freed and diſcharged "of the aforeſaid Debts due to the Crown. General Saving."

## CAP. LXXVIII.

An Act for enlarging the Term of an Act, paſſed in the twelfth Year of his preſent Majeſty's Reign, for building a Temporary Bridge over the River *Tyne*, between the Town of *Newcaſtle upon Tyne* and *Gateſhead*, in the County of *Durham*; for completing the new Stone Bridge over the ſaid River; and for making the Avenues to, and the Paſſage over the ſame more commodious.

THE

# STATUTES at Large, &c.

## Anno Regni GEORGII III. Vicesimo.

'AT the Parliament begun and holden at *Westminster*, the twenty-ninth Day of *November*, *Anno Domini* one thousand seven hundred and seventy-four, in the fifteenth Year of the Reign of our Sovereign Lord *GEORGE* the Third, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, &.

'And from thence continued, by several Prorogations, to the twenty-fifth Day of *November*, one thousand seven hundred and seventy-nine; being the sixth Session of the fourteenth Parliament of *Great Britain*.

### CAP. I.

An Act for holding the ensuing Election of a Knight of the Shire for the County of *Southampton*, at the Town of *New Alresford*, in the said County.

'WHEREAS by an Act, made in the eighth Year of the Reign of his late Majesty King *George* the Second, intituled, *An Act for regulating the Quartering of Soldiers during the Time of the Elections of Members to serve in Parliament*, it is enacted, That when and as often as any Election of any Member or Members to serve in Parliament shall be appointed to be made, the Secretary at War, or the Person who shall officiate in the Place of the Secretary at War, shall, at some convenient Time before the Day appointed for such Election, issue and send forth proper Orders for the Removal of all Soldiers, who shall be quartered or billetted in any City, Borough, Town, or Place, where such Election shall be appointed to be made, out of every such City, Borough, Town, or Place, one Day at least before the Day appointed for such Election, to the Distance of two or more Miles from such City, Borough, Town, or Place, and not to make any nearer Approach thereto, until one Day at the least after the Poll to be taken at such Election shall be ended, and the Poll Books closed, under certain Penalties and Disabilities in the said Act mentioned: And whereas by an Act, made in the seventh and eighth Years of King *William* the Third, *for the further regulating Elections of Members to serve in Parliament, and for the preventing irregular Proceedings of Sheriffs, and other Officers, in electing and returning such Members*, it is enacted, That upon every Election of any Knight of the Shire, the Sheriff shall hold his County Court at the most public and usual Place of Election, and where the same has been usually held for forty Years: And whereas an Election is soon to be held for a Knight of the Shire for the County of *Southampton*, and, if not otherwise provided for, will be held at the City of *Winchester* (being the usual Place for holding Elections for the said County), at which Place many *French* and *Spanish* Prisoners are now confined, for the safe keeping of which a Number of Troops or Soldiers are absolutely necessary, and cannot be removed from thence without manifest Danger as well to the Inhabitants of the said City, and all Persons resorting thereto, as to the Public in general:' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Election shall be begun and held at the Town of *New Alresford*, in the said County of *Southampton*; and that the County Court for the said County at which the said Election shall be made (whether the same County Court be holden by Adjournment, or otherwise) shall be holden at the said Town of *New Alresford*, and not at *Winchester* aforesaid; and the Adjournment of the said County Court, if any such has been made, and is now depending, to the said City of *Winchester*, or any other Place, shall be deemed and taken to be legally made to the said Town of *New Alresford*; any Law, Usage, or Custom, to the contrary notwithstanding; and the Sheriff of the said County, or his Deputy, are hereby authorised and required to adjourn the Poll, from the said Town of *New Alresford*, to *Newport* in the *Isle of Wight*, in the Manner directed in and by an Act made in the seventh and eighth Years of the Reign of King *William* the Third, intituled, *An Act for the further regulating Elections of Members to serve in Parliament, and for the preventing irregular Proceedings of Sheriffs, and other Officers, in the electing and returning such Members*, in relation to adjourning the Poll from the said City of *Winchester*.

Preamble; reciting an Act 8 Geo. II.

and 7 & 8 Gul. III.

The ensuing Election for Hampshire to be held at New Alresford, instead of Winchester.

## CAP. II.

An Act for granting an Aid to his Majesty by a Land Tax, to be raised in *Great Britain*, for the Service of the year one thousand seven hundred and eighty. 4*s*.

## CAP. III.

An Act for continuing and granting to his Majesty certain Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year one thousand seven hundred and eighty.

## CAP. IV.

An Act for continuing an Act, made in the last Session of Parliament, *for allowing the Importation of fine organzined* Italian *Thrown Silk in any Ships or Vessels, for a limited Time.* [Further continued till *March* 25, 1781.]

## CAP. V.

An Act for further continuing an Act, made in the seventeenth Year of the Reign of his present Majesty, intituled, *An Act to impower his Majesty to secure and detain Persons charged with, or suspected of, the Crime of High Treason, committed in any of his Majesty's Colonies or Plantations in* America, *or on the High Seas, or the Crime of Piracy.* [Further continued till *January* 1, 1781.]

## CAP. VI.

An Act to repeal certain Acts made in *Great Britain*, which restrain the Trade and Commerce of *Ireland* with Foreign Parts.

Preamble.

'WHEREAS, in order to promote and advance the Welfare and Prosperity of his Majesty's Kingdom of *Ireland*, it is expedient that certain Acts of Parliament, formerly made in *Great Britain*, 'which lay Restraints upon the Trade and Commerce of *Ireland*, respecting the Articles herein-after mentioned, should be repealed;' may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

So much of any British Acts of Parliament as prohibit or restrain the Exportation of Woollen Manufactures from Ireland to Foreign Parts, repealed.

That, from and after the passing of this Act, so much of an Act of Parliament, made in the tenth and eleventh Years of the Reign of King *William* the Third, intituled, *An Act to prevent the Exportation of Wool out of the Kingdoms of* Ireland *and* England *into Foreign Parts; and for the Encouragement of the Woollen Manufactures in the Kingdom of* England; and so much of any other Act or Acts of Parliament made in *Great Britain*, which prohibit or in any Manner restrain the Exportation of Cloth, Serge, Bays, Kerseys, Says, Frizes, Druggets, Cloth-serges, Shalloons, or any other Drapery Stuffs or Woollen Manufactures whatsoever, made up or mixed with Wool or Wool Flocks, from the Kingdom of *Ireland* into Foreign Parts, shall be, and the same is and are hereby repealed and made void.

So much of 19 Geo. II. Cap. 12. as relates to the Exportation of Glass from Ireland, repealed.

II. And it is hereby further enacted by the Authority aforesaid, That, from and after the passing of this Act, so much of an Act, made in the nineteenth Year of the Reign of his late Majesty King *George* the Second, intituled, *An Act for granting to his Majesty several Rates and Duties upon Glass, and upon Spirituous Liquors; and for raising a certain Sum of Money by Annuities, and a Lottery, to be charged on the said Rates and Duties; and for obviating some Doubts about making out Orders at the Exchequer for the Monies advanced upon the Credit of the Salt Duties, granted and continued to his Majesty by an Act of the last Session of Parliament*; as relates to the Exportation of Glass, Glass Bottles, or Glass of any Kind or Denomination whatsoever, from or out of the Kingdom of *Ireland*, shall be, and the same is hereby repealed and made void.

## CAP. VII.

An Act to amend an Act, made in the eighteenth Year of the Reign of his present Majesty, intituled, *An Act to explain and amend so much of an Act, made in the fourth Year of the Reign of his present Majesty, as relates to the preventing the clandestine Conveyance of Sugar and Paneles from the* British *Colonies and Plantations in* America *into* Great Britain.

Preamble.

28 Geo. III. Cap. 58, recited.

'WHEREAS by an Act, made in the eighteenth Year of the Reign of his present Majesty, intituled, *An Act to amend and explain so much of an Act, made in the fourth Year of the Reign of his present Majesty, as relates to the preventing the clandestine Conveyance of Sugar and Paneles from the* British *Colonies and Plantations in* America *into* Great Britain; it was among other Things enacted, That, from and after the first Day of *March*, one thousand seven hundred and seventy-nine, if any Sugar or Paneles shall be imported into *Great Britain*, from any *British* Colony or Plantation in *America*, without, or which shall not be included in the Certificate required in and by the said Act of the fourth Year of the Reign of his present Majesty, that then, and in either such Case, all such Sugar and Paneles shall be deemed and taken to be foreign Sugar and Paneles, and shall be liable to the same Duties, Restrictions, Regulations, Penalties, and Forfeitures, in all Respects, as Sugar and Paneles of the Growth, Produce, or Manufacture, of any *French* Colony or Plantation, would be respectively liable to by Law; any Thing in the said recited Act, or any Law, Usage, or Custom, to the contrary in any wise notwithstanding: And whereas great Inconveniencies have arisen, and may arise, from the taking away, by the said

'said Act of the eighteenth Year of his present Majesty, the discretionary Power, which was formerly 'vested in the Commissioners of his Majesty's Customs by the said Act of the fourth of his present Ma- 'jesty, to dispense with the said Certificate;' for Remedy whereof, may it please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, from and after the passing of this Act, if any Sugar or Paneles shall be imported into *Great Britain*, from any *British* Colony or Plantation in *America*, without, or which shall not be included in the Certificate required by the said Act of the fourth of his present Majesty, and it shall be made appear, to the Satisfaction of the Commissioners of his Majesty's Customs at *London* or *Edinburgh* respectively, that the Goods are really and truly the Produce of any *British* Plantation or Colony in *America*, and that no Fraud was intended, it shall and may in such Case be lawful for the said respective Commissioners to permit the said Goods to be entered, upon Payment of the *British* Plantation Duties, any Thing in the said Act, of the eighteenth Year of his present Majesty, to the contrary in any wise notwithstanding.

Sugar or Paneles from British America may be entered on Payment of British Plantation Duties, without the Certificate required by an Act 4 Geo. III.

'II. And whereas several Parcels of Sugar have been imported into this Kingdom, from several of the 'British Colonies or Plantations in *America*, since the said first Day of *March*, one thousand seven hundred and 'seventy-nine, without, or which are not included in the Certificate required by the said Act of the fourth 'of his present Majesty; Part of which Sugar now remains secured in Warehouses under his Majesty's 'Locks, and other Part thereof hath been delivered upon the Merchants depositing the *French* Duties in 'the Hands of the proper Officer of his Majesty's Customs till such Certificate could be produced, and 'other Part which hath been lately so imported is not yet entered: And whereas, from the present State 'of public Affairs in the *West Indies*, it is now impracticable to produce the Certificates for such Sugar, 'for want of which, unless Relief is granted by Parliament, the said Sugar is liable to the same Duties, 'Restrictions, Regulations, Penalties, and Forfeitures, as Sugar of the Growth, Produce, or Manufac- 'ture, of any *French* Colony or Plantation, notwithstanding the same is really the Produce of the *British* 'Colonies or Plantations in *America*:' For Remedy whereof, be it further enacted by the Authority aforesaid, That it shall and may be lawful for the respective Commissioners of his Majesty's Customs, or any three or more of them, to permit the said Sugar so secured in Warehouses, or not entered, to be entered and delivered, upon Payment of the *British* Plantation Duties for the Quantity landed, and the Difference of the Duties so deposited to be returned, upon the Proof herein before required and directed; any Thing in the said Act, of the eighteenth Year of his present Majesty, to the contrary notwithstanding.

How Commissioners of the Customs are to act relative to Sugar imported from America since March 1, 1779.

## CAP. VIII.

An Act to indemnify such Officers of the Militia as have not transmitted to the Clerks of the Peace Descriptions of their Qualifications, and Certificates of their having taken the Oaths as required; and for allowing further Time for the Delivery of Descriptions of Qualifications by such Officers of the Militia; and for obliging the Captain Lieutenant to deliver in a Description of his Qualification.

Preamble.

'WHEREAS by an Act, passed in the last Session of Parliament, intituled, *An Act to explain, 'amend, and render more effectual, the several Laws now in being relative to the Militia Forces of this 'Kingdom; and for making certain Provisions relative to the Fencible Men in that Part of* Great Britain *called* 'Scotland, every Officer then holding or then after accepting a Commission as Colonel, Lieutenant Colonel, 'Major, or Captain, is required, before the first Day of *December*, one thousand seven hundred and 'seventy-nine, or within six Months after such Acceptance, to deliver in his or their several respective 'Qualification or Qualifications, agreeable to the Directions of an Act made in the eighteenth Year of his 'Majesty's Reign, intituled, *An Act to amend and render more effectual the Laws relating to the raising and 'training the Militia within that Part of* Great Britain *called* England; *and to establish certain Regulations 'with respect to Officers serving in the Corps of Fencible Men directed to be raised in that Part of* Great Britain 'called Scotland, *and certain other Corps therein mentioned*; and also to transmit to the Clerk of the Peace of 'the County, in the Militia whereof such Officer shall serve, a true Description of his Qualification, and 'also a Certificate of his having taken the Oaths required: And whereas, by Reason of such Officers 'being upon Duty, and at a Distance from their respective Counties, many of them have omitted to deliver 'in their respective Qualifications, and to transmit such Description and Certificate as aforesaid, whereby 'they are or may be liable to the Penalties imposed by the said Acts for such Neglect or Omission:' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in case any such Colonel, Lieutenant Colonel, Major, Captain, or Officer of Militia, shall have neglected or omitted to deliver in his or their several respective Qualification or Qualifications, or to transmit to the Clerk of the Peace of the County, in the Militia whereof such Officer shall serve, a true Description of his Qualification for holding such respective Commission, and also a Certificate of his having taken the Oaths required, such Officer or Officers, notwithstanding such Omission or Neglect, shall be, and are hereby indemnified from the Penalties imposed by the said recited Acts for such Omission or Neglect; and all Acts done by them, in virtue of their respective Commissions as Officers in the Militia, are hereby directed to be valid and of full Effect; any Thing in the said recited Acts, or either of them, to the contrary notwithstanding.

Recital of Cap. 72, of the last Session;

and 18 Geo. III. Cap. 59.

Militia Officers, who have neglected to deliver in their Qualifications, &c. are indemnified, and their Acts valid.

II. And be it further enacted, That every Officer now holding or hereafter accepting a Commission as Colonel, Lieutenant Colonel, Major, Captain, or Captain Lieutenant, excepting only such Captain Lieutenants

Officers to deliver in their Qualifications before March 1, 1780.

tenants as have acted as such before the first Day of *July*, one thousand seven hundred and seventy-nine, in the Militia, not having already transmitted to the Clerk of the Peace of the County, in the Militia whereof such Officer shall serve, a true Description of his Qualification for holding such Commission, according to the Directions of an Act of the last Session of Parliament, shall, on or before the first Day of *March*, one thousand seven hundred and eighty, or within six Months after having accepted any such Commission in future, transmit to the Clerk of the Peace of the County, in the Militia whereof such Officer shall serve, a true Description of his Qualification for holding such Commission as aforesaid; and in case any such Officer shall neglect or omit to transmit such Description of his Qualification, every such Officer so omitting or neglecting shall be liable to the Penalties imposed by the said Acts for such Neglect or Omission.

## CAP. IX.

An Act for extending the Provisions of two Acts, made in the eighteenth Year of his present Majesty's Reign, and in the last Session of Parliament, with respect to bringing Prize Goods into this Kingdom, to *Spanish* Prize Goods; and for repealing so much of the said last-mentioned Act as relates to the Certificates for Prize Tea and *East India* Goods exported from this Kingdom to *Ireland*; for the Removal of *East India* Goods condemned as Prize at any Out-port to *London* for Sale, and of Prize Goods for Exportation; and for reducing the Duty on Foreign Prize Tobacco.

Preamble.

'WHEREAS his Majesty, by Order in Council dated the eighteenth Day of *June*, one thousand seven hundred and seventy-nine, was pleased to order that general Reprizals be granted against the Ships, Goods, and Subjects of the King of *Spain*; and that, as well all his Majesty's Fleets and Ships, as also all other Ships and Vessels that shall be commissioned by Letters of Marque or General Reprizals, or otherwise, by the Commissioners for executing the Office of Lord High Admiral of *Great Britain*, shall and may lawfully seize all Ships, Vessels, and Goods, belonging to the King of *Spain*, or his Subjects, or others inhabiting within any of the Territories of the King of *Spain*, and bring the same to Judgment in any of his Majesty's Courts of Admiralty within his Majesty's Dominions: And whereas it is expedient that the several Provisions of two Acts of Parliament, the one made in the eighteenth Year of his Majesty's Reign, intituled, *An Act for the Relief of the Captors of Prizes, with respect to the bringing and landing certain Prize Goods in this Kingdom*; and the other made in the last Session of Parliament, intituled, *An Act for granting Relief to the Captors of Prizes, with respect to bringing and landing certain French Prizes in this Kingdom*, should be extended in like Manner to all Prize Goods which have been, or may be taken from the *Spaniards* in pursuance of his Majesty's said Order in Council, subject nevertheless to such Alterations and Regulations as are herein-after prescribed:' May it therefore please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Acts made in the eighteenth Year of his Majesty's Reign, and in the last Session of Parliament, and all the Articles, Clauses, and Provisions therein (except where any Alteration is made by this Act), shall extend, and be construed to extend, to all Prize Goods and Ships or Vessels which have been taken from the *Spaniards* since the eighteenth Day of *June*, one thousand seven hundred and seventy-nine, or which hereafter may be taken during the Continuance of the present Hostilities with *Spain*, by any of his Majesty's Ships or Vessels of War, or by any private or other Ship or Vessel having Commission or other Authority from the Lord High Admiral of *Great Britain*, or the Commissioners for executing the Office of Lord High Admiral of *Great Britain* for the Time being, for that Purpose.

18 Geo. III. Cap. 15.

19 Geo. III. Cap. 5.

The above recited Acts extended to all Spanish Prizes taken since June 18, 1779, or which may be taken during the present Hostilities.

II. And it is hereby further enacted by the Authority aforesaid, That where any foreign Ship or Vessel hath been or shall hereafter be taken, during the present Hostilities, and condemned as Prize in any of his Majesty's Dominions out of this Kingdom, the Duty due and payable by Law for such Ship or Vessel shall be paid, upon her first Arrival at any Port in this Kingdom, to the Collector of his Majesty's Customs at such Port, by the Master, Owner, or Consignee, of such Ship or Vessel, whether the same shall have been sold by the Captors after Condemnation, or otherwise; and that no foreign-built Ship or Vessel so condemned shall enjoy or be entitled to the Privilege of a *British*-built Ship or Vessel, until such Duty is paid for the same: And it shall and may be lawful for any Officer or Officers of his Majesty's Customs to stop and detain such Ship or Vessel at any Port in *Great Britain*, until the said Duty is paid as aforesaid; and in case Payment thereof shall not be made for the Space of three Calendar Months after the Arrival of such Ship or Vessel at any Port in this Kingdom, it shall and may be lawful for the Commissioners of his Majesty's Customs, or any three or more of them, to cause such Ship or Vessel, and her Materials, Apparel, and Furniture, to be sold publicly to the best Bidder, and the Produce thereof to be applied, first to the Charges that shall arise by such Detention and Sale, next to the Customs and Duties, and the Overplus to be paid to the Proprietor of such Ship or Vessel, or other Person duly authorised by such Proprietor to receive the same.

Clause relative to the Payment of Duties for Prizes condemned in his Majesty's Dominions beyond Sea.

III. And it is hereby further enacted by the Authority aforesaid, That so much of the herein-before recited Act, made in the last Session of Parliament, as enacts, That if any Tea, or other *East India* Goods, which are or may be liable to any Duties *ad valorem*, which shall be taken and condemned as Prize, shall be exported from this Kingdom to *Ireland*, the Certificates, Cocquets, and other Documents, shall express the Price or Value at which such Goods were sold by the Captors or their Agents upon Condemnation, and that such Cocquets and other Documents shall have the same Force and Effect, to all Intents and Purposes whatsoever, upon the Importation of such Goods into *Ireland*, as if the said Goods had been imported

Part of the recited Act of last Session repealed.

by and sold at the Sales of the United Company of Merchants of *England* trading to the *East Indies*, shall, from and after the passing of this Act, be, and the same is hereby repealed and made void.

East India Goods condemned as Prize in any Out-port, shall be brought to London for Sale.

'IV. And whereas Goods of the Growth, Product, or Manufacture of the *East Indies* taken as Prize, 'have been, and may, during the present Hostilities with *France* or *Spain*, be carried into some of the Out-'ports of this Kingdom and condemned; and from the Inexperience of the Officers of the Customs at such 'Ports, Difficulties have arisen in computing and charging the Duties thereon:' For Remedy whereof, be it further enacted, by the Authority aforesaid, That in all Cases where such Goods shall be carried into any Out-port in this Kingdom, and condemned as Prize, Bond, with sufficient Security, shall be given to his Majesty, in Treble the Value of such Goods, that the same shall be brought to *London*, and delivered to his Majesty's Warehouse-keeper, at the Custom-house for the Port of *London*, to be deposited by him in Warehouses provided at the Expence of the Captors or their Agents, and approved of by the Commissioners of the Customs, or any four or more of them; and with further Condition to produce a Certificate from such Warehouse-keeper, within three Months from the Date of such Bond, that the Goods have been delivered accordingly; which Security the Collector and Comptroller, or other principal Officer of the Customs, at the Port from whence such Goods are to be removed, are hereby authorised and impowered to take, and to cancel and discharge such Bond upon receiving the Certificate from the Warehouse-keeper, as herein-before directed; and if such Goods shall be sent by Land Carriage, they shall be removed under the Seals of Office of such Collector and Comptroller, or principal Officer of the Customs, and shall be accompanied with a *Transire* expressing the Number and Marks of the Packages; and all such Goods so removed, either by Land or Water, shall afterwards be publicly exposed to Sale in the City of *London*, by the Captors or their Agents, they giving Notice of such Sale to the proper Officers of the Customs and Excise appointed or to be appointed for that Purpose; and the Duties due and payable for such Goods shall be thereupon computed and charged by the proper Officers of the Customs or Excise respectively concerned therein, by the same Rules, Regulations, and Restrictions, in all Respects (excepting any Allowance for Warehouse Rent) as the Duties payable upon the like Goods imported by, and sold at the Sales of, the United Company of Merchants of *England* trading to the *East Indies*, are computed and charged; and the Duties due by Law thereon shall be accordingly paid and applied; any Custom or Usage to the contrary notwithstanding.

How the Duties thereon shall be computed.

Prize Goods lodged in Warehouses may be removed to any Custom-house Warehouse in Great Britain for Exportation.

'V. And whereas, by the herein-before recited Act, made in the eighteenth Year of his Majesty's 'Reign, it is, amongst other Things, enacted, That any Prize Goods received into any Warehouses in 'this Kingdom, in pursuance of that Act, may be exported directly from thence without paying any fur-'ther Duty than is by the said Act directed, upon the Security therein mentioned: And whereas, in some 'Cases, it is impracticable for the Captors or their Agents to procure Ships to export such Goods directly 'from the Ports where they are so warehoused, and the keeping such Goods therein for a considerable Time, 'in order to procure such Vessels, is attended with great Expence and Loss to the Captors:' For Remedy whereof, be it further enacted by the Authority aforesaid, That it shall and may be lawful for the Commissioners of his Majesty's Customs, or any three or more of them, in any Case where they shall think proper, to order such Goods, so secured in any Warehouse in this Kingdom, to be removed and sent from thence for Exportation to any Custom-house Warehouse, at any other Port or Place in *Great Britain*, by and under the Seal of Office of the Collector and Comptroller of the Customs at the Port from whence the Goods are intended to be so removed, at the Expence of the Captors or their Agents, or other Person or Persons who may have purchased the same; and in such Case, the Security directed by the herein-before recited Act, shall be taken by the Customer or Collector of the Port to which such Goods are removed, before they are delivered for Exportation, instead of the Customer or Collector of the Port where they were first warehoused as aforesaid; any Thing in the said recited Act to the contrary notwithstanding.

Foreign Prize Tobacco to pay the same Duties as Tobacco the Produce of British America.

'VI. And whereas the Duties payable by Law upon Prize Tobacco, of the Growth, Product, or 'Manufacture of any foreign Colony or Plantation, are so high as to render it impracticable for the Captors 'or their Agents to dispose of the same, after Condemnation, in this Kingdom to any Advantage:' For Remedy thereof, be it further enacted by the Authority aforesaid, That all Tobacco, not being the Growth, Product, or Manufacture of any *British American* Colony or Plantation, or any Place or Country under the Dominion of his Majesty, which hath been taken and condemned as Prize, and which is now remaining in any Warehouse in this Kingdom under the King's Locks, or on Board any Ship or Vessel unentered at the Custom-house, or which shall hereafter, during the present Hostilities with *France* or *Spain*, be taken and condemned as Prize in this Kingdom, or in any of his Majesty's Dominions abroad, shall be liable to pay the same Duties as Tobacco of the Growth, Product, or Manufacture of the *British* Colonies or Plantations in *America*, are or may be liable to by Law, and to no other; and upon Exportation of such Tobacco into foreign Parts, the Whole of such Duties so paid or secured shall be repaid and drawn back, or the Security vacated, excepting the Half of the old Subsidy, granted by an Act passed in the twelfth Year of the Reign of King *Charles* the Second, and the Whole of the further Subsidy of Poundage, granted by an Act passed in the twenty-first Year of the Reign of his late Majesty King *George* the Second, being what is commonly called *The Subsidy one thousand seven hundred and forty-seven*, if such Tobacco shall be taken by any of his Majesty's Ships or Vessels of War; and the Half of the old Subsidy only, if taken by any private or other Ship having Commission as aforesaid; and such Tobacco shall, in all other Respects, be subject and liable to the same Securities, Rules, Regulations, and Restrictions, as Tobacco of the Growth, Product, or Manufacture of the *British* Colonies or Plantations in *America*, are or may be liable to by Law; any Act or Acts of Parliament, Custom, or Usage, to the contrary notwithstanding.

What Part of the Duties shall be drawn back on Exportation.

Directions relative to foreign Prize Tobacco condemned in any of his Ma-

VII. Provided nevertheless, and it is hereby further enacted by the Authority aforesaid, That in case any such foreign Tobacco shall be taken as Prize, and carried into any foreign Port or Place, and condemned in any of his Majesty's Dominions out of this Kingdom, and such Tobacco shall be afterwards imported into *Great Britain*, the Importer or Proprietor of such Tobacco shall produce, to the Collector and Comptroller

jesty's Dominions beyond Sea, and afterwards imported into Great Britain.

Comptroller of the Customs at the Port of Importation, a Certificate under the Hands and Seals of Office of the Collector and Comptroller of the Customs, and Naval Officer, or any two of them, at the Port or Place where such Tobacco shall be condemned; and if there shall be no Collector or Comptroller, or Naval Officer, at such Port or Place, then under the Hand and Seal of the Governor or Commander in Chief, or the *British* Consul residing there, certifying that such Tobacco hath been taken and condemned as Prize; which Certificate shall express the Quantity, Number, and Marks, of the Package of such Tobacco, and by what Ship the same was taken, and when and where the same was condemned; on Failure whereof, such Tobacco shall be subject to the same Duties and Restrictions as it would have been liable to if this Act hat not been made.

## CAP. X.

An Act to allow the Trade between *Ireland* and the *British* Colonies and Plantations in *America* and the *West Indies*, and the *British* Settlements on the Coast of *Africa*, to be carried on in like Manner as it is now carried on between *Great Britain* and the said Colonies and Settlements.

Preamble.

Recital of an Act 12 Car. II.

22 & 23 Car. II.

and 15 Car. II.

4 Geo. III. Cap. 15.

7 Geo. I. Cap. 21.

'WHEREAS by an Act of Parliament, made in the twelfth Year of the Reign of King *Charles* the Second, intituled, *An Act for the encouraging and increasing of Shipping and Navigation*, it is, amongst other Things, enacted, That, for every Ship or Vessel which shall load any Commodities, in that Act particularly enumerated, at any *English* Plantation in *America*, *Asia*, or *Africa*, being the Growth, Product, or Manufacture thereof, Bond shall be given, with one Surety, to the Value of one thousand Pounds, if the Ship be of less Burthen than one hundred Tons, and of the Sum of two thousand Pounds, if the Ship be of greater Burthen, that the same Commodities shall be brought by such Ship or Vessel to some other *English* Plantation, or to some Port in *England* or *Ireland*, or Principality of *Wales*, or Town of *Berwick upon Tweed*: And whereas, by another Act of Parliament, made in the twenty-second and twenty-third Years of the Reign of King *Charles* the Second, intituled, *An Act to prevent the planting of Tobacco in* England, *and for regulating the Plantation Trade*, it was, amongst other Things, enacted, That the Word *Ireland* should be left out of all such Bonds: And whereas, by several subsequent Acts of Parliament, made in this Kingdom, which are now in Force, the said enumerated Commodities, and several other Articles which are particularly enumerated in such subsequent Acts, are to be carried to some other *British* Plantation, or to some Port in *Great Britain* only: And whereas, by another Act of Parliament, made in the fifteenth Year of the Reign of King *Charles* the Second, intituled, *An Act for the Encouragement of Trade*, no Commodity of the Growth, Production, or Manufacture of *Europe* (excepting some particular Articles which are enumerated in that Act, and in other subsequent Acts of Parliament which are now in Force), can be imported into any Land, Island, Plantation, Colony, Territory, or Place, belonging to, or in the Possession of, his Majesty, in *Asia*, *Africa*, or *America*, but what shall be *bona fide*, and without Fraud, laden and shipped in *Great Britain*, in Ships navigated according to Law, and carried directly from thence, and from no other Place or Places whatsoever: And whereas by another Act of Parliament, made in the fourth Year of his present Majesty's Reign, intituled, *An Act for granting certain Duties in the* British *Colonies and Plantations in* America; *for continuing, amending, and making perpetual, an Act passed in the sixth Year of the Reign of his late Majesty King* George *the Second, intituled,* An Act for the better securing and encouraging the Trade of his Majesty's Sugar Colonies in *America*; *for applying the Produce of such Duties, and of the Duties to arise by virtue of the said Act, towards defraying the Expences of defending, protecting, and securing the said Colonies and Plantations*; *for explaining an Act made in the twenty-fifth Year of the Reign of King* Charles *the Second, intituled,* An Act for the Encouragement of the *Greenland* and *Eastland* Trades, and for the better securing the Plantation Trade; *and for altering and disallowing several Drawbacks on Exports from this Kingdom, and more effectually preventing the clandestine Conveyance of Goods to and from the said Colonies and Plantations, and improving and securing the Trade between the same and* Great Britain; it is, amongst other Things, enacted, That any Officer of the Customs may stop any *British* Vessel arriving from any Port of *Europe*, which shall be discovered within two Leagues of the Shore of the *British* Colonies in *America*, and take from thence and seize, as forfeited, any Goods (except Salt, Wines, Horses, Victuals, and Linen Cloth, as therein particularly mentioned) for which the Master shall not produce a Cocquet or Clearance from the Collector or proper Officer of his Majesty's Customs, certifying that the said Goods were laden on Board the said Ship or Vessel in some Port of *Great Britain*: And whereas by another Act of Parliament, made in the seventh Year of the Reign of King *George* the First, intituled, *An Act for the further preventing his Majesty's Subjects from trading to the* East Indies *under foreign Commissions*; *and for encouraging and further securing the lawful Trade thereto*; *and for further regulating the Pilots of* Dover, Deal, *and the Isle of* Thanet; it is, amongst other Things, enacted, That no Commodity of the Growth, Product, or Manufacture of the *East Indies*, and other Places beyond the *Cape of Good Hope*, shall be imported or carried into any Land, Island, Plantation, Colony, Territory, or Place, to his Majesty or the Crown of *Great Britain* belonging, or which should thereafter belong to his Majesty, his Heirs and Successors, in *Africa* or *America*, but such only as shall be *bona fide*, and without Fraud, loaden and shipped in *Great Britain*, in Ships navigated according to Law: And whereas it is expedient to allow the Trade between *Ireland* and the *British* Colonies in *America* and the *West Indies*, and the *British* Settlements on the Coast of *Africa*, to be carried on in like Manner, and with equal Advantages to his Majesty's Subjects in *Ireland*, as it is now carried on between *Great Britain* and the said Colonies and Settlements:' May it therefore please your Majesty that it may be enacted; and be it enacted by the King's most Excellent

cellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That any Goods, Wares, or Merchandize of the Growth, Product, or Manufacture of the *British* Colonies or Plantations in *America* or the *West Indies*, or of any of the Settlements belonging to *Great Britain* on the Coast of *Africa*, and which by any Act or Acts of Parliament are required to be imported from such Colonies, Plantations, or Settlements into *Great Britain*; and also any other Goods, which, having been in any Way legally imported into the said Colonies, Plantations, or Settlements, may now or hereafter be legally exported from thence for *Great Britain*, shall and may be laden in, and exported from such Colonies, Plantations, or Settlements, respectively, and in like Manner imported directly from thence into the Kingdom of *Ireland*; and that any Goods or Commodities of the Growth, Production or Manufacture of *Ireland*, or of the Growth, Production, or Manufacture of *Great Britain*, legally exported from thence into *Ireland*, or of the Growth, Production, or Manufacture of any other Part of *Europe*; and any Goods or Commodities of the Growth, Product, or Manufacture of the *East Indies*, or other Places beyond the *Cape of Good Hope*, which are now required by any Act of Parliament to be shipped or laden in *Great Britain*, to be carried directly from thence to any *British* Colony or Plantation in *Africa* or *America*; as also any other Goods, Wares, or Merchandize, which now or hereafter may be legally shipped or laden in *Great Britain*, to be carried directly from thence, and imported into any Colony or Plantation in *America* or the *West Indies*, or into any *British* Settlement on the Coast of *Africa*; shall and may be shipped and laden at any Port or Place in the Kingdom of *Ireland*, and exported directly from thence, and in like Manner imported into any *British* Colony or Plantation in *America* or the *West Indies*, or into any *British* Settlement on the Coast of *Africa*; any Thing in the said herein before recited Acts or either of them, or any other Act or Acts of Parliament made in *Great Britain*, or any Usage or Custom, to the contrary notwithstanding; subject nevertheless to the Conditions herein after expressed.

Any Goods which may be legally imported from British America, or the British Settlements on the Coast of Africa, into Great Britain, may in like Manner be imported directly from the said Settlements, &c. into Ireland: And any Goods which may be legally exported from Great Britain to British America, or the said Settlements, may be exported directly from Ireland to the same Places;

II. Provided always, and it is hereby further enacted by the Authority aforesaid, That the Importation and Exportation allowed by this Act, shall commence from and as soon, and shall have Continuance so long, and in such respective Cases only, as the Goods, or any of them, which are hereby allowed to be imported from the said Colonies, Plantations, or Settlements, into *Ireland*, or to be exported from *Ireland* into the said Colonies, Plantations, or Settlements, shall be liable, by some Act or Acts of Parliament to be made in the Kingdom of *Ireland*, to equal Duties and Drawbacks, and shall be made subject to the same Securities, Regulations, and Restrictions, in all other Respects, as the like Goods now are, or hereafter may be, liable and subject to upon being imported from the said Colonies, Plantations, or Settlements, into *Great Britain*, or exported from thence to such Colonies, Plantations, or Settlements respectively; in the Consideration of which equal Duties and Drawbacks, due Attention may be given to, and Allowance made for, any Duty or Imposition, or any Part of the same, which shall be retained in *Great Britain*, or not drawn back, or not compensated by Bounty in *Great Britain*, upon the Export of any such Goods, Wares, or Merchandize, from thence to *Ireland*, as also for any Duty paid on Importation of such Goods, Wares, or Merchandize into *Ireland*, so as the said Goods, Wares, or Merchandize respectively be not exported from *Ireland* with less Incumbrance of Duties or Impositions than now do, or hereafter shall, remain upon the like Goods when legally exported from *Great Britain*.

On Condition that the Irish Parliament impose, on the Goods to be so exported or imported, Duties, &c. equal to those to which such Goods are liable on being exported from, or imported into Great Britain.

III. And it is hereby further enacted by the Authority aforesaid, That, during the Continuance of this Act, so much of the herein before recited Act, made in the twenty-second and twenty-third Years of the Reign of King *Charles* the Second, as directs or requires the Word *Ireland* to be left out of any Bond taken for any Ship or Vessel that shall load any enumerated Commodities in any *British* Plantation in *America*, *Asia*, or *Africa*, shall be, and the same is hereby repealed and made void; any Thing in the said recited Act, or any other Act or Acts of Parliament, to the contrary notwithstanding.

Part of the recited Act 22 & 23 Car. II. repealed.

IV. And it is further enacted by the Authority aforesaid, That so much of the Act of the fourth Year of his present Majesty's Reign, as is herein-before recited, shall not extend, or be construed to extend, to subject to Seizure and Forfeiture, any Goods, Wares, or Merchandize, which by this Act, or by any other Act or Acts of Parliament, may now, or hereafter, be legally imported from *Ireland* into any of the *British* Colonies or Plantations in *America*, or any *British* Settlement on the Coast of *Africa*; provided the Master, or other Person taking the Charge of the Ship or Vessel carrying such Goods, shall produce a Cocquet or Cocquets, Clearance or Clearances, from the proper Officer or Officers of his Majesty's Customs, certifying that the said Goods were laden on Board the said Ship or Vessel in some Port of *Great Britain*, or in some Port of *Ireland*, respectively.

Clause relative to the recited Act 4 Geo. III.

V. Provided also, and it is hereby further enacted by the Authority aforesaid, That if it shall so happen that any additional Duty shall be imposed, or any Alteration shall be made in the Drawbacks, or otherwise, upon any Goods so as aforesaid imported into, or exported from *Great Britain*, by any Act of Parliament that may hereafter be made in this Kingdom at any Time when the Parliament of *Ireland* shall not be sitting; that then and in such Case the Liberty of Importation and Exportation, granted by this Act, shall have Continuance, and remain in full Force, with respect to such Goods, until the End of four Calendar Months after the Meeting of the then next Session of Parliament in *Ireland*; but if the Parliament of *Ireland* shall be sitting at the Time that any such additional Duty shall be imposed, or any such Alteration shall be made in *Great Britain*, then, and in such Case, the Liberty of Importation and Exportation granted by this Act shall have Continuance, and remain in full Force, upon such Goods as aforesaid, until the End of four Calendar Months from the Time that such additional Duty shall be laid, or such Alteration made, in case the Parliament of *Ireland* shall so long continue to sit without Prorogation or Dissolution; and in case it shall within that Time be prorogued or dissolved, then the Liberty of importation and Exportation aforesaid shall have Continuance, and remain in full Force, until the End of four Calendar Months next after the Meeting of the then next Session of Parliament in *Ireland*.

Regulations to be observed on any Alteration of the Duties in Great Britain when the Irish Parliament shall not be sitting, &c.

This Act not to restrain any Liberty of Export to, or Import from, America or Africa, granted to the Irish by any former Act.

VI. Provided always, and be it declared and enacted by the Authority aforesaid, That nothing herein before contained shall extend to, or be construed to extend to, the imposing any Condition or Restriction upon or in respect of any Goods, Wares, or Merchandize, which by an Act passed in the eighteenth Year of his present Majesty's Reign, intituled, *An Act to permit the Exportation of certain Goods directly from* Ireland *into any* British *Plantation in* America, *or any* British *Settlement on the Coast of* Africa; *and for further encouraging the Fisheries and Navigation of* Ireland; or which by any other Act or Acts of Parliament may now be legally exported from *Ireland* to any of the *British* Colonies or Plantations in *America* and the *West Indies*, or to the *British* Settlements on the Coast of *Africa*, or which may now be legally imported into *Ireland* from any of the Colonies, Plantations, or Settlements aforesaid; any Thing herein before contained to the contrary notwithstanding.

No Person to trade to any Colony in America whilst such Trade is prohibited by Act of Parliament.

VII. Provided also, and it is hereby further enacted by the Authority aforesaid, that this Act shall not extend, or be construed to extend, to allow any Person or Persons to trade to, from, or in, any Colony or Plantation in *America*, during such Time, and in such Manner, as the Trade or Intercourse of *Great Britain* with such Colony or Plantation is or shall be prohibited or restrained by any Act or Acts of Parliament made, or hereafter to be made, in this Kingdom; but whenever Trade and Intercourse shall be permitted between *Great Britain* and such Colony or Colonies, the same Trade and Intercourse shall in like Manner be permitted and allowed between *Ireland* and the said Colony or Colonies.

## CAP. XI.

An Act for continuing the Term and Powers of an Act, made in the thirty-second Year of the Reign of his late Majesty King *George* the Second, intituled, *An Act for laying a Duty of two Pennies* Scots, *or one sixth Part of a Penny Sterling, upon every* Scots *Pint of Ale, Porter, and Beer, which shall be brewed for Sale, brought into, tapped, or sold, within the Town of* Kelso, *in the Shire of* Roxburgh, *for finishing a Bridge cross the River* Tweed, *and for other Purposes therein mentioned.*

Preamble. Act 32 Geo. II. recited.

'WHEREAS by an Act of Parliament made in the thirty-second Year of the Reign of his late Majesty King *George* the Second, a Duty of two Pennies *Scots*, or one sixth Part of a Penny Sterling, was laid upon every *Scots* Pint of Ale, Porter, and Beer, which should be brewed for Sale, brought into, tapped, or sold, within the Town and Parish of *Kelso*, in the Shire of *Roxburgh*, for finishing a Bridge cross the River *Tweed*; for repairing the Streets of the said Town; for procuring and conveying to proper Places within the said Town a sufficient Supply of fresh and wholesome Water; and for building and erecting a Workhouse for maintaining and employing the Poor of the said Town and Parish, and for purchasing proper Materials for setting the said Poor to work; which Duty was to commence and have Continuance from and after the twenty-fourth Day of *June*, one thousand seven hundred and fifty-nine, for and during the Term of twenty-one Years, and to the End of the then next Session of Parliament: And whereas the Trustees appointed for putting the said Act in Execution have caused the said Bridge to be finished, and have expended the whole Produce of the said Duty, together with a considerable Sum of Money borrowed on the Credit thereof, in finishing the said Bridge only; which Money cannot be repaid, and the other Works, directed by the said Act, carried into Execution, unless the Term and Powers of the said Act be continued:' May it therefore please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Act shall continue in full Force and be executed, from the Expiration of the Term thereby granted, for and during the further Term of twenty-one Years, and from thence to the End of the then next Session of of Parliament.

and further continued for 21 Years.

Public Act.

II. And be it further enacted, That this Act shall be deemed, adjudged, and taken to be a public Act; and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons whomsoever, without specially pleading the same.

## CAP. XII.

An Act for punishing Mutiny and Desertion; and for the better Payment of the Army and their Quarters.

## CAP. XIII.

An Act for the Regulation of his Majesty's Marine Forces while on Shore.

## CAP. XIV.

An Act for defraying the Charge of the Pay and Cloathing of the Militia in that Part of *Great Britain* called *England*, for one Year, beginning the twenty-fifth Day of *March*, one thousand seven hundred and eighty.

CAP.

## CAP. XV.

An Act for repealing so much of an Act, made in the twelfth Year of his present Majesty, intituled, *An Act for amending and rendering more effectual an Act, made in the tenth Year of his Majesty's Reign, intituled,* ‘ *An Act for building a new Parish Church, and declaring the* ‘ *present Parish Church a Chapel; for making a Cametery, or Church-yard; and for building* ‘ *an House for the Use of the Minister of the Parish of* Saint Mary-le-bone, *in the County of* ‘ Middlesex;’ as impowers the Vestrymen of the said Parish to build a Church upon a certain Parcel of Ground, in the said Parish, belonging to *Henry William Portman*, Esquire, heretofore Parcel of a certain Close, called *The Fifteen Acres.*

Preamble. Act 12 Geo. III. recited.

‘ WHEREAS in and by an Act, made in the twelfth Year of his present Majesty's Reign, intituled, ‘ *An Act for amending and rendering more effectual an Act, made in the tenth Year of his Majesty's* ‘ *Reign, intituled,* “ *An Act for building a new Parish Church, and declaring the present Parish Church a* “ *Chapel; for making a Cœmetery, or Church-yard; and for building an House for the Use of the Minister of* “ *the Parish of* Saint Mary-le-bone *in the County of* Middlesex;” it was enacted (amongst other Things), ‘ That it should be lawful for the Trustees therein appointed, or any nine or more of them, and they ‘ were thereby authorised and impowered to cause a Church, and, if they thought fit, a Steeple also, to ‘ be built upon a certain Piece or Parcel of Ground, belonging to *Henry William Portman* Esquire, therein ‘ named, and then in Lease to *William Baker* Esquire (therein also named), situate, lying, and being in ‘ the Parish of *Saint Mary-le-bone*, in the County of *Middlesex*, theretofore Part or Parcel of a certain ‘ Close, called *The Fifteen Acres*, therein particularly described: And whereas it has been found inconve- ‘ nient to build a Church upon the said Piece of Ground; and the Vestrymen of the said Parish, who are ‘ by the said Act appointed Trustees for building the said Church and Steeple, have agreed, and are wil- ‘ ling to relinquish to the said *Henry William Portman*, his Heirs and Assigns, all Right given to them by ‘ the said Act to build a Church and Steeple on the said Piece of Ground:’ May it therefore please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the said Act, as authorises and impowers the said Vestrymen and Trustees, or any nine or more of them, to cause a Church and Steeple to be built upon the said Piece or Parcel of Ground belonging to the said *Henry William Portman*, and then in Lease to the said *William Baker*, situate, lying, and being in the said Parish, heretofore Part and Parcel of the before-mentioned Close, called *The Fifteen Acres*, containing in Length from East to West, on the North and South Sides thereof, two hundred Feet of Assize (little more or less), and in Breadth from North to South, on the East and West Sides thereof, one hundred and fifty Feet of Assize (little more or less), shall be, and is hereby repealed; and that the Fee-simple and Inheritance of and in the said Ground, with the Appurtenances, shall be and is hereby vested in the said *Henry William Portman*, his Heirs and Assigns, to the only proper Use and Behoof of the said *Henry William Portman*, his Heirs and Assigns, for ever, freed and absolutely discharged from all Right or Claim of the said Vestrymen and Trustees of and in the same by virtue of the said Act.

A Repeal of the Power given to the Vestrymen of the Parish of St. Mary le-bone, to build a Church on Mr. Portman's Ground, called The Fifteen Acres.

II. And be it further enacted, That one Moiety of the Expences attending the obtaining and passing of this Act shall be defrayed by the said *Henry William Portman*, and the other Moiety thereof by the Trustees of the Burial-grounds of the said Parish of *Saint Mary-le-bone*, out of the Monies arising to them by virtue of the said former Acts.

Expences of this Act how to be paid.

III. And be it further enacted, That this Act shall be deemed and taken to be a Public Act; and shall be judicially taken notice of as such by all Judges, Justices, and other Persons whomsoever, without specially pleading the same.

Public Act.

## CAP. XVI.

An Act for raising a certain Sum of Money by way of Annuities, and for establishing a Lottery.

“ Preamble. 12,000,000 *l.* to be raised by Annuities, and 480,000 *l.* by a Lottery. Contributors to the “ Sum of 12,000,000 *l.* to be intitled to certain Annuities; which shall be charged upon a Fund to be “ established this Session, and collaterally upon the Sinking Fund. Contributors shall be intitled to one “ Quarter's Annuity, at 4 *l. per Cent.* from *January* 5, to *April* 5, 1780; and from that Time shall be “ paid half-yearly. Every Contributor of 1,000 *l.* shall, upon Payment of 40 *l.* more, be intitled to four “ Lottery Tickets. Preamble; reciting that Books have been opened at the Bank, and Deposits made, “ pursuant to a Resolution of the House of Commons. All Persons who have made Deposits, pursuant “ to the aforesaid Resolution, are required to pay the Remainder of their Subscriptions at certain Times “ specified. Subscribers to the Annuities to be allowed Interest for all Monies paid in Advance. Sub- “ scribers to the Lottery, on paying in the Whole of their Subscriptions, shall receive Tickets to the “ Amount thereof. Subscribers to the 12,000,000 *l.* intitled to an Annuity of 4 *l. per Cent.*; and also to an “ Annuity of 1 *l.* 16 *s.* 3 *d* for 80 Years; both payable half-yearly. All Contributors who shall pay in the “ Whole of their Contribution-money before *June* 30, 1780, may receive the Half Year's Annuity due “ *July* 5, 1780, on the Annuity of 1 *l.* 16 *s.* 3 *d.*; otherwise they shall not receive the said Annuity until

" *January* 1781. Annuities to be payable and transferrable at the Bank of *England*, &c. Cashier of the " Bank to give Receipts to Contributors for Money received; which shall be assignable. Cashier to give " Security, to the good Liking of the Commissioners of the Treasury; and to pay all Monies received " into the Exchequer. Commissioners of the Treasury impowered to apply the Money paid in by the " Cashier. A Book to be provided in the Accountant-general's Office, in which Contributors Names shall " be entered, &c. After Contributors shall have paid their Subscriptions, they will be intitled to receive " the Annuities granted by this Act; which shall be Tax-free. Subscriptions paid in Part, and not " completed, shall be forfeited to the Public. As soon as Contributors have completed their Payments, " the Sums subscribed shall, in the Books of the Bank, be placed to their Credit. Accountant-general, " on Payment of 45 *l. per Cent.* of their Contributions before *June* 23, 1780, to give Credit to the Contri- " butors for the Annuity of 1 *l.* 16 *s.* 3 *d.* which shall be transferrable. Certain Rates appropriated for " Payment of the Annuities granted by this Act. Governor, &c. of the Bank to appoint a Chief Cashier, " and Accountant-general. Monies to be issued at the Exchequer to the Chief Cashier, for Payment of " Annuities created by this Act. Accountant-general to examine Receipts and Payments. Annuities to " be deemed personal Estate. Books to be kept by the Accountant-general, wherein shall be entered all " Transfers of Sums advanced on this Act. Method of transferring. The Annuities of 1 *l.* 16 *s.* 3 *d. per* " *Cent. per Ann.* shall be a separate Stock until *Jan.* 5, 1781; after which they shall be made a Joint " Stock with the Long Annuities of 1 and 2 *Geo.* III. Persons possessed of Stock may devise the same by " Will, &c. Commissioners of the Treasury impowered to defray the incidental Expences attending the " Execution of this Act. The 4 *per Cent.* Annuities granted by this Act, shall be added to the Joint " Stock of 4 *per Cent.* transferrable at the Bank by Act 17 *Geo.* III. The Bank to continue a Company " till Redemption of the Annuities. 480,000 *l.* to be raised by a Lottery; the Prizes whereof to be paid " out of any Supplies granted this Session. Guardians having the Disposal of Infants Money, may con- " tribute to the Loan, &c. Managers and Directors of the Lottery to be appointed by the Treasury. " Method of the Lottery Books. Ticket. Managers to examine the Books with the Tickets, and de- " liver them to the Cashiers of the Bank, taking a Receipt for the same. Cashiers to return the Books, " with the undisposed Tickets, with an Account of Monies paid in. Undisposed Tickets to be delivered " into the Exchequer. Tickets of the middle Columns to be rolled up and fastened with Thread or Silk; " and cut off indentwise into a Box marked with the Letter *(A)*. Box to be locked up, and sealed. Books " to be prepared with two Columns, on each of which 48,000 Tickets are to be printed. The Number " and Value of the Fortunate Tickets. 500 *l.* to each First-drawn Ticket of the first six Days; 1,000 *l.* to " ditto the second six days; 2,000 *l.* to ditto the 15th and 17th Days; 3,000 *l.* to ditto the 19th and 20th " Days; and 1000 *l.* to the last drawn. Tickets of the last-mentioned Books to be rolled up and tied. " Public Notice to be given of putting the Tickets into the Boxes. Lottery to begin drawing on *Nov* 16, " 1780. Method to be observed in drawing, &c. Number of the Fortunate Tickets, and the Sums, to " be printed. Disputes to be adjusted by the Managers. Penalty on forging Tickets, &c. Felony. Of- " fenders (not in Prison) discovering Persons guilty, to receive a Pardon, and 50 *l.* Reward. Proviso. " Managers to be sworn. The Oath. Cashier may receive the Sums subscribed before receiving the Lot- " tery Book; giving a Note for the same; which shall entitle the Bearer to a Ticket for every 10 *l.* so " paid. Contributors not making good their Payments within the Times limited, forfeit their Deposits " with respect to the Lottery; and the Tickets for such Sums to be delivered into the Exchequer. Com- " missioners of the Treasury may reward the Managers, &c. as they shall think fit. Limitation of the " Sale of Chances, &c. Penalty. Office-keepers, &c. selling Shares in Tickets of which they are not " possessed, forfeit 500 *l.* and suffer three Months Imprisonment. After *April* 5, 1780, no Person to keep " a Lottery-office without a Licence. Each Licence to cost 50 *l.*; and shall be granted under the Hands " and Seals of two Managers. Licence to set forth the Name of the Person taking out the same, &c. and " to continue in Force for one Year. Persons keeping any Office contrary to this Act, to forfeit 100 *l.* " Produce of the Duty on Licences to be applied towards defraying the Expences of the Lottery. No " Person to sell any Share of a Ticket less than a sixteenth, on Penalty of 50 *l.* Penalty on Persons pro- " mising to pay any Money upon any Chance relating to the drawing of the Lottery, contrary to this " Act. No Business to be transacted at any Lottery-office between Eight in the Evening and Eight the " next Morning. Exception. Two Justices may summon Offenders against this Act, and, on Proof of " the Offence, convict them in Penalties, &c. If Penalties are not immediately paid, they may be " levied by Distress. On Failure of Distress, Offender to be committed. Any Person forging a Licence, " shall forfeit 500 *l.* &c. Commissioners of the Treasury to establish an Office in *London*, and to appoint " a Person to conduct the Business thereof; with whom all Tickets, before they are divided into Shares, " or Chances, shall be deposited. All Shares to be stamped by the Officer, who shall give a Receipt for " every Ticket deposited with him. Form of Receipt. All Tickets deposited in the Office, to remain " there three Days after drawing. The Numbers of all Tickets deposited in the Office to be entered in a " Book, with the Names of the Owners, and the Number of Shares into which they are divided. 2 *d.* " for each Share to be paid to the Officer on depositing Tickets in the Office; who shall therewith " pay all Expences incident to the Office. Penalty on selling any Share or Chance of a Ticket without " a Stamp. Application thereof. Penalty on forging or altering Receipts, or uttering the same with a " fraudulent Intention. No Person shall keep any Office for the Sale of Tickets, &c. in *Oxford* or " *Cambridge*, on Penalty of 20 *l.* Offenders may be prosecuted in the Vice-chancellor's Court. For- " feitures may be levied by Distress. Proceeding not to be removed by *Certiorari*, until sufficient Surety " is given to prosecute the same with Effect, &c. This Act not to prejudice the Privileges and Jurisdic- " tions of the Mayor, &c. of *Oxford*. Offences committed in *Ireland* against *British* Acts for preventing " unlawful Lotteries, made punishable: Penalties may be sued for in *Dublin*. The 480,000 *l.* for the

" Payment

" Payment of the Fortunate Tickets, to be charged on any Supplies granted this Session; and shall be " paid to the Proprietors, without any Deduction, on *March* 1, 1781, &c. Managers to give Notice of " the Times for exchanging Tickets for Certificates. Certificates to be numbered, &c. and signed, &c. " No Fee to be taken for receiving or paying Contribution-monies, or for any Receipts, &c. on Penalty " of 20*l*. General Issue. Treble Costs."

## CAP. XVII.

### An Act to remove certain Difficulties relative to Voters at County Elections.

Preamble.

'WHEREAS the several Laws now in being for ascertaining the Rights of Persons claiming to vote in the Elections of Knights of the Shire to serve in Parliament, for that Part of *Great Britain* called *England*, are difficult to be carried into Execution, and great Delays and Inconveniencies have been occasioned by the numberless Disputes which have arisen at County Elections concerning such Rights:' For Remedy whereof, be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, from and after the first Day of *January*, one thousand seven hundred and eighty-one, no Person shall vote for electing of any Knight or Knights of the Shire to serve in Parliament, within that Part of *Great Britain* called *England*, or the Principality of *Wales*, in respect of any Messuages, Lands, or Tenements, which have not, for six Calendar Months next before such Election, been charged or assessed towards some Aid granted or to be granted to his Majesty, his Heirs or Successors, by a Land Tax (in case any such Aid be then granted and assessable), in the Name of the Person or Persons who shall claim to vote at such Election for or in respect of any such Messuages, Lands, or Tenements, or in the Name of his or their Tenant or Tenants actually occupying the same as Tenant or Tenants of the Owner or Landlord thereof.

After Jan. 1, 1781, no Person to vote at any County Election in England or Wales, who has not been assessed to the Land Tax for his Qualification six Months previous to the Time of Election.

II. Provided always, That this Act, with respect to such rating and assessing as aforesaid, shall not extend, or be construed to extend, to Annuities or Fee-farm Rents (duly registered) issuing out of any Messuages, Lands, or Tenements, rated or assessed as aforesaid; nor shall the same extend, or be construed to extend, to any Person who became entitled to such Messuages, Lands, or Tenements, for which he shall vote, or claim to vote, as aforesaid, by Descent, Marriage, Marriage Settlement, Devise, or Promotion to any Benefice in a Church, or by Promotion to an Office, within twelve Calendar Months next before such Election; but such Person shall be entitled to vote at such Election, if the Messuages, Lands, or Tenements, for which he shall vote, or claim to vote, as aforesaid, have been, within two Years next before such Election, rated or assessed to the Land Tax, in the Name of the Person or Persons by or through whom such Person voting, or claiming to vote, as aforesaid, shall derive his Title to the Messuages, Lands, or Tenements for which he shall vote, or claim to vote, as aforesaid, or in the Name of some Predecessor, within two Years next before such Election, of such Person claiming to vote in respect of any Promotion to any Benefice in a Church, or Promotion to an Office, or in the Name of the Tenant or Tenants of such Person or Persons, such Tenant or Tenants actually occupying such Messuages, Lands, or Tenements.

Certain Cases to which this Act shall not extend;

provided his Qualification has been assessed to the Land Tax, in the Name of his Predecessor, within two Years before the Election.

III. And be it further enacted, That the Commissioners of the Land Tax for that Part of *Great Britain* called *England*, or the Principality of *Wales*, at their respective Meetings held for appointing Assessors of the Land Tax for the several Parishes and Places lying within the Division for which such Commissioners shall act, shall cause to be delivered to each of the said Assessors, a printed Form of an Assessment, as set forth in the Schedule hereunto annexed; and the said Assessors are hereby required to make their Assessments according to the said Form; and shall make three Duplicates of such Assessments; and shall (at least fourteen Days before such Assessment shall be delivered to the Commissioners of the Land Tax for the County, Riding, or Division, within which the Parish or Place for which such Assessment shall be made shall lie) cause one of the said Duplicates, or a fair Copy thereof, to be stuck up upon one of the Doors of the Church or Chapel of the Parish or Place for which such Assessment shall be made; but in case such Assessment shall be made for an Extra-parochial or any other Place, where there is not any Church or Chapel, then such Assessment shall be stuck up upon one of the Doors of the Church or Chapel in a Parish next adjoining; and if any Person or Persons (renting, holding, or occupying, any Messuages, Lands, or Tenements, in any such Parish or Place) shall rent, hold, or occupy Messuages, Lands, or Tenements, belonging to different Owners or Proprietors, the same shall be separately and distinctly rated and assessed in such Assessments, that the Proportion of the Land Tax to be paid by each separate Owner or Proprietor respectively may be known and ascertained; and the said Duplicates shall be delivered to the Land Tax Commissioners, at their Meeting for the Receipt of Assessments; and if the Name of any Owner or Owners of any Messuages, Lands, or Tenements, in such Parish or Place, entitled to vote as aforesaid, shall not appear or be included in such Assessment, it shall and may be lawful for such Person or Persons, by himself or themselves, or by his or their Agent or Agents, to appeal to the Commissioners of the Land Tax, to whom such Assessments shall be returned; and every Person so intending to appeal shall, and is hereby required to give Notice thereof in Writing to one or more of the Assessors of the Parish or Place wherein he is rated; and the said Commissioners, on sufficient Cause to be shewn, shall amend the Duplicates of such Assessments, by inserting therein the Name or Names of the actual Occupier or Occupiers, and of the Owner or Owners of such Messuages, Lands, or Tenements, or the Person or Persons entitled to, or in the actual Receipt of the Rents, Issues, and Profits thereof, or by erasing the Name of any Person who shall appear to them to have been improperly inserted therein; and the said Commissioners are hereby required to cause one of the said Duplicates so amended (after the same shall be duly signed and sealed by the said Commissioners, or any three of them) to be returned to the said Assessors, or one of them; and

Commissioners of the Land Tax to deliver to Assessors a printed Form of Assessment, who are to make their Assessments according thereto.

A Duplicate of Assessments to be stuck up on the Door of the Parish Church, &c.

Qualified Persons, whose Names are omitted in Assessments, may appeal to the Commissioners; who are to amend the Assessments where defective.

An amended Duplicate to be returned to the Assessors, and

delivered to the Clerk of the Peace at the next Quarter Sessions.

such Assessors are hereby required to deliver such Duplicate, so amended, within ten Days after the Receipt thereof, to one of the Chief Constables of the Hundred, Lath, or Wapentake, within which the Parish or Place for which such Assessment was made shall lie, taking the Receipt of such Chief Constable for the same, and which Receipt such Chief Constable is hereby required to give; and such Chief Constable is hereby also required to deliver such Duplicate upon Oath (which Oath the said Magistrates are hereby impowered to administer), without any Alteration, at the next General Quarter Sessions of the Peace for the County, Riding, or Division, within which such Assessment shall be made, in open Court, the first Day of such Sessions, to the Clerk of the Peace attending such Sessions, to be by him filed and kept amongst the Records of the Sessions.

Penalty on Assessor, &c. who shall alter, or neglect to deliver any Duplicate as above directed.

IV. And be it further enacted, That if any Assessor shall neglect to deliver such Duplicate so amended, to such Chief Constable as aforesaid, or if such Chief Constable, to whom the same shall be delivered, shall neglect to deliver the same to such Clerk of the Peace, at the next General Quarter Sessions of the Peace as aforesaid, or shall wilfully alter or deface any such Duplicate; every such Assessor and Chief Constable so offending shall, for every such Offence, and for every such Duplicate so neglected to be delivered as aforesaid, forfeit the Sum of five Pounds, to be levied and recovered in the Manner herein after mentioned.

If Clerk of the Peace shall not receive all the Duplicates before the end of Michaelmas Sessions yearly, the Court shall immediately fine the Chief Constables making Default.

On Failure of Payment, Fines may be levied by Distress.

V. And be it further enacted, That at the *Michaelmas* Sessions in every Year, the Clerk of the Peace, or his Deputy, attending such Sessions, in every County, Riding, or Division, as aforesaid, shall, before the Conclusion of such Sessions, examine whether the Duplicates of all the Assessments within such County, Riding, or Division, shall have been delivered for that Year; and if it shall appear that any such Duplicates have not been received by or delivered to such Clerk of the Peace, or his Deputy, by the proper Chief Constables, then and in such Case such Clerk of the Peace, or his Deputy, shall report the same to the Court, and the Court shall immediately set and impose the said Fine or Fines of five Pounds upon such Chief Constables, for the Hundred, Lath, or Wapentake, within which the Parish or Place for which such Duplicate or Duplicates of the Assessment or Assessments not returned shall lie; and the said Clerk of the Peace, or his Deputy, shall give to such Chief Constables immediate Notice of such Fine or Fines; and if the same is or are not immediately paid, the Justices assembled in the said Quarter Sessions shall, by Order of Court, issue a Warrant of Distress for the Recovery thereof, directed to the Constable or Constables of the respective Parishes or Places where such Chief Constables shall live; and such Warrant shall be delivered or transmitted by the Clerk of the Peace, or his Deputy, to such Constables, or one of them, who is and are hereby required to levy such Fine or Fines, by Distress and Sale of the Goods and Chattels of such Chief Constables, rendering the Overplus (if any) to the Owners of such Goods and Chattels, after deducting the reasonable Charges of such Distress.

In Case Chief Constables make Oath that Assessors neglected to deliver said Duplicates to them,

then the Fines shall be levied on the said Assessors, except they deliver the Duplicates, &c. within ten Days after Notice:

But if Assessors, within said Time, shall produce to the Clerk of the Peace the Chief Constables Receipt, then the Fine shall be levied on said Constables.

VI. Provided always, That if such Chief Constables shall voluntarily make Oath at such Sessions, that such Duplicate or Duplicates was or were not delivered to them, or either of them, by such Assessor or Assessors, then, and in such Case, the said Fine or Fines, herein before directed, shall be set and imposed upon such Assessor or Assessors of the Parish or Place, Parishes or Places, for which such Duplicate or Duplicates shall not be returned; and the Justices assembled in such Quarter Sessions shall, by Order of Court, issue a Warrant of Distress for the Recovery thereof, directed to the Constable or Constables of such Parish or Place, or respective Parishes or Places, or to such other Person or Persons as such Justices shall think proper; and also shall, by Order of Court, require the Chief Constables, or one of them, to give Notice to such Assessor or Assessors, that such Fines have been set and imposed; and such Chief Constables are hereby required to serve such Notices upon such Assessors within fourteen Days next after such Sessions; and if such Assessors, or one of them, shall not deliver such Duplicate, or the Chief Constable's Receipt for the same, to the Clerk of the Peace, or his Deputy, for such County, Riding, or Division, within ten Days after being served with such Notice, then and in such Case the said Clerk of the Peace, or his Deputy, shall deliver or transmit such Warrant of Distress against the Assessor, to the Person or Persons to whom the same shall be directed, who is hereby required to levy the said Fine set upon such Assessor, by Distress and Sale of the Goods and Chattels of such Assessor or Assessors, rendering the Overplus (if any) to the Owner or Owners, after deducting the reasonable Charges of such Distress.

VII. Provided always, That if such Assessors, or either of them, shall, within the said ten Days after such Notice, produce to the said Clerk of the Peace, or his Deputy, the Receipt of such Chief Constables, or one of them, for such Duplicate, then and in such Case such Clerk of the Peace, or his Deputy, shall deliver or transmit the Warrants against such Chief Constables, or such of them who shall have signed such Receipt, to the proper Constable or Constables to whom the same shall be directed, that the same may be executed as aforesaid, and the Warrant or Warrants for levying the Fine or Fines upon such Assessor or Assessors shall not be executed.

Fines to be paid to the Treasurer of the County, &c.

VIII. And be it further enacted by the Authority aforesaid, That the Fines to be set and imposed upon such Chief Constables and Assessors as aforesaid, shall, after the same shall be so levied and recovered, be, by the Person or Persons who shall levy and recover the same, paid to the Treasurer of the County, Riding, or Division, wherein the same shall be levied or recovered, or the lawful Deputy of such Treasurer, to be applied and disposed of as Part of the County Stock, under the Direction of the Sessions of such County, Riding, or Division.

When Assessments are not made, and returned to the Clerk of the Peace, Justices may order them to be made and returned forthwith.

IX. And be it further enacted, That whenever any Assessment shall not have been made by the Assessor or Assessors of any Parish or Place, and returned to the Chief Constable, and by the Chief Constable to the Clerk of the Peace, by the Neglect or Default of any Person concerned therein, it shall and may be lawful for the said Justices at the said Quarter Sessions, or any two Justices for such County, Riding, or Division, out of Sessions, to order and direct such Assessment or Assessments forthwith to be made and returned in Manner aforesaid; and such Assessments so made and returned, shall have the same and the like Effect as if made and returned at the Time and in the Manner herein before directed.

X. And

X. And be it further enacted, That if any Person or Persons shall be dissatisfied, or shall think himself or themselves aggrieved by any Determination of the said Commissioners of the Land Tax, it shall and may be lawful for such Person or Persons to appeal against such Determination to the General Quarter Sessions of the Peace for the County, Riding, or Division, within which such Commissioners shall act, which shall happen next after the Cause of Complaint shall have arisen, giving ten Days Notice of such Appeal to one of the Commissioners signing the Duplicate of the said Assessment, and also to one of the Assessors of the Parish or Place where the Estate belonging to the Person or Persons who shall think himself or themselves aggrieved shall lie; and the Justices assembled in such Sessions are hereby authorised and required, by Examination upon Oath (which Oath the said Justices are hereby authorised to administer), to hear and determine the Matter of such Appeal, and to amend such Assessments where they shall think necessary; and also to award such Costs as to them in their Discretion shall seem reasonable; and by their Order or Warrant to levy the Costs which shall be so awarded, by Distress and Sale of the Goods and Chattels of the Person or Persons against whom the same shall be so awarded, rendering the Overplus (if any) to the Owner or Owners, after deducting the reasonable Charges of such Distress.

Persons aggrieved may appeal to the Quarter Sessions;

giving ten Days Notice.

Justices may award Costs.

XI. And be it further enacted, That if the said Commissioners, upon any Appeal before them, and also the said Justices in Sessions upon any Appeal before them, shall find it requisite to insert in such Assessments, or the Duplicates thereof, the Names of any Person or Persons, which shall appear to such Commissioners, or to such Justices, to have been improperly omitted, such Person or Persons shall be taken and deemed to be rated in such Assessment or Assessments, as effectually, to all Intents and Purposes, as if the Name or Names of such Person or Persons had been originally inserted in such Assessment by the Assessors.

Any Person whose Name, on Appeal, shall appear to have been improperly left out of any Assessment, shall be deemed to have been rated therein.

'XII. And whereas Disputes have arisen, whether the Husbands of Women entitled to Dower or 'Thirds, at Common Law, out of the Estates of their former Husbands, shall be entitled to vote in the 'Election of Members of Parliament, unless Dower has been assigned and set out, by Metes and Bounds, 'for such Women;' be it therefore further enacted, That where any Woman, the Widow of any Person Tenant in Fee or in Tail, shall be entitled to Dower or Thirds, by the Common Law, out of the Freehold Estate of which her Husband died seised or possessed of, and shall intermarry with a second Husband, such second Husband shall be entitled to vote in respect of such Dower or Thirds, if such Dower or Thirds shall be of the clear yearly Value of forty Shillings, or upwards, although the same has not been assigned or set out by Metes or Bounds, if such second Husband shall be in the actual Receipt of the Profits of such Dower, and the Estate from whence the same issues is rated to, and contributes to the Land Tax in the Name of the actual Owner of the Lands or Tenements from whence such Dower or Thirds arises or issues.

Husbands of Women entitled to Dower out of the Estates of their former Husbands, may vote in respect thereof, although the said Dower has not been set out by Metes or Bounds.

XIII. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for all and every Person or Persons, at all seasonable Times, to resort to and inspect the said Duplicates, or any Part thereof, in the Hands of such Clerk of the Peace, or his Deputy, paying for every Search into, or Inspection of, such Duplicates, or any Part thereof, one Shilling, and no more; and the said Clerk of the Peace, or his Deputy, is hereby required and directed, upon Demand, to deliver a true Copy or Copies of all such Duplicates, or of such Part or Parts of them, or any of them, of which a Copy shall be demanded, to any Person or Persons who shall demand or desire the same (such Copy or Copies to be signed by such Clerk of the Peace, or his Deputy, purporting the same to be a true Copy or true Copies), and for which Copy or Copies such Clerk of the Peace, or his Deputy, shall be paid at and after the Rate of six Pence, and no more, for every three hundred Words or Figures, and so in Proportion for any lesser Number of Words or Figures; which said Duplicates, and also a true Copy of them, or any of them, or any Part of them, signed as aforesaid, and also the Duplicate of any Assessment in the Possession of the Commissioners of the Land Tax, or in the Possession of the Receiver-general of the County, or a Copy of the said Duplicates, signed by such Commissioners, and purporting the same to be a true Copy, shall at all Times, and in all Places, be allowed and admitted as legal Evidence of such Assessments, Certificates, Memorials, and Books of Entries, in all Cases whatsoever; and such Copy shall be delivered in a reasonable Time after the same shall be demanded.

Duplicates may be inspected.

Clerk of the Peace to deliver signed Copies of Duplicates, on Demand,

and being paid 6d. for every 370 Words, &c.

Duplicates, &c. to be deemed legal Evidence.

XIV. And be it further enacted by the Authority aforesaid, That such Clerk of the Peace of every County, Riding, or Division, in whose Office such Duplicates shall be filed as aforesaid, or his Deputy, shall, upon reasonable Notice, attend at every Election of a Knight or Knights of the Shire for such County, with the said original Duplicates, at the Request of any Candidate, or the Agent or Agents of any Candidates; the Person or Persons requesting the same making such Clerk of the Peace, or his Deputy, a Satisfaction for such Attendance, at and after the Rate of two Guineas for each Day of his Attendance at such Election, together with an Allowance of one Shilling and six Pence a Mile for the Costs and Charges he may be at, or put unto, in his Journey from the Place of his Abode to and from the Place of such Election.

Clerk of the Peace, or his Deputy, to attend at every Election of a Knight of the Shire, with original Duplicates, at the Request of any Candidate; Such Candidate to pay him 2l. Charges.

2s. for each Day's Attendance, and 1s 6d. per Mile for travelling

XV. And be it further enacted, That after issuing any Writ or Precept for the Election of a Knight or Knights of the Shire for any County within that Part of *Great Britain* called *England*, or the Dominion of *Wales*, the Clerk of the Peace, or his Deputy, shall, and he is hereby required to attend, *gratis*, from Day to Day, from the Hour of Nine in the Forenoon to Three in the Afternoon, in each Day, at the Place where the Records of such County, Riding, or Division, are usually kept, from the Time of the Delivery of such Notice to the Day immediately preceding the Day of Election of such Knight or Knights, for the Purpose of receiving Applications for the Inspection of such Duplicates, and for making Copies of them, or any of them, or of so much of them, or any of them, which he shall be requested to copy as aforesaid.

After issuing any Writ for Election of a County Member, the Clerk of the Peace shall attend gratis, from Nine to Three each Day, where the Records of Duplicates, &c.

the County are usually kept, to make Copies of

XVI. And

Penalty on Clerk of the Peace, or his Deputy, making Default.

XVI. And be it further enacted, That if any Clerk of the Peace, or his Deputy, shall neglect or refuse to permit such Duplicates, or any of them, or any Part of them, or any of them, to be inspected by any Person or Persons who shall request the same as aforesaid, or shall neglect or refuse to deliver any Copy or Copies of the same, or any Part thereof, within the Time before mentioned, or shall neglect to attend as aforesaid at the Place where the Records of such County, Riding, or Division, are usually kept, or at any County Election, with such Duplicates, in pursuance of the Directions of this Act; every such Clerk of the Peace, or his Deputy, shall, for every such Offence, forfeit the Sum of five hundred Pounds to the Party aggrieved, provided such Action is brought within two Months after the Offence shall have been committed; and if no such Action shall be brought within the said Time, then to any Person who shall sue for the same in the Manner herein-after mentioned; and shall also forfeit his Office of Clerk of the Peace, or Deputy, the same to be absolutely void on such Clerk of the Peace, or his Deputy, being convicted of such Offence; and such Clerk of the Peace, or Deputy Clerk of the Peace, shall be rendered incapable of being again appointed a Clerk of the Peace, or Deputy Clerk of the Peace, or of acting as such, in or for any County, Riding, or Division whatsoever.

Action to be brought within two Months, &c.

Final Judgment upon any Verdict against a Clerk of the Peace, shall be deemed sufficient Conviction.

XVII. And be it further enacted by the Authority aforesaid, That final Judgment upon any Verdict to be obtained against such Clerk of the Peace, or Deputy Clerk of the Peace, for the Recovery of such Forfeiture, shall be deemed and taken to be a sufficient Conviction of such Offence, without any other Prosecution or Conviction whatsoever; and immediately after such Judgment, the said Office of Clerk of the Peace, or Deputy Clerk of the Peace, shall be absolutely void, to all Intents and Purposes whatsoever.

Penalties how to be recovered.

XVIII. And be it further enacted by the Authority aforesaid, That the Forfeitures or Penalties laid or imposed against such Clerk of the Peace, or Deputy Clerk of the Peace, by this Act, shall and may be recovered, with full Costs of Suit, by Action of Debt, Bill, Plaint, or Information, in any of his Majesty's Courts of Record at *Westminster*, wherein no Essoin, Protection, or Wager of Law, or more than one Imparlance, shall be allowed.

Prosecutions to be commenced within 12 Months.

XIX. Provided always, and be it further enacted and declared, That no Person shall be liable to any Forfeiture or Penalty by this Act laid or imposed, unless Prosecution be commenced within twelve Calendar Months next after such Forfeiture or Penalty shall be incurred.

## FORM of ASSESSMENT.

Form of Assessment.

*County of* N *to wit:*
*For the Parish of*
*in the said County.*

'AN Assessment made in pursuance of an Act of Parliament, passed in the Year of his Majesty's Reign, for granting an Aid to his Majesty by a Land Tax, to be raised in *Great Britain*, for the Service of the Year one thousand seven hundred and

| Names of Proprietors. | | | Names of Occupiers. | | | Sums assessed. | | |
|---|---|---|---|---|---|---|---|---|
| *A. B.* | — | — | *Himself.* | — | — | — | — | — |
| *A. B.* | — | — | *C. D.* | — | — | — | — | — |
| *E. F.* | — | — | *C. D.* | — | — | — | — | — |
| *C. D.* | — | — | *G. H.* | — | — | — | — | — |
| *I. K.* and *L. M.* | — | — | *N. O.* | — | — | — | — | — |
| *P. Q.* | — | — | *R. S.* and *T. U.* | — | — | — | — | — |

Signed this Day of 17 by us

*A. B.*
*C. D.* } Assessors.

## CAP. XVIII.

An Act to repeal so much of an Act made in the nineteenth Year of the Reign of *Henry* the Seventh, or of any other Acts which prohibit the exporting, carrying, or conveying, Coin out of this Realm into *Ireland*; and so much of certain Acts, made in *Great Britain*, which prohibit the Importation of Foreign Hops into *Ireland*, and which take off the Drawback upon Hops exported from *Great Britain* to *Ireland*; and to allow the Importation into, and Exportation from, *Ireland*, of such Goods as may be imported into, or exported from, *Great Britain*, by the Merchants of *England* trading to the *Levant* Seas.

Preamble.

'WHEREAS it is expedient to repeal the several Acts of Parliament herein-after mentioned, so far as the same restrain the Trade and Commerce of *Ireland*,' may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, from and after the passing of this Act, so much of an Act of Parliament, made in the nineteenth Year of the Reign of King *Henry* the Seventh (intituled, *Coin*), and so much of any other Act or Acts of Parliament, made in *Great Britain*,

So much of any Acts, as prohibit the exporting Gold or Silver Coin to Ireland, repealed.

which prohibit the exporting, carrying, or conveying, of Coin of Gold or Silver out of this Realm into *Ireland*, shall be, and the same is and are hereby repealed and made void.

So much of 9 Annæ, Cap. 12, or other Acts, which prohibit the Importation of foreign Hops into Ireland; and so much of the recited Act, and 6 Geo. I. Cap. 11, which enact that no Drawback shall be allowed on Hops exported to Ireland, repealed.

II. And it is hereby further enacted by the Authority aforesaid, That, from and after the passing of this Act, so much of an Act of Parliament, made in the ninth Year of the Reign of Queen *Anne*, intituled, *An Act for laying a Duty on Hops*; and so much of any other Act or Acts of Parliament made in *Great Britain*, which prohibit the Importation of foreign Hops into the Kingdom of *Ireland*; and also so much of the said recited Act, and of another Act, made in the sixth Year of the Reign of King *George* the First, intituled, *An Act for laying a Duty upon wrought Plate; and for applying Money arising for the clear Produce (by Sale of the forfeited Estates) towards answering his Majesty's Supply; and for taking off the Drawbacks upon Hops exported for* Ireland; *and for Payment of Annuities, to be purchased after the Rate of four Pounds* per Centum per Annum *at the Exchequer, redeemable by Parliament; and for appropriating Supplies granted in this Session of Parliament; and to prevent counterfeiting Receipts and Warrants of the Officers of the* South Sea *Company; and for explaining a late Act concerning Foreign Salt cellared and locked up before the four and twentieth Day of* June, *one thousand seven hundred and nineteen; and to give a further Time for paying Duties on certain Apprentices Indentures; and for Relief of* Thomas Vernon *Esquire, in relation to a Parcel of Senna imported in the Year one thousand seven hundred and sixteen*; which enact, That no Part of the Duties shall be repaid or drawn back for any Hops (whether the same be of Foreign or *British* Growth), which shall be exported or shipped for Exportation from *Great Britain* for *Ireland*, shall be, and the same is and are hereby repealed and made void.

26 Geo. II. Cap. 18, recited.

'III. And whereas by an Act of Parliament, made in the twenty-sixth Year of the Reign of his late 'Majesty King *George* the Second, intituled, *An Act for enlarging and regulating the Trade into the* Levant 'Seas, it is amongst other Things enacted, That every Subject of *Great Britain*, desiring Admission into 'the Company of Merchants of *England* trading into the *Levant* Seas, commonly called, or known by 'the Name of, *The Turkey Company*, shall, upon Request for that Purpose made in the Manner by the 'said Act directed, be admitted into the said Company; and that the Goods permitted to be exported or 'imported by Persons made free of the said Company, shall be exported from and imported into *Great* 'Britain only:' And it is hereby further enacted by the Authority aforesaid, That such Goods as may lawfully be exported from, or imported into, *Great Britain*, in *British* Ships, by any Person or Persons free of the said Company, by virtue of the said recited Act, or any other Act made in this Kingdom, shall and may, in like Manner, be exported from, or imported into, any Port or Place in the Kingdom of *Ireland*, by any Person admitted, or to be admitted into, and made free of, the said Company, in *British* or *Irish* Ships or Vessels, legally navigated, on paying such Impositions or Sums of Money as shall be assessed and charged on all Goods, Wares, or Merchandize, to be exported and imported as aforesaid, or on any Ships laden with the same, for defraying the necessary Expences of the said Company; any Thing in the said recited Act to the contrary notwithstanding.

Any Goods which may be exported or imported to or from Great Britain and the Levant Seas, may, by any Person free of the Turkey Company, be exported or imported to or from Ireland and the said Seas.

IV. Provided always, and it is hereby further enacted by the Authority aforesaid, That the Oath required by the said recited Act to be taken by Persons upon their Admission to their Freedoms in the said Company, shall and may be taken before, and administered by, two of his Majesty's Justices of the Peace in and for the Kingdom of *Ireland*.

The Oath to be taken on Admission into the said Company, may be administered in Ireland.

## CAP. XIX.

An Act to continue several Laws relating to the better securing the lawful Trade of his Majesty's Subjects to and from the *East Indies*, and for the more effectual preventing all his Majesty's Subjects trading thither under Foreign Commissions; to the importing Salt from *Europe* into the Province of *Quebec* in *America*; to the permitting the free Importation of Raw Goat Skins into this Kingdom; to the allowing the Exportation of certain Quantities of Wheat, and other Articles, to his Majesty's Sugar Colonies in *America*; and to the permitting the Exportation of Tobacco-pipe Clay from this Kingdom to the *British* Sugar Colonies or Plantations in the *West Indies*.

Preamble.

'WHEREAS the Laws herein-after mentioned have by Experience been found useful and bene- 'ficial, and are near expiring;' may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That an Act, made in the fifth Year of the Reign of his late Majesty King *George* the Second, intituled, *An Act for reviving an Act, made in the fifth Year of the Reign of his late Majesty King* George *the First, intituled*, 'An Act for the better securing the lawful Trade of his Majesty's Subjects to and from the East 'Indies, *and for the more effectual preventing all his Majesty's Subjects trading thither under Foreign Com-* 'missions;' which was to continue in Force from the first Day of *May*, one thousand seven hundred and thirty-two, for the Term of seven Years, and from thence to the End of the then next Session of Parliament; and which was by two Acts, made in the thirteenth and twentieth Years of the Reign of his late Majesty King *George* the Second, further continued until the twenty-fifth Day of *March*, one thousand seven hundred and eighty; shall be, and the same is hereby further continued from the Expiration thereof, until the twenty-fifth Day of *March*, one thousand eight hundred, and from thence to the End of the then next Session of Parliament.

5 Geo. II. Cap. 29, relating to the Trade to the East Indies, further continued till March 25, 1800, &c.

II. And be it further enacted by the Authority aforesaid, That an Act, made in the fourth Year of the Reign of his present Majesty, *for importing Salt from* Europe *into the Province of* Quebec *in* America, *for*

4 Geo. III. Cap. 19, for importing Salt from Europe to Quebec,

*for a limited Time*, which was to continue in Force from the twenty-fourth Day of *June*, one thousand seven hundred and sixty-four, for the Term of one Year, and from thence to the End of the then next Session of Parliament; and which was by two Acts, made in the sixth and thirteenth Years of the Reign of his present Majesty, further continued until the twenty-fourth Day of *June*, one thousand seven hundred and eighty, and from thence to the End of the then next Session of Parliament; shall be, and the same is hereby further continued from the Expiration thereof, until the twenty-fourth Day of *June*, one thousand seven hundred and eighty-five, and from thence to the End of the then next Session of Parliament.

further continued till June 24, 1785, &c.

15 Geo. III. Cap. 35, to permit the free Importation of raw Goat Skins, further continued until June 20, 1785, &c.

III. And be it further enacted by the Authority aforesaid, That an Act, made in the fifteenth Year of the Reign of his present Majesty, *to permit the free Importation of raw Goat Skins into this Kingdom for a limited Time*, which was to continue in Force from the twentieth Day of *June*, one thousand seven hundred and seventy-five, for the Term of five Years, and from thence to the End of the then next Session of Parliament, shall be, and the same is hereby further continued from the Expiration thereof, until the twentieth Day of *June*, one thousand seven hundred and eighty-five, and from thence to the End of the then next Session of Parliament.

So much of 16 Geo. III. Cap. 37, as relates to the Exportation of Wheat, &c. to the Sugar Colonies,

IV. And be it further enacted by the Authority aforesaid, That so much of an Act, made in the sixteenth Year of the Reign of his present Majesty, intituled, *An Act for allowing the Exportation of certain Quantities of Wheat, and other Articles, to his Majesty's Sugar Colonies in* America, *and to the Island of* Saint Helena, *and to the other Settlements belonging to the United Company of Merchants of* England *trading to the* East Indies, *and of Biscuit and Peas to* Newfoundland, Nova Scotia, Bay Chaleur, *and* Labrador; *and for indemnifying all Persons with respect to advising or carrying into Execution his Majesty's Orders of Council already made for allowing the Exportation of Wheat, and other Articles*; as relates to allowing the Exportation of certain Quantities of Wheat, and other Articles, to his Majesty's Sugar Colonies in *America*, which was to continue in Force until the first Day of *January*, one thousand seven hundred and seventy-seven; and which by three Acts, made in the seventeenth, eighteenth, and nineteenth Years of the Reign of his present Majesty, was continued until the first Day of *May*, one thousand seven hundred and eighty; shall be, and the same is hereby further continued from the Expiration thereof, until the first Day of *May*, one thousand seven hundred and eighty-one.

further continued until May 1, 1781.

So much of 17 Geo. III. Cap. 43, as permits the Exportation of Tobacco-pipe Clay to the Sugar Colonies,

V. And be it further enacted by the Authority aforesaid, That so much of an Act, made in the seventeenth Year of the Reign of his present Majesty, intituled, *An Act for repealing the eleventh Rule in the Book of Rates, so far as the same relates to the making any Allowance upon the Importation of damaged Currants and Raisins, and for making the Importer of such Goods an Abatement in the Duties in lieu thereof; and for explaining the said Rule with respect to such Allowance for Damage on other Goods; and to permit the Exportation of Tobacco-pipe Clay from this Kingdom to the* British *Sugar Colonies or Plantations in the* West Indies, *for a limited Time*; as permits the Exportation of Tobacco-pipe Clay from this Kingdom to the *British* Sugar Colonies or Plantations in the *West Indies*, which was to continue in Force until the twenty-fourth Day of *June*, one thousand seven hundred and seventy-nine, and from thence to the End of the then next Session of Parliament; shall be, and the same is hereby further continued from the Expiration thereof, until the twenty-fourth Day of *June*, one thousand seven hundred and eighty-three, and from thence to the End of the then next Session of Parliament.

further continued until June 24, 1783, &c.

## CAP. XX.

### An Act for the better Supply of Mariners and Seamen to serve in his Majesty's Ships of War, and on Board Merchant Ships, and other Trading Ships and Vessels.

Preamble.

'FOR the better Supply of Mariners and Seamen to serve in his Majesty's Ships of War, and on Board Merchant Ships, and other Trading Ships and Vessels;' be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, from and after the passing of this Act, until the twenty-fifth Day of *March*, one thousand seven hundred and eighty-one, and no longer (except in respect to such Merchant Ships, and other Trading Ships or Vessels, which shall be on their Voyage before the said twenty-fifth Day of *March*, one thousand seven hundred and eighty-one, who shall be, and are hereby allowed the Liberty and Benefit of returning Home navigated in the Manner as herein-after is provided), it shall and may be lawful for any Merchant Ship, or other Trading Ship or Vessel, to be navigated by Foreign Seamen or Mariners, not being Natives of *Great Britain*, or of any of the Colonies or Plantations thereto belonging, or his Majesty's natural or naturalized Subjects, so as the Number of such Foreign Seamen or Mariners do not exceed three-fourths of the Mariners at any one Time employed to navigate such Merchant Ship, or other Trading Ship or Vessel, and that one-fourth at least of the Mariners or Seamen so employed, be at all Times Natives, or his Majesty's naturalized Subjects of *Great Britain* (sudden Death, and Hazard and Casualties of War, and the Seas, saved and excepted), one Act of Parliament, made in the twelfth Year of the Reign of his late Majesty King *Charles* the Second, intituled, *An Act for the encouraging and encreasing of Shipping and Navigation*, or any other Statute or Law, to the contrary notwithstanding.

From the passing of this Act till March 25, 1781, Merchant Ships, &c. may be navigated by three-fourths Foreign Seamen.

This Act not to restrain any Royal Proclamation to be made pursuant to an Act 13 Geo. II.

II. Provided always, That nothing in this Act contained shall extend to take away or restrain the Effect of any such Royal Proclamation, as his Majesty, his Heirs and Successors, are impowered to make by virtue of an Act, passed in the thirteenth Year of his late Majesty's Reign, intituled, *An Act for the better Supply of Mariners and Seamen to serve in his Majesty's Ships of War, and on Board Merchant Ships and other Trading Ships and Privateers.*

'III. And whereas Doubts have arisen whether, according to the true Intent and Meaning of an Act, 'made in the thirteenth Year of the Reign of his late Majesty King *George* the Second, intituled, *An Act 'for the better Supply of Mariners and Seamen to serve in his Majesty's Ships of War, and on Board Merchant 'Ships and other Trading Ships, and Privateers*, any Foreign Mariner or Seaman, who shall have served 'for the Time mentioned in the said Act, during the Time of the present Hostilities, on Board any of his 'Majesty's Ships of War, or any Merchant or other Trading Ship or Vessel, or Privateer (which at the 'Time of such Service belonged to any of his Majesty's Subjects), shall, by virtue of the said Act, be 'deemed to be a natural born Subject of his Majesty's Kingdom of *Great Britain*;' be it therefore enacted and declared, That the said Act, and every Thing contained therein, is and has continued to be, and shall be deemed and taken to be and have continued to be, in full Force; and that any Foreign Mariner or Seaman, who at any Time during the last War, or during the present Hostilities, from and since the twenty-fifth Day of *March*, one thousand seven hundred and seventy-seven, shall have faithfully served on Board any such Ships or Vessels for the Space of two Years, shall be deemed and taken to be a natural born Subject of his Majesty's Kingdom of *Great Britain*, and shall have and enjoy all the Privileges, Rights, Powers, and Capacities, which, by the said in Part recited Acts, are given and granted to Foreign Seamen who served on Board any *British* Ship for the like Space of Time during the then War.

Recital of an Act 13 Geo. II.

Any Foreign Seaman who, during the late War, or the present Hostilities, shall have faithfully served on Board any British Ship for two Years, shall be deemed a natural born Subject of Great Britain.

IV. And be it further enacted, That any Ship or Vessel which shall at any Time hereafter, during the present War, arrive, or which, at any Time since the twenty-fifth Day of *March*, one thousand seven hundred and seventy-nine, has arrived, in any of the Ports of this Realm, navigated according to the true Intent and Meaning of this Act, shall and may be entered, and the respective Cargoes landed, on Payment of *British* Duties, and no other, without incurring any Pains, Penalties, or Forfeitures, whatsoever: And if any Ship or Ships, Vessel or Vessels, navigated according to the true Intent and Meaning of this Act, and which have arrived in any Port of this Realm since the said twenty-fifth Day of *March* last past, or the Cargo or Cargoes of such Ship or Ships, Vessel or Vessels, shall have been seized, such Ship or Ships, Vessel or Vessels, with their respective Cargoes, shall be delivered to the respective Owners and Proprietors thereof, on Payment of *British* Duties only, and no other, without any Pains, Penalties, or Forfeitures whatsoever; the Act of the twelfth of his late Majesty King *Charles* the Second, or any other Act or Acts to the contrary thereof, notwithstanding.

Any Ship which, since March 25, 1779, has arrived, or during the present Hostilities shall arrive, in any Port of this Realm, navigated according to this Act, may be entered, &c. on Payment of British Duties; And if any such Ship, or its Cargo, has been seized, the same shall be delivered to the Owners, on Payment of British Duties only.

## CAP. XXI.

An Act for amending and rendering more effectual two Acts, passed in the tenth and eleventh Years of his present Majesty's Reign, *for better supplying the City of* Worcester, *and the Liberties thereof, with Water, and for the better paving and lighting the said City, and for removing and preventing all Obstructions and Annoyances therein.*

'WHEREAS an Act was made in the tenth Year of the Reign of his present Majesty, intituled, *An Act for better supplying the City of* Worcester, *and the Liberties thereof, with Water, and 'for the better paving and lighting the said City, and for removing and preventing all Obstructions and Annoy-'ances therein:* And whereas another Act was made in the eleventh Year of the Reign of his present Ma-'jesty, intituled, *An Act to explain a Clause in an Act of the last Session of Parliament* "*for better supplying* "*the City of* Worcester, *and the Liberties thereof, with Water, and for better paving and lighting the said* "*City, and for removing and preventing all Obstructions and Annoyances therein*;" and great Progress hath 'been made towards completing the said Works: And whereas the Commissioners are in and by the 'said recited Acts, or one of them, required and impowered to direct how much Money shall be raised 'upon all Messuages, Tenements, Buildings, and Hereditaments, within the said City, whereof any 'Part was situated within thirty Yards from any Main Pipe; but no House, Warehouse, Building, Te-'nement, or Hereditament, of or under the yearly Rent of five Pounds is liable to be rated by virtue of 'the said recited Acts: And whereas the Money directed to be raised by the Rate authorised by the said 'Acts is found insufficient to defray the Expence of completing the Purposes of the said Acts, particularly 'the lighting of the said City; and it is necessary that the said Commissioners should have Power to raise 'annually a larger Sum by a higher Rate than is at present authorised to be raised, and that Houses and 'Tenements of less annual Value than five Pounds should be liable to be rated: And whereas the said Acts 'have in several other Particulars been found defective, and want Amendment:' May it therefore please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the Clause in the said Acts passed in the tenth Year of his present Majesty's Reign, which directs and authorises the said Commissioners to raise Money for the Purposes of the said Act by an equal Pound-rate on all Messuages, Tenements, Buildings, and Hereditaments, within the said City (except as therein is excepted), the same not to exceed one Shilling in the Pound *per Annum*; and also that so much of the Clause or Proviso in the said Act which provides, that no Person shall be rated or pay to the Rates or Assessments, which shall be made by virtue of the said Act, for any House, Warehouse, Building, Tenement, or Hereditament, of or under the yearly Rent or Value of five Pounds (unless the Occupier thereof shall desire to be rated), be, and the same is hereby repealed.

Preamble. Recital of Acts 10 Geo. III. and 11 Geo. III.

Provisions of the former Act relating to the Rates repealed.

II. And be it further enacted by the Authority aforesaid, That the said Commissioners, or any seven or more of them, are hereby impowered and required yearly and every Year, or oftener as there shall be Occasion,

Rates not to exceed 1 s. in the Pound.

Occasion, to nominate and appoint under their Hands, within every Parish of the said City, two or more Persons, being Inhabitants or Residents within each respective Parish, to be Assessors of the Money by this Act directed to be raised; and the said Commissioners, or any seven or more of them, shall once in every Year, or oftener if there shall be Occasion, fix and ascertain, and, as soon after as may be, issue an Order under their Hands to the Assessors for the Time being, directing how much in the Pound shall be raised by an equal Pound-rate upon all Messuages, Tenements, Buildings, and Hereditaments, within the said City (except as in the said recited Act is excepted), the same not to exceed two Shillings in the Pound in any Year; which several and respective Sums the said Assessors are hereby required from Time to Time to rate and charge upon the Tenants and Occupiers thereof; and all such Tenants and Occupiers are hereby made liable to pay the said Rate so directed to be raised as aforesaid, and every Part thereof, according to the true annual Rent or Value of their respective Messuages, Tenements, Buildings, and Hereditaments, lying and being within the said City.

Exemptions from being rated.

III. Provided always, That no Person shall be rated, or be liable to pay to the Assessments to be made by virtue of this Act, on account of or for any House, Warehouse, Building, Tenement, or Hereditament, under the yearly Rent or Value of four Pounds, unless such Person shall desire to be rated, and shall signify such his or her Desire to the said Commissioners, or any seven or more of them, at some Meeting to be held in pursuance of this Act; any Thing herein contained to the contrary notwithstanding.

Houses let out in Tenements how to be rated.

'IV. And whereas many Houses within the several Parishes of the said City are or may be, by the several 'Landlords or Owners thereof, let out in Lodgings or Tenements to divers Tenants, whereby it will be 'difficult to rate or assess the said Tenants in respect of such Houses, or to recover such Rates and Assess-'ments so made;' for Remedy whereof, be it enacted, That, from and after the passing of this Act, it shall and may be lawful for the said Commissioners, or any seven or more of them, to rate and assess in every such Rate or Assessment as aforesaid the Owner or Owners of all such Houses or Tenements as shall be so let to or occupied by two or more Tenants (which Rate or Assessment shall be paid by the Occupier or Occupiers of any Part or Parts of such Houses or Tenements); and such Occupier or Occupiers of such Houses or Tenements is and are hereby authorised and required to pay such Sum and Sums of Money as shall be so rated or assessed upon the Owner or Owners thereof, being duly demanded of such Occupier or Occupiers, and to deduct the same out of his, her, or their respective Rents; and the Landlord or Landlords, Owner or Owners of such Houses or Tenements, is and are hereby required to allow such Deductions and Payments upon the Receipt of the Residue of his, her, or their Rents; and every such Occupier, paying such Assessment or Assessments, shall be acquitted and discharged for so much of his or her Rent as the said Assessment or Assessments so paid by him or her shall amount unto, as if the same had been actually paid to the Person or Persons to whom his or her Rent shall be due and payable; and in Default of Payment of the said Rate or Rates, Assessment or Assessments, the same shall be and remain a Charge upon the said Premises, and shall and may be recovered of and from the Landlord or Landlords, Owner or Owners, in such Manner as the Rates or Assessments are authorised to be levied by the said first-recited Act.

Commissioners.

V. And be it further enacted, That the Commissioners appointed to put the said former Acts into Execution, shall be, and they are hereby declared to be Commissioners for putting in Execution all the Powers by this Act and the said former Acts granted or given.

Recital.

'VI. And whereas by the said first-recited Act any Person or Persons who shall break, injure, or da-'mage, any Part of the Building of the Water-works, or any Conduit, Reservoir, Water-house, or En-'gine, to be erected for the Purposes of the said Act, or wilfully cause the Water to run to Waste from 'any Conduit, Water-house, Engine, or from any Reservoir, to be provided as aforesaid, or shall cut, 'damage, break, or destroy, any Part of the Pipes laid under Ground, or otherwise made use of for the 'Purposes aforesaid, or any Part of the Materials used or provided for the Purposes aforesaid, the Person 'or Persons offending in any of the Cases above mentioned are made liable to forfeit and pay the Sum of 'twenty Shillings, which Penalty is found inadequate to any of the Offences above mentioned;' be it

Penalty on injuring the Works.

therefore enacted by the Authority aforesaid, That if any Person or Persons shall, from and after the passing of this Act, break, injure, or damage, any Part of the Building of the said Water-works, or any Conduit, Reservoir, Water-house, or Engine, erected or to be erected for the Purposes of the said Act, or shall wilfully cause the Water to run to Waste from any Conduit, Water-house, or Engine, or from any Reservoir, to be provided as aforesaid, or shall cut, damage, break, or destroy, any Part of the Pipes laid under Ground, or otherwise made use of for the Purposes aforesaid, or any Part of the Materials used or provided for the Purposes aforesaid, the Person or Persons offending in any or either of the Cases aforesaid, and being thereof convicted, either by his or her own Confession, or by the Oath or Oaths of one or more credible Witness or Witnesses, before any Justice of the Peace for the said City (which Oath such Justice is hereby authorised and required to administer), shall, for every Offence, forfeit the Sum of five Pounds, over and above the Reparation of the real Injury or Damage done.

Penalty on causing Annoyances.

VII. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall set out or lay, or cause, procure, permit, or suffer to be set out or laid, any Timber, Boards, Bricks, Casks, Furnaces, Stalls, Benches, Crates, Pens, or any other Annoyance, or any Waggon, Dray, Cart, or other Carriage (for any longer Time than shall be reasonable for the loading or unloading the same); or if any Person or Persons shall build, place, or suffer to continue any Steps leading into any Cellar or Vault, or throw or lay any Dung, Ashes, or any other Thing whatsoever which shall occasion any Annoyance, Nuisance, or Obstruction whatsoever, or shall suffer any such Dung or Ashes to remain for any longer Time than twelve Hours, to be computed from six of the Clock in the Morning, or shall suffer such Dung or Ashes to remain in the Night-time in any of the said Streets, Lanes, Ways, or Passages, within the said City (except such Scaffoldings or other Erections, Bricks, Lime, or other Materials, as

shall be reasonable and necessary for the building and repairing Houses and other Works, and except such Rubbish as shall be necessarily occasioned by such Buildings or Repairs, so as the Owner of such Buildings and Scaffoldings do put up a Light upon or near such Rubbish or other Things that shall lie in the said Streets, Lanes, or Passages, during the Night-time), it shall and may be lawful for the said Commissioners, or any seven or more of them, either at any Meeting to be held in pursuance of this Act, or at any Meeting to be held upon Complaint made of any such Annoyance, Nuisance, or Obstruction, to cause the same to be altered or regulated, removed, taken, and carried away, and deposited in such Place or Places as the said Commissioners, or any seven or more of them, shall direct and appoint, there to remain until the Person who shall have occasioned any such Annoyance, Nuisance, or Obstruction, shall have paid and discharged all Costs, Charges, and Expences, attending the carrying away and depositing the same as aforesaid, as also the Sum of ten Shillings for such Offence.

For appointing a proper Person to remove Nuisances.

VIII. And be it further enacted by the Authority aforesaid, That the said Commissioners, or any seven or more of them, shall and may appoint a Peace Officer, or any other Person, to take and remove any Benches, Stalls, or other Nuisances, that shall be put or placed on or over any of the said Footways at any Time, and also to take such Person or Persons who shall put and place such Nuisances as aforesaid before some Justice or Justices of the Peace for the said City, who is and are hereby required to examine such Person or Persons, and upon being convicted of the said Offence such Person or Persons shall forfeit and pay the Sum of ten Shillings.

To prevent Annoyances by driving Wheelbarrows, &c. on Foot Pavements.

IX. And be it further enacted by the Authority aforesaid, That if any Person or Persons, from and after the passing of this Act, shall wilfully or negligently drive or wheel any Carriage, Wheelbarrow, or other Wheel-carriage, or shall run any Wheel without a Carriage, upon the Foot Pavement, or shall ride, drive, or lead, any Horse, Mare, Gelding, Ass, Mule, or other Beast, upon the Foot Pavements (except at such Places where it shall be necessary to cross into any House, Stable-yard, or Road, and then only for such Time as shall be needful for the Purposes of crossing), or shall fasten or tie by the Bridle or Halter, or shall leave unfastened, or suffer to remain on any Pretence whatsoever, any Horse, Mare, Gelding, Ass, or Mule, on the Foot Pavement of any of the Streets or Lanes in the said City, or within the Liberties thereof, every Person offending, in any or either of the Cases aforesaid, shall forfeit and pay the Sum of two Shillings and six Pence; which said Penalty shall be recovered, and Offenders proceeded against, in the Manner directed by the first-recited Act with respect to Drivers of Carts.

For sweeping the Footways.

X. And be it further enacted by the Authority aforesaid, That, from and after the first *Saturday* after the passing of this Act, every Person and Persons who shall inhabit the front Part, or shall be the Occupier of the greatest Part, of any Dwelling-house, Warehouse, Building, or the Owner or Proprietor of any Wall adjoining to the Foot Pavement or other Footways within the said City, or the Liberties thereof, shall sweep and clean, or cause to be swept and cleaned, the said Footways at least twice in a Week; that is to say, in the Forenoon on *Wednesday* and *Saturday* in every Week, upon Pain of forfeiting the Sum of two Shillings and six Pence for each and every Neglect therein.

For preventing Persons suffering their Water to run to Waste.

XI. And it is hereby further enacted by the Authority aforesaid, That if any Person or Persons, liable to be rated to the Assessments to be made by virtue of this Act, shall, from and after the passing thereof, wilfully or negligently suffer the *Severn* Water to run to Waste after the Cistern, Tub, Barrel, or other Vessel, used by them for the Reception of such Water, shall be full, or after such Person or Persons shall or might have saved a reasonable and sufficient Quantity of Water for their Use, or after Notice given to them or their Servant to prevent the same by any Commissioner acting under the said first-recited Act, or by the Turncock or other Servant of the said Commissioners, every Person or Persons so offending shall, for every such Offence, forfeit and pay the Sum of two Shillings and six Pence.

To prevent hooping of Casks, &c. in the Streets.

XII. And be it further enacted, That if any Person or Persons shall hoop, fire, cleanse, wash, or scald any Cask; or hew or saw, or cause to be hewed or sawed, any Stone, Wood, or Timber; or bind, make, or repair any Wheel; or shoe, bleed, cleanse, or dress, or turn or drive loose any Horse or Horses; or wet, slack, or mix any Lime; or wet, mix, or make any Mortar (except as herein-before mentioned); or throw at any Cock or Fowl in the Manner called *Cock-throwing*, or set up any Cock or Fowl to be thrown at in such Manner; or shall make, or assist in the making, any Fire or Fires commonly called *Bonfires*; or shall set to or let off or throw any Squib, Serpent, Rocket, or Fire-works whatsoever, in any of the Streets, Lanes, or public Ways, within the said City or Liberties thereof; every Person so offending, in any or either of the Cases aforesaid, shall, for every such Offence, forfeit and pay the Sum of five Shillings, over and above such Penalties which are inflicted on any or either of the said Offences by any Law or Statute now in being.

To prevent killing Swine, &c. in the Streets.

XIII. And be it further enacted, That if any Person or Persons shall kill, slaughter, singe, scald, dress, or cut up, any Beast, Swine, Calf, Sheep, Lamb, or other Cattle, or cause the same to be done, in any open or public Street, Lane, or Way, within the said City, or the Liberties thereof, or hang up, or cause to be hung up, any Beast, Swine, Calf, Sheep, Lamb, or other Cattle, or any Part or Parts thereof, or any Sort of Goods or other Things whatsoever, on or over any of the Footways in any of the said Streets, Lanes, or public Passages (except in the Street called *The Shambles*, and the Market-place called *The New Shambles*), every Person or Persons so offending shall, for every such Offence, forfeit and pay the Sum of five Shillings; and if any Swine, Beast, or other Cattle, shall be found wandering about the said Streets, Lanes, or Ways, or any or either of them, it shall and may be lawful to and for any Officer or Officers of the said Commissioners, or any other Person or Persons whomsoever, to impound such Swine, Beast, or Cattle, in the common Pound in the said City, or such other Place as shall be appointed for that Purpose by the said Commissioners, or any seven or more of them, and the same to detain in the said Pound or Place, until the Sum of five Shillings, and the Expences of impounding such Swine, Beast, or Cattle, shall be fully paid and satisfied; and in case such Penalty and Expences shall not be paid within

Penalty.

three Days after such Swine, Beast, or Cattle, shall be impounded, and public Notice thereof given by the Common Cryer that such Swine, Beast, or other Cattle, are so impounded for the Cause aforesaid, it shall and may be lawful for such Person or Persons as shall be appointed by the said Commissioners, or any seven or more of them, for that Purpose, to sell, or cause such Swine, Beast, or Cattle, to be sold, and after deducting the Charge of impounding, crying, and Sale thereof, the Money arising from the Sale shall be applied to such and the same Purposes as the Money arising from the Rates or Assessments is hereby directed to be applied.

For paving the Streets, and removing Obstructions.

XIV. And be it further enacted by the Authority aforesaid, That the Occupiers of all Houses, Buildings, Gardens, and Hereditaments, which do or shall adjoin to any Street, Lane, or Place, within the said City, shall, at his, her, and their Costs and Charges respectively from Time to Time, within ten Days next after Notice in Writing given for that Purpose by the Surveyor to be appointed by virtue of this Act, cause the Ground before such Houses, Buildings, Gardens, or Hereditaments, in the said Streets, Lanes, or Places, to be raised or lowered, and well and sufficiently pitched and paved, and all the Gutters or Channels to be turned and altered, and the Grates already placed or hereafter to be placed over any Sewers, Drains, Watercourses, or Ditches, to be taken up, removed, altered, or replaced, and all Sewers, Drains, Watercourses, and Ditches, to be opened, cleansed, repaired, and scoured, which belong to the aforesaid Houses, Buildings, Gardens, and Hereditaments, and which ought of Right to be done by the Occupiers or Owners thereof respectively, and the same, and the several other Works to be done, as herein-after mentioned, shall be done in such Manner, and in such Form, as the said Commissioners, or any seven or more of them, shall from Time to Time order, direct, and appoint; and also the Occupiers of all Gardens or Lands into or through which any Common Sewers, Drains, Watercourses, or Ditches, extend within the said City or the Liberties thereof, shall from Time to Time, within ten Days next after Notice for that Purpose given by the said Surveyor, cause such Common Sewers, Drains, Watercourses, or Ditches, to be cleansed and scoured, and all Flood-gates or Stanks made or to be made therein to be taken up and removed, at the Costs and Charges of such Occupiers respectively; and likewise every Occupier of any House or other Building, within any Street, Lane, or Place, within the said City, shall take down, alter, and remove, all Posts, Steps, Bulks, Windows, Shew-boards, Shew glasses, or other Projections, which do or shall encroach in or over or on the Footway in any Street, Lane, or Place aforesaid; and also take away, alter, and remove, all Doors opening in or leading from the said Footways into any Cellar or Vault, and all Signs, Sign-posts, Sign-irons, Poles, Penthouses, Boards, or other Annoyances whatsoever, which shall be fixed to or against any House or other Building, or which shall hereafter be hung from any such House or other Building, within the Space of ten Days next after Notice in Writing given by the said Surveyor for taking down, altering, or removing, all such Annoyances as aforesaid, and cause all such Signs and Sign-boards to be fixed and placed close to the Wall, or on the Front of the Houses or other Buildings to which they respectively belong, at the Costs and Charges of the Occupiers of such Houses or Buildings; and all Occupiers of the aforesaid Houses, Buildings, Gardens, Lands, and Hereditaments, are hereby authorised to deduct the Expences attending the several and respective Works aforesaid out of his, her, or their Rent or Rents; and the Owners or Landlords of all such Houses, Buildings, Tenements, Gardens, Lands, and Hereditaments, are hereby required to allow the same accordingly.

Projections in or over the Footways of the Streets to be removed.

Tenants to deduct the Expences out of their Rents.

Expences of removing projecting Windows, &c. how to be defrayed.

XV. Provided always, That one Moiety of the Expence of removing any Window or Projection hanging over the Footways in any of the said Streets, Lanes, or Places aforesaid, shall be defrayed by the Occupier of the Building having such Window or Projection, and the other Moiety out of the Rates or Assessments granted by this Act; but no Occupier of any House shall be liable to pay more than five Pounds on account of removing any such Window or Projection.

If Occupiers neglect to do the Works directed by this Act, Commissioners may cause them to be done, and levy the Expences by Distress.

XVI. Provided also, That in case any such Occupier as aforesaid shall refuse or neglect to do and perform all or any of the several Works aforesaid, within the Time and in the Manner before directed, that then, and in all or any of the Cases aforesaid, it shall and may be lawful to and for the said Commissioners, or any seven or more of them, to cause the several Works aforesaid, or any of them, to be done in such Manner and Form as they shall think fit to order and direct, and the Charges and Expences attending the same to be paid by such Occupiers as aforesaid who ought to do and perform the said Works according to the Directions of this Act; and in case any such Occupier shall refuse or neglect to pay all such Charges and Expences, for the Space of Fourteen Days after such Charges and Expences shall be demanded of him or her by the said Surveyor, or some other Officer belonging to the said Commissioners, that then it shall and may be lawful for any one Justice of the Peace for the said City, upon Complaint made to him by such Surveyor or other Officer, to cause all such Charges and Expences to be levied by Distress and Sale of the Goods and Chattels of such Occupier so neglecting or refusing as aforesaid, together with all Costs and Charges attending such Distress and Sale, rendering the Overplus (if any) to the Occupier whose Goods and Chattels shall be so distrained and sold.

Monies to be accounted for between Dec. 25, and March 25, yearly.

XVII. And be it further enacted by the Authority aforesaid, That between the twenty-fifth Day of *December* and the twenty-fifth Day of *March* in every Year, a fair and just Account shall be made out of all Monies received and paid by virtue of this Act, and how, to whom, when, and for what Purposes the same shall have been laid out and expended; and a Copy or Duplicate thereof, signed by seven or more of the said Commissioners so assembled as aforesaid, shall be deposited with the Clerk to the said Commissioners, who is hereby required to permit any Person, rated or assessed as aforesaid, to inspect the same at all seasonable Times, paying one Shilling for such Inspection; and shall upon Demand forthwith give Copies of the same, or any Part thereof, to any such Person paying at the Rate of three Pence for every one hundred Words, and so in Proportion for any greater or less Number of Words; which Account and Copy or Duplicate the said Commissioners, or any seven or more of them, are hereby impowered and required to cause to be written out and signed, and delivered accordingly.

XVIII.

XVIII. And be it further enacted by the Authority aforesaid, That all and every Person and Persons to whom any Assignment or Assignments shall be made by the said Commissioners, or any seven or more of them, as a Security for any Sum or Sums of Money lent or to be lent and advanced, or any Annuity or Annuities to be payable on the Credit of this Act, or who shall be intitled to the Money thereby secured, shall and may from Time to Time, by proper Words to be indorsed on the Back of his, her, or their Assignment or Security, or by any other Writing or Writings under his, her, or their Hand and Seal, or Hands and Seals, to be duly executed in the Presence of two or more credible Witnesses, assign or transfer his, her, or their Right, Title, Interest, or Benefit, to the Principal and Interest Money and Annuities thereby secured, or any Part thereof, to any Person or Persons whomsoever; and such Assignee may and is hereby impowered to assign the same again in like Manner, and so *toties quoties*; which Assignment shall be in the following Form of Words, or to that Effect, *videlicet:* Assignments may be transferred.

'I Do hereby transfer this Assignment, with all my Right and Title to the Principal Money [*or* Annuity, *as the Case may be*] thereby secured, and to all the Interest now due upon the same, unto his Executors, Administrators, and Assigns. Dated this Day of in the Year of our Lord' Form of Assignment.

'XIX. And, for the better regulating the Manner of setting up or continuing the Lamps in the said Streets, Lanes, or Places, within the said City,' be it further enacted by the Authority aforesaid, That the said Commissioners, or any seven or more of them, shall, and they are hereby authorised and required to proportion the Number of Lamps to be set up or continued in each Parish, according and in Proportion to the Money raised in such Parishes respectively. The Number of Lamps in each Parish to be in Proportion to the Money raised therein.

XX. And be it further enacted by the Authority aforesaid, That the Rates herein-before granted shall be subject and liable to the Payment of all Money now due and owing, or which shall or may hereafter be borrowed and become due on the Credit of the said recited Acts and this Act, and of all Interest due and to grow due for the same respectively Rates subject to Payment of Monies due on the former Acts and this Act.

XXI. And be it further enacted by the Authority aforesaid, That the said former Acts, as to all and every Matter, Clause, and Proviso, therein contained, and also as to every Fine, Penalty, and Forfeiture thereby authorised to be imposed, or thereby inflicted for Offences committed, and the Manner of levying and recovering thereof (except wherein otherwise provided for by this Act), shall be extended and extend to this Act, and to the Rates and Assessments hereby authorised and directed to be made, laid, and assessed, and be deemed Part thereof, and shall operate, be in Force, and be observed, enforced, and performed in respect to this Act, as fully and effectually, to all Intents and Purposes, as if the same were repeated and re-enacted in the Body of this present Act. Provisions of former Acts extended to this Act.

XXII. And be it further enacted by the Authority aforesaid, That the Charges and Expences incident to and attending the obtaining and passing this Act, shall be paid out of the Money raised or to be raised by virtue of the said recited Acts and this Act. Expences of this Act how to be paid.

XXIII. And be it further enacted, That if any Action or Suit shall be brought or prosecuted against any Person or Persons for any Thing done in pursuance of this Act, every such Action or Suit shall be commenced within six Calendar Months next after the Fact committed, and not afterwards, and shall be laid and tried in the County or Place where the Cause of Complaint shall arise, and not elsewhere; and the Defendant or Defendants in such Action or Suit shall and may plead the General Issue, and give this Act and the Special Matter in Evidence at any Trial to be had thereon, and that the same was done in pursuance and by the Authority of this Act: And if the same shall appear to have been so done, or if any Action or Suit shall be brought after the Time before limited for bringing the same, or shall be brought in any other County or Place than as aforesaid, then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or suffer a Discontinuance of his, her, or their Action or Suit after the Defendant or Defendants shall have appeared; or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have Treble Costs, and shall have such Remedy for the same as any Defendant or Defendants hath or have for Costs of Suit in any other Cases by Law. Limitation of Actions. General Issue. Treble Costs.

XXIV. And be it further enacted, That this Act shall be adjudged, deemed, and taken to be a public Act; and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons whomsoever, without specially pleading the same. Public Act.

## CAP. XXII.

An Act for the better Government and Regulation of the Poor in the Town and Parish of *Maidstone*, in the County of *Kent*.

## CAP. XXIII.

An Act to amend an Act made in the last Session of Parliament, intituled, *An Act for the Encouragement of Seamen, and the more speedy and effectual manning his Majesty's Navy*; and for making further Provisions for those Purposes.

'WHEREAS his Majesty, by Order in Council, dated the eighteenth Day of *June*, one thousand seven hundred and seventy-nine, was pleased to order that General Reprisals be granted against the Ships, Goods, and Subjects, of the King of *Spain*; and that as well all his Maj sty's Fleets and Ships, as also all other Ships and Vessels that shall be commissioned, by Letters of Marque or General Preamble.

'Reprisals, or otherwise, by his Majesty's Commissioners for executing the Office of Lord High Admiral of *Great Britain*, shall and may lawfully seize all Ships, Vessels, and Goods, belonging to the King of *Spain*, or his Subjects, or others inhabiting within any the Territories of the King of *Spain*, and bring the same to Judgment in any of the Courts of Admiralty within his Majesty's Dominions: Now, for the Encouragement of the Officers and Seamen of his Majesty's Ships of War, and the Officers and Seamen of all other *British* Ships and Vessels having Commissions and Letters of Marque, and for inducing all *British* Seamen who may be in any Foreign Service to return into this Kingdom, and become serviceable to his Majesty; and for the more effectual securing and extending the Trade of his Majesty's Subjects;' be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Flag Officers, Commanders, and other Officers, Seamen, Marines, and Soldiers, on Board every Ship and Vessel of War in his Majesty's Pay, shall have the sole Interest and Property of and in all and every Ship, Vessel, Goods, and Merchandises, which they have taken since the eighteenth Day of *June*, one thousand seven hundred and seventy-nine, or shall hereafter take during the Continuance of Hostilities against *Spain*, after the same shall have been finally adjudged lawful Prize to his Majesty, in any of his Majesty's Courts of Admiralty in *Great Britain*, or in his Majesty's Plantations in *America*, or elsewhere; to be divided in such Proportions, and after such Manner, as his Majesty hath, by his Proclamation of the twenty-fifth of *June*, one thousand seven hundred and seventy-nine, already ordered and directed, or as his Majesty, his Heirs and Successors, shall think fit to order and direct, by Proclamation or Proclamations hereafter to be issued for those Purposes.

Prizes made by the King's Ships, during the Hostilities against Spain, to be divided between the Captors, in the Proportions by his Majesty already ordered, or to be hereafter ordered, by Proclamation.

II. And be it further enacted by the Authority aforesaid, That any Ship or Ships, Vessel or Vessels, Arms, Ammunition, Stores of War, Goods, and Merchandises whatsoever, with all their Furniture, Tackle, or Apparel, taken or to be taken, during the Continuance of Hostilities against *Spain*, by or with any private Owner or Owners, Ship or Vessel, according to any Commission or Letter of Marque granted, or to be granted, as herein-after is set forth, by the Lord High Admiral of *Great Britain*, or the Commissioners for executing the Office of Lord High Admiral of *Great Britain* for the Time being, or any three or more of them, or any Person or Persons by him or them impowered and appointed (being first adjudged lawful Prize in any of his Majesty's Courts of Admiralty as aforesaid), shall wholly and entirely belong to and be divided between and among the Owner and Owners of such Ship or Vessel, and the several Persons who shall be on Board the same, and be aiding and assisting to the taking thereof, in such Share and Proportion as shall be agreed on with the Owner and Owners of such Ship or Vessel as shall be the Captor thereof, their Agents or Factors, as the proper Goods and Chattels of such Owner or Owners, and the Persons that shall be thus intitled thereto by virtue of such Agreements among themselves; and that neither his Majesty, his Heirs or Successors, or any Admiral, Vice-Admiral, Governor, or other Person commissioned by or claiming under his Majesty, his Heirs or Successors, or any Person or Persons whatsoever, other than the Owner or Owners of such Ship or Vessel, being the Captor of such Prize, Ship, or Vessel, Arms, Ammunition, Stores of War, Goods, and Merchandises, and the Persons claiming under him or them, shall be intitled to any Part or Share thereof (except as to the Customs and Duties); any Custom, Statute, or other Law, to the contrary notwithstanding.

Prizes made by Privateers to be divided between the Owners and Captors, according to private Contract.

'III. And whereas by an Act, made in the nineteenth Year of the Reign of his present Majesty, intituled, *An Act for the Encouragement of Seamen, and the more speedy and effectual manning his Majesty's Navy*, several Provisions and Regulations were established for the better carrying on the salutary Purposes by the said Act intended in the Prosecution of Hostilities against *France*;' be it therefore enacted by the Authority aforesaid, That the several Regulations and Provisions respecting the Grant of Commissions or Letters of Marque, the Persons acting and the Captures made under the Authority of such Commissions or Letters of Marque, and all other Clauses, Provisoes, Matters, and Things, contained in the said Act shall extend, and be construed and deemed to extend, to the Grant of Commissions or Letters of Marque to the Persons acting, and the Captures made, under the Authority of such Commissions or Letters of Marque for General Reprisals against the Ships, Goods, and Subjects of the King of *Spain*, and all other Matters or Things whatsoever, in respect of the same, during the Continuance of Hostilities against *Spain*, as fully, amply, and effectually, to all Intents and Purposes, as if the same Regulations, Provisions, Clauses, Provisoes, Matters and Things, had been particularly repeated and re-enacted in this Act.

Provisions in 19 Geo. III. Cap. 67, for prosecuting Hostilities against France, extended to Letters of Marque, &c. for General Reprisals against Spain.

IV. Provided always, and be it declared and enacted by the Authority aforesaid, That nothing in the said Act, made in the nineteenth Year of the Reign of his present Majesty, or in this Act contained, shall extend, or be construed to extend, to exempt any Ships, Goods, Wares, or Merchandise, already taken, and which shall be taken as Prize, and brought or imported into this Kingdom, or any of his Majesty's Plantations in *America*, from the Payment of any Customs or Duties, or from being subject to the Restrictions and Regulations to which the same now are or shall hereafter be liable by virtue of the Laws and Statutes of this Realm.

Prize Goods liable to Payment of Customs.

'V. And whereas by the said Act, made in the nineteenth Year of his Majesty's Reign, it is enacted, 'That all Penalties and Forfeitures given and granted by the said Act, shall be applied one Moiety to the Informer or Informers, and the other Moiety to the Use of the Royal Hospital for Seamen at *Greenwich*: And whereas such Distribution of Penalties and Forfeitures may interfere with the Distribution of several Penalties and Forfeitures which are otherwise particularly disposed of by the said Act;' be it therefore enacted by the Authority aforesaid, That so much and such Part of the said recited Act shall be, and the same is hereby repealed.

Part of 19 Geo. III. Cap. 67, relating to Application of Penalties, repealed.

VI. And be it further enacted by the Authority aforesaid, That all Penalties and Forfeitures inflicted or incurred by the said recited and this present Act, other than such as are otherwise particularly disposed of, shall be applied one Moiety to the Informer or Informers, and the other Moiety to the Use of the said Royal Hospital.

Application of Penalties.

'VII. And

'VII. And whereas it is by the said recited Act, among other Things, enacted, That if any Ship, 'Vessel, or Boat, taken as Prize, or any Goods therein, shall appear and be proved in any Court of Admiralty to have belonged to any of his Majesty's Subjects of *Great Britain* or *Ireland*, or any of the Dominions and Territories remaining and continuing under his Majesty's Protection and Obedience, which were before taken or surprized by any of his Majesty's Enemies, and at any Time afterwards again surprized and retaken from his Majesty's Enemies by any of his Majesty's Ships of War, or any private Man of War, or other Ship, Vessel, or Boat, under his Majesty's Protection and Obedience, that then such Ships, Vessels, Boats, and Goods, and every such Part and Parts thereof, as aforesaid, formerly belonging to such his Majesty's Subjects, shall, in all Cases, be adjudged to be restored, and shall be, by Decree of the said Court of Admiralty, accordingly restored to such former Owner or Owners, or Proprietors, he or they paying, for and in Lieu of Salvage, as in the said Act is particularly mentioned and directed: And whereas it hath been found by Experience, that great Expence is incurred by the original Owners and Recaptors of Colliers and Coasting Vessels, and other Vessels of small Value, by proceeding to Adjudication in the Manner directed by the said recited Act, with respect to the Salvage of such recaptured Colliers and Coasting Vessels, and other Vessels of small Value, the Charges whereof frequently exceed the Sum paid for Salvage to the Recaptors:' For Remedy whereof be it enacted, That in Cases of all Colliers and Coasting Vessels, and other Vessels of small Value, taken by the Enemy, and afterwards retaken by any of his Majesty's Ships of War, or by any Privateer or Merchant Ship having Letter of Marque, or by any Ship, Vessel, or Boat, under his Majesty's Protection or Obedience, it shall and may be lawful, immediately upon such recaptured Collier or Coasting Vessel, or other Vessel of small Value, being brought into Port, for the Owners and Agents on both Sides to agree upon the Salvage, so as such Salvage shall not exceed the respective Proportions directed by the said recited Act to be paid to Recaptors; and upon producing to the Judge of any Court of Admiralty, or his Surrogate, or to any one or more of the Commissioners for taking Examinations in Prize Causes, an Attestation of the Master of the recaptured Ship or Vessel, of the Property thereof, and of the Cargo, including also an Attestation of some Person of good Credibility as to the Identity of the said Ship or Vessel, and of his having carefully viewed the same; that then it shall be lawful for the Recaptor, or his Agent, immediately to restore the same without any further Delay, and such Restitution being certified to the Court, shall be decreed to be affirmed accordingly; any Thing in the said recited Act contained to the contrary notwithstanding.

Recital of Part of 19 Geo. III. Cap. 67, relating to recaptured Vessels.

Regulations concerning recaptured Colliers, Coasting Vessels, &c.

## CAP. XXIV.

### An Act for converting into Money the Statute Labour, in the Stewartry of *Kirkcudbright*, for the Purpose of repairing the Highways, Bridges, and Ferries, within the said Stewartry.

'WHEREAS the Powers granted by Law, relative to Highways, Bridges, and Ferries, and the 'Services thereby authorised to be exacted in *Scotland*, have not been found sufficient for making, 'widening, and repairing, and keeping in Repair, the Roads, Bridges, and Ferries, in the Stewartry of '*Kirkcudbright*: And whereas the Performance of Statute-labour when rigorously exacted, has been found 'very unequal and oppressive, and it would be more equitable and convenient if a moderate Assessment or 'Conversion in Money was paid in lieu thereof, and if further Powers were given to the Justices of the 'Peace, and Commissioners of Supply for carrying the Intentions of the said Laws into Execution; and, 'as this cannot be done without the Aid of Parliament,' may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That every Person, who is at present, or hereafter shall be, in his own Right, or in the Right of his Wife, in the actual Possession and Enjoyment, as Proprietor or Liferenter of Lands, in the Stewartry of *Kirkcudbright*, valued in the Tax-roll, or Valuation Books of the said Stewartry to the Extent of one hundred Pounds *Scots per Annum*; and all and every the eldest Sons of such Persons, being Heirs of the said Property, or in the Absence of the said Proprietor and his Heir, the Factor having a Commission for collecting his Rents; and also the Stewart-depute of the said Stewartry for the Time being, and his Substitutes, and the Provost, or chief residing Magistrate of each of the Royal Burghs within the said Stewartry, during his Magistracy, shall be, and are hereby appointed Trustees for making, widening, and repairing, and keeping in Repair, the Highways, Roads, Bridges, and Ferries, within the said Stewartry, and for executing all other Powers by this Act to them given and granted.

Preamble.

Trustees.

II. Provided always, That if any Person not qualified, or described as aforesaid, shall presume to act as a Trustee in the Execution of this Act, every such Person shall, for every such Act, forfeit and pay the Sum of ten Pounds Sterling, beside the Expence of Prosecution, to be recovered by Complaint in a summary Way, at the Suit of any Proprietor of Land within the said Stewartry, before the Justices of the Peace at their Quarter Sessions, or before the Stewart-depute of the said Stewartry, or his Substitute or Substitutes, which Penalty shall be paid to the said Trustees, or their Clerk, to be applied for the Purposes of this Act; and, in case any such Complaint shall be brought, the Proof of Qualification shall lie upon the Defendant.

Penalty on acting if not qualified.

III. And be it further enacted by the Authority aforesaid, That all Occupiers of Land, and other Persons chargeable with Statute-labour within the said Stewartry, shall, from and after the passing of this Act, pay (to the Collectors to be appointed in Manner herein-after mentioned) an Assessment or Conversion in Money, in lieu of Statute-labour, according to the following Rates; that is to say, all Occupiers of Lands, whether Proprietors or Tenants, shall be liable to pay yearly an Assessment in Money for the Lands occupied

Assessment to be laid on Occupiers of Land,

occupied by them respectively, according as the said Lands stand valued in the Tax-roll of the Stewartry, at a Rate not exceeding the Sum of fifteen Shillings Sterling for each hundred Pound *Scots* of such valued Rent, except as to the fourth Division, as herein-after mentioned: And all Occupiers of Burgh Roods, or Lands lying in the Territory of Royal Burghs, whether Proprietors or Tenants, shall pay, as Assessment or Conversion for Statute-labour, a Sum not exceeding three Pence Sterling *per Annum*, for each Pound Sterling of yearly real Rent, payable for Burgh Lands occupied by them, which shall be diminished in the same Proportion that the aforesaid Assessment or Conversion of Lands in the Parish shall be diminished: And all Innkeepers, Carters, Carriers, and other Persons keeping Horses for Hire, shall pay as Assessment or Conversion for Statute-labour of such Horses, the Sum of two Shillings Sterling yearly for each Horse so kept for Hire, and one Shilling Sterling yearly for each Person working the said Horse: And all Householders or Inhabitants of Royal Burghs and Villages, that now are, or hereafter may be, erected, and the Occupier or Occupiers of any House within the said Stewartry, shall, in the Place of their Statute-labour, pay yearly an Assessment or Conversion of one Shilling and six Pence Sterling for every Dwelling-house occupied by them, whereof the Rent exceeds fifteen Shillings Sterling yearly: And all Tradesmen and their Journeymen, not being Householders or Occupiers of Land (Apprentices bound by regular Indentures excepted), shall, in Lieu of Statute-labour, pay each one Shilling and six Pence Sterling yearly. And where Householders occupy any profitable Land near to their Houses, on which a Horse or Horses are employed or used for its Working or Improvement, the Valuation of which Land does not exceed twenty Pounds *Scots*, the said Householder or Occupier shall pay, as Assessment or Conversion for the Statute-labour of the said Horse, one Shilling Sterling for each Horse yearly, over and above what he shall be rated at for the Valuation of his Land.

on Burgh Roods,

on Innkeepers, Carters, &c.

on Householders,

on Tradesmen,

on Occupiers of Land under 20l. Scots of Valuation.

IV. Provided always, That Servants hired by the Year, and Cotters or other Labourers who are engaged to work by the Year, whose Masters shall be bound to pay an Assessment or Conversion as Occupiers of the Lands wherein such Servants, Cotters, and Labourers reside, shall not be liable to pay any Conversion for their Statute-labour. Provided also, That Clergymen and Schoolmasters shall not pay any Assessment or Conversion for their Manses, Glebes, or Houses, nor for Servants occupied therein, unless they shall be Occupiers of other Lands as Tenants or Proprietors; in which Case, they are to pay, for such other Lands so occupied by them, according to the Rate of the Class to which they belong. Provided also, That it shall be in the Power of the said Trustees at their Division Meeting (herein-after mentioned) to exempt from Payment of Assessment or Conversion for Statute-labour, such Persons as to them shall appear to be in indigent Circumstances.

Exception of yearly Servants, Cotters, &c.

of Clergymen and Schoolmasters,

of indigent Persons.

V. And be it further enacted by the Authority aforesaid, That in all Cases where any Lands rated at a *cumulo* Valuation in the Books of the said Stewartry are occupied by Division or in separate Possessions, the Proprietors of such Lands, or their Factors, shall and are hereby required to make up and deliver to the Clerk of the General Meeting, upon the second *Tuesday* in *June*, as herein-after mentioned, or in ten Days thereafter, a true State or Account of the Valuation of such respective Lands, with the Names of the Tenants who occupy the same, and of the Parishes wherein they are situated, and the Proportion of valued Rent falling upon each Farm, suitable to the yearly Rent of the same: And, in case any Proprietor shall fail to give in such State or Account, it shall be in the Power of any five or more of the said Trustees, or any Person or Persons authorised by them, to compel such Proprietor or Proprietors to pay for the Whole of such Lands so valued *in cumulo*, according to the valued Rent thereof, in the Valuation Books of the said Stewartry, and to cause the same to be levied in the Manner and for the Purposes herein-after mentioned: And, in case any Tenant shall think such State of Valuation given in by the Proprietor unequal, it shall be lawful for such Tenant to complain to the next or any subsequent General Meeting of Trustees herein-after mentioned, whose Determination thereon shall be final. And the Proprietors may recover in Manner herein-after mentioned from their Tenants the Sums they may be obliged to pay for them respectively.

Where a cumulo Valuation, Proprietors and their Factors to make up States.

In Default, may be compelled to pay for all the Lands so valued in cumulo.

Tenants may complain of such States.

Proprietors have Relief.

'VI. And, for ascertaining the Conversion payable by the Occupiers of Burgh Roods and Houses in 'Royal Burghs and Villages, and by other Householders as above-mentioned,' be it further enacted, That any five or more of the said Trustees, at their first General Meeting in *June*, or at any adjourned General Meeting of the said Trustees, and yearly thereafter, shall, and they are hereby authorised and required to nominate and appoint two or more Assessors for each Borough, Village, and Division, within the said Stewartry, who, within the Space of one Calendar Month after their Appointment, shall yearly return upon Oath (to be administered by a Justice of the Peace, or a Magistrate of any of the Royal Burghs) to the Clerk of the General Meeting, as herein-after mentioned, an exact List of the Occupiers of the said Burgh Roods and Houses, and the Rents of the said Burgh Roods, where the same are in Tenantry, or to the best of their Judgment the annual Value of such Burgh Roods, where they are in the natural Possession of the Proprietor, or where the Rent paid by the Tenant cannot be ascertained: And the said Assessors shall and are hereby required and empowered to make up full and distinct annual Lists of all the Inhabitants of each Parish, who are chargeable with any of the Conversions imposed by this Act, other than the landed Proprietors for their Valuation Lands: And also Accounts of the Horses and Servants kept therein for Hire and otherways, specifying the different Classes to which the said Inhabitants and Horses belong: Which Lists and Accounts, when so made up, shall be delivered to the said Trustees at their Division Meeting, or to their Clerk, herein-after mentioned: And the said Assessors are hereby required, and shall be obliged to act and to perform their Duty faithfully, according to the Intent and Meaning of this Act, under the Penalty of five Pounds Sterling for every Offence, to be levied and applied as herein-after mentioned: But no Person shall be obliged to hold the Office of Assessor for more than two Years successively, nor shall again be obliged to accept of the said Office, during the Space of six Years thereafter: And the whole Sums arising from the aforesaid Assessment or Conversion shall be paid in two equal Moieties, on or before the twenty-fifth Day of *June*, and twenty-fifth Day of *December* yearly, to the

Mode of assessing Burgh Roods, Burghs, Villages, &c.

Assessors to return, on Oath, List of Occupiers of Burgh Roods and Houses, of Rents of Burgh Roods:

Return also Lists of the Inhabitants of each Parish:

of Horses and Servants for Hire.

Assessors obliged to act.

Proviso.

Assessments, &c. payable half-yearly.

the Collectors to be appointed by the said Trustees, as herein-after specified; and for which Receipts are to be given *gratis*, in case the same are demanded.

'VII. And, for the more effectual Execution of this Act, and of the Powers hereby granted,' be it further enacted by the Authority aforesaid, That the Trustees before-mentioned shall hold a General Meeting (five of whom to be a Quorum) at the Town Hall of *Kirkcudbright* on the second *Tuesday* in *June*, one thousand seven hundred and eighty, and shall form themselves into a regular Meeting, by chusing a Preses and Clerk (which Clerk shall continue in Office until the next General Meeting for imposing the Land Tax), and shall proceed to concert and give proper Instructions for carrying this Act into Execution; at which Meeting they are also to call for Extracts from the Books of the Clerk of Supply of the Valuation of each Parish in the Stewartry (which Extracts the said Clerk is hereby ordered to make out, and give in to the Meeting *gratis*): And the said Trustees, or any five or more of them, are hereby authorised and required to fix the Rate of Assessment or Conversion for Statute-labour to be levied in each Parish or Division for that Year, although the previous State of the Roads, Bridges, and Ferries, may not be made up, as herein-after mentioned. And the Clerk to be chosen by the Meeting as aforesaid, after finding Caution for the faithful Execution of the Trust put in him, shall carefully ingross in a Book, to be kept for that Purpose, the whole Proceedings of the said Meeting, and the Orders given by such Meeting, and by every other General Meeting: And the said Trustees shall thereafter hold two General Meetings at the said Town Hall of *Kirkcudbright*, the first of which shall be held upon the second *Tuesday* in *October* yearly, at which they the said Trustees shall annually receive a Report from each Division (as herein-after specified) of the State of the Highways, Bridges, and Ferries therein, with Estimates of the Expences necessary for repairing them: And the other General Meeting of the Trustees shall be held at the same Place, upon the Day appointed by Act of Parliament for imposing the Land Tax; at which last Meeting, the Clerk to the said Trustees is to be annually chosen, and the Rate of Assessment or Conversion, payable by each Parish or Division for the Year ensuing, is to be fixed; and the said Trustees, or a Majority of them present at the said General Meetings, are hereby authorised and impowered to adjourn such respective Meetings to such other Time as they may judge proper; and the Clerk is hereby required to give, at least, ten Days previous Notice of such Adjournment in one of the *Dumfries* or *Edinburgh* Newspapers: And the said Clerk shall also receive and ingross in a Book or Books the Reports made to the General Meeting from Division Meetings (herein-after to be specified); all which Books shall at all Times be open and free for the Inspection of any of the said Trustees *gratis*: And that no Act, Order, or Proceeding of the said Trustees, at any such General Meeting, shall be valid, unless made or done by a Majority of the Trustees then present, such Majority not being less than five.

Trustees to hold a General Meeting in June 1780;

to call for Valuation Books;

and to fix the Rate of Assessment, &c.

Clerk.

Two General Meetings annually,

who may adjourn.

Clerk to keep Books.

VIII. And be it further enacted by the Authority aforesaid, That the said Stewartry shall be classed or arranged into eight Divisions; that is to say, The first Division to consist of the Parishes of *Kirkcudbright*, *Rerrick*, and *Kelton*. The second Division to consist of the Parishes of *Borgue*, *Twynholm*, *Tungland*, and *Balmaghie*. The third Division to consist of *Girthon*, *Anwoth*, and *Kirkmabreck*. The fourth Division to consist of *Minnigaff*, *Kells*, *Carsfairn*, *Dalry*, and *Balmaclellan*. The fifth Division to consist of the Parishes of *Parton*, *Kirkpatrick-Durham*, and *Crossmichael*. The sixth Division to consist of the Parishes of *Buittle*, *Orr*, *Colvend*, and *Kirkgunion*. The seventh Division to consist of the Parishes of *Kirkbean*, *New-abbey*, and *Troqueer*. And the eighth and last Division to consist of the Parishes of *Kirkpatrick-Irongray*, *Tereagles*, and *Lochrutton*. In each of which Divisions the first General Meeting in *June*, one thousand seven hundred and eighty, shall appoint a Conveener, who is hereby required to write, or cause to be written, a Letter to every Trustee residing or having Property in the said Divisions, appointing them to meet at such Place as may be most convenient for the Generality of the Trustees in the said Division; which Division Meeting shall not be later than three Weeks after the said General Meeting in *June*: And the Trustees (three of whom to be a Quorum in the Division Meetings), when so convened, are to chuse a Preses and Clerk, and to proceed to execute the Instructions that shall be given to them by the General Meeting; and may adjourn themselves from Time to Time as they shall see Cause; and are to ascertain the Highways, Bridges, and Ferries, most necessary to be made or repaired, and to contract with proper Undertakers for executing the same: And they are also to appoint a Collector for each Division, who must find Caution, to the Satisfaction of the Trustees in each Division, or any three or more of them, for the faithful Execution of the Trust reposed in him, and collect, at the Periods above fixed, the Assessment or Conversion which the General Meeting shall have ascertained to be paid by each Class above specified in each Parish, in Conformity to the Lists and Accounts made up and given in by the Assessors above mentioned. And the Collector shall account faithfully to the Trustees in each Parish for the whole Money he shall collect therein, and the same shall be regularly entered in Books to be kept by him for that Purpose, and also reported to and ingrossed by the Clerk of the General Meeting. And the Collector shall account every six Months, or oftener (if required by any three or more of the said Trustees), upon Oath, to be administered by any two of the Justices of the Peace in the said Stewartry: And in case any Collector, after ten Days Notice being given to him for that Purpose in Writing by three or more of the said Trustees, shall refuse to give in such Account or Accounts, and to swear to the Truth thereof, or shall refuse to pay the Balance due thereon, to the Person or Persons appointed by the said Trustees, or any three or more of them, to receive the same; then, and in such Cases, it shall and may be lawful for any two Justices of the Peace for the said Stewartry, to commit the Offender to the County Gaol, there to remain until such Accounts, and all the Expences attending the Recovery of the Balance due thereon, shall be paid and fully satisfied, or until he shall be liberated therefrom in due Course of Law.

Stewartry arranged into Divisions.

Conveeners of Division Meetings—their Duty.

Business of Division Meeting;

They may adjourn, &c.

Division Collectors, their Duty.

Must account every six Months, or oftener.

Penalty.

IX. And be it further enacted by the Authority aforesaid, That the Trustees in each Parish, or any two or more of them, shall meet at the Parish Church, on the first *Thursday* in *October* yearly, and there make up particular States of the several Roads, Bridges, and Ferries, within the Parishes respectively, and Estimates of the Sums necessary for making, widening, and repairing the said Roads, Bridges, and Ferries,

Parish Meeting the first Thursday in October yearly, must make up States and Estimates,

and Accounts of Assessments, &c.

for the Year ensuing; and shall also make up an Account of the Application of the Assessments or Conversions for Statute-labour theretofore levied: Which States, Estimates, and Accounts, shall be reported to the General Meeting of Trustees, on the second *Tuesday* in *October* annually, and a Copy of them lodged with the Collector of each Division Meeting, to be at all Times open to the Inspection of the Trustees in such Division *gratis*: And if any Person shall object or complain that the Report made of the State of the Roads, Bridges, and Ferries, within any Parish, is not just, the said General Meeting shall appoint a Committee to inspect the same, and to report the true State thereof to the next subsequent General Meeting, or Adjournment of the same; and such States, Estimates, and Accounts, or Reports thereof, when approved, shall be lodged with the Records of the General Meeting: In Conformity to which Reports, the Valuation of Lands, and the List and Account of Inhabitants and Houses in each Parish and Division, the General Meeting for fixing the Rate of Assessment or Conversion, shall, and are hereby required to ascertain and determine the Rate and Sums to be annually levied from each Parish and Division respectively; which Sums, so ascertained, shall be applied by the Trustees in each Division aforesaid; but in such Manner as that the whole Money levied in each Parish shall be applied to the Roads, Bridges, and Ferries, within the same, except the necessary Expences of Management, and the Salaries to Clerks, Collectors, and other Officers; which Expences of Management, and Salaries to Clerks, Collectors, and other Officers, as well those of the General as of the Division Meetings, shall not in the Whole exceed seven and one half *per Centum* of the *maximum* Assessment or Conversion fixed to be taken by this Act, and shall be divided as the Trustees at the General Meeting shall direct; and except also such Part thereof as shall, by the Consent of a Majority of the Trustees residing or having Property in each Parish, be applied for making, widening, or repairing any of the principal High-roads, Bridges, or Ferries, leading from the same through other Parishes.

If any Complaint against same, General Meeting to appoint a Committee to inspect, &c.

Rule for Rate of Assessment, &c. to be applied within the Parish, except Salaries, and Expence of Management, which must not exceed 7 1-half per Cent.; and except also what is, with Consent, applied on Roads, &c. to other Parishes.

X. Provided always, That if the Trustees in any Parish or Division shall neglect to make up and give in to the General Meeting, to be held in *October*, such States, Estimates, or Reports, as above specified, then the Trustees, at the General Meeting for fixing the Rate and Amount of the Assessment or Conversion, shall assess such Parish or Division in the full *maximum* of the Assessment or Conversion above-mentioned, to be taken in lieu of Statute-labour.

Parish or Division Meetings failing to give in States, &c. to be assessed in the full maximum.

XI. And be it further enacted, That the said Trustees, at all their General or Division Meetings, shall pay and defray their own Expences; and that the whole Procedure of the Trustees in the Division Meetings shall always be subject to the Controul of the General Meetings.

Trustees to defray their own Expences.

Division Meeting subject to General Meeting.

XII. And be it further enacted by the Authority aforesaid, That if any Person, liable to pay the said Assessment or Conversion for Statute-labour, shall refuse to pay the same to the Collector, on or before the respective Days above specified for Payment thereof, it shall then be lawful for the Stewart-depute, or any of his Substitutes, or for two or more Justices of the Peace for the said Stewartry, to grant a Warrant for poinding the Effects of the Deficient in a summary Manner, to appraise them on the Spot where found, and afterwards to sell the same by Auction, for Payment of the Assessment or Conversion that shall be due, together with the full Charges attending the Recovery thereof, and the Overplus (if any be) shall be paid, when demanded, to the Person whose Effects shall have been so poinded: Which Warrants are to be so granted by the Stewart-depute, or Substitutes, or Justices aforesaid, upon an Application made to them, or any of them, and an Attestation subscribed by any of the Collectors, certifying that the Persons complained of have been deficient in paying the Assessments or Conversions above-mentioned, and expressing therein the Arrear of each Person; and the same summary Recourse shall be competent to Proprietors of Land, who may be obliged to pay the Assessment or Conversion for their Tenants, in case the Tenant shall not repay his Landlord within ten Days after he shall be required by him so to do.

Deficients to be poinded.

Same competent to Proprietors against their Tenants.

XIII. Provided always, That the Stewart-depute, or his Substitutes, or the Justices of the Peace for the said Stewartry, or any two or more of them, shall award the Value of Triple Damages sustained by any Person or Persons aggrieved by the Execution of a Warrant granted as above; which Damages are to be paid by the Collector, upon whose Attestation such Warrant shall have been granted, in case it shall appear to the said Stewart-depute, or his Substitutes, or to the said Justices of the Peace, that the said Collector has made a false Accusation against any Person liable as aforesaid; which Triple Damages shall be wholly payable to the Parties aggrieved, and shall be levied as above directed with respect to poinding the Effects of Deficients: And in case any of the Collectors shall fail or omit to exact the aforesaid Assessments or Conversions, every such Collector shall be liable, by a Sentence of the said Stewart-depute, or any of his Substitutes, or any one or more of the said Justices of the Peace, to pay the Assessment or Conversion-money so failed or omitted to be exacted by him.

Collectors making a false Accusation, liable in Triple Damages;

and to pay Sums omitted to be collected by them.

XIV. Provided always, That no Objections to the prepared States and Estimates of Expences of Highways, Bridges, and Ferries, nor any Complaint or Appeal that may be made respecting the Assessments or Conversions, or other Matters hereby directed, shall stop the Payment of the several Assessments or Conversions; but the Parties who may think themselves aggrieved shall nevertheless be at Liberty to bring an Action for Redress in Manner herein-after mentioned.

Objections, Appeals, &c. not to stop Payment; reserving Action for Redress.

'XV. And whereas the Highways and Roads in the Parishes of *Minnigaff*, *Kells*, *Carsfairn*, *Dalry*, 'and *Balmaclellan*, being the fourth Division of the said Stewartry, are more extensive, and will be much 'more difficult to make, widen, repair, and keep in Repair, than the Highways and Roads in any of the 'other Parishes in the said Stewartry; and therefore the said Assessment or Conversion of fifteen Shillings 'Sterling for each hundred Pounds *Scots* of Valuation, and three Pence Sterling for each Pound Sterling 'of real Rent of Borough Roods in the said fourth Division of the said Stewartry, will be inadequate to 'the Expences thereof;' be it therefore enacted by the Authority aforesaid, That it shall be in the Power of the said Trustees, or a Quorum of them, at their General Annual Meeting for fixing the Rate of Conversion, or Adjournments thereof as aforesaid, and they are hereby authorised and required, upon Application being made to them by any of the said Trustees possessing two-thirds of the Valuation and Property in

Roads, &c. in 4th Division more difficult to make.

General Meeting therefore, on Application of Trustees having 2-thirds of Valuation in

in the said fourth Division, to fix the Assessment or Conversion to be taken in lieu of Statute-labour in the said fourth Division, at any Rate that shall not exceed twenty Shillings Sterling for every hundred Pounds *Scots* of Valuation of Lands, and four Pence Sterling for every Pound Sterling of real Rent of Borough Roods in the said fourth Division; provided nevertheless that the Assessment or Conversion to be taken from Householders and Tradesmen and their Journeymen, or for Horses and Servants in the said fourth Division, shall not be altered from the Assessment or Conversion to be generally taken in the rest of the Stewartry for the like Classes; which Assessment or Conversion to be fixed and taken in the said fourth Division, shall be levied in the same Manner as any other Assessment or Conversion is by this Act authorised and directed to be levied, and shall be applied within the same Division in Manner before directed.

fourth Division, may assess in a Sum not exceeding 20s. on 100l. Scots on Land, and 4d. per Pound Sterling on Burgh Rood; but no Addition on Householders, &c.

XVI. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall be willing to advance and lend Money without Interest, for the more speedy making, widening, or repairing any particular Roads within any Parish in the said Stewartry, the said Trustees at their said General Meetings shall have Power, and they are hereby authorised to fix and ascertain the Rate and Amount of the Conversion or Assessment to be levied upon Valuation of Lands, or real Rent of Borough Roods, in the Parish where the Money shall be so advanced and lent, for the three Years then next ensuing, and to allot or assign the Whole, or such Part thereof, to the Person or Persons so advancing and lending Money, as shall be necessary for Repayment thereof, within the said Space of three Years; which Money so advanced and lent shall be no Burthen on the Assessment or Conversion of the Stewartry in general, but only on the Assessment or Conversion of the particular Parish for which such Money shall be advanced and lent; provided always, that no greater Sum shall be allotted or assigned as aforesaid, at any one Time, than the Amount of the Assessment or Conversion for three Years; and such Allotment or Assignment shall not be made, unless with the Consent of a Majority of the Trustees residing within such particular Parish; and the Whole of the Money that shall be so advanced and lent, shall be applied solely to the particular Road or Roads for the making or repairing of which such Money shall be so advanced and lent.

Persons willing to lend Money for making particular Roads.

Terms of this Loan.

XVII. And be it further enacted by the Authority aforesaid, That the said Trustees in their General or Division Meetings, or a Quorum of them, shall, and they are hereby authorised to cause the Highways or Roads, Bridges and Ferries, within the said Stewartry, to be amended, widened, and repaired, in such Manner as they shall think proper; and also to cause such Drains to be cut and made through any Ground lying contiguous to the said Roads; and new Arches and Bridges of Stone, Brick, or Timber, to be made and erected upon the said Roads; and any old Bridges which may become useless or unnecessary, by changing the Course of the Roads or otherwise, to be pulled down, and the Materials thereof to be applied in building new Arches, or for repairing the said Highways or Roads, as they shall see proper: And also to cause such Parts of the said Roads as are not of a sufficient Breadth to be widened, and made of such Breadth as they shall think proper, not exceeding ten Yards; and also to cause the Course of such Part or Parts of the said Roads as they shall think proper to be changed or altered for shortening the same, or for making them more accessible; and for that Purpose to cause to be pulled down (if necessary) any Houses, the Side Walls of which are not more than twelve Feet high; provided nevertheless, that previous Application shall be made to, and the Consent of the Majority of the Trustees at a General Meeting obtained, as well for altering and widening the said Roads, as for pulling down the said Houses.

Trustees to make Roads,

or to cut Drains; to erect Arches and Bridges; or pull down old ones:

May widen Roads, not exceeding 10 Yards:

May alter Roads, and pull down Houses:

XVIII. Provided always, That in all such Alterations, and in widening the said Roads, the said Trustees shall, in every Particular, follow the Method prescribed in the general Act of the eleventh Year of his present Majesty, for widening of Roads in *Scotland*; and also where any Houses, or any Parts of Houses, shall be taken down by Authority of this Act for the altering or widening of any of the said Roads, the full Value of all such Loss as shall be thereby sustained by the Owners or Possessors of such Houses shall be first paid to them; and, for ascertaining the said Loss, the said Trustees shall follow the same Method as is directed for ascertaining and paying the Value and Damages incurred by altering or widening Roads, by the said Act of the eleventh of his present Majesty.

But must observe Method settled by Act 11 Geo. III.

XIX. And be it further enacted, That the said Trustees, or any three or more of them, or such Person or Persons as they shall appoint, may dig, gather, take, and carry away, Gravel, Furze, Heath, Stones, or other such like Materials, out of the several Grounds of any Person, where such Materials may be found, not being dug or raised for the private Use of the Proprietor of such Grounds, for making, repairing, and amending the said Roads, or for building Arches and Bridges as aforesaid, and to open Accesses for carrying off the said Materials; such Accesses, and the Places from which the said Materials shall be proposed to be taken, being first marked out by any three or more of the said Trustees, if so required by the said Proprietor of such Grounds, or his or her Factor, or by the Occupier thereof; they the said Trustees making reasonable Satisfaction, out of the Money arising by virtue of this Act, to the Owners or Occupiers of the Grounds respectively, from which such Materials shall be taken, or over which the same may be carried, for the Damages to be done thereby; but if such Proprietor, Factor, or Occupier, shall not be satisfied with the Satisfaction offered by the said Trustees, the same shall, upon Application made to the Stewart for that Purpose, be ascertained by a Jury, in the same Manner as prescribed in the said Act of the eleventh of his present Majesty; but such Application shall not prevent the said Trustees from causing the said Materials to be carried off and used in the mean Time.

Trustees may take Materials, &c.

on paying Damages.

'XX. And whereas an easy Access to Water-carriage, and to the Sea, may tend much to the Improvement of Agriculture and Commerce,' be it therefore further enacted, That it shall be in the Power of the said Trustees, at their General Annual Meetings, to order and cause any Roads to be made within the Limits of the said Stewartry, in the nearest and most convenient Direction from the great Roads, not only to the different Ports or Places within the said Stewartry mentioned in the Book of Rates, but also towards the following Places; that is to say, *Carsnaw*, *Park M'Clurg*, *Palneur below Bridge*, *Skyreburn*, *Fleet-bridge*, the *Isle Mouth of Knockbrex*, *Kirk-andrews*, *Brighouse-bay*, *Balmangan-bay*, *Tungland*, *Tarff below Bridge*, *Mankfmans-lake*, *Mullock-bay*, *Netherlaw-burnfoot*, *Auchencairn*, *Garden-creek*, *Dub of Hass* or *Dalbeatie-burn*,

Roads may be made to Seaports, &c.

and to Landing-places on the Rivers of Dee and Ken.

*burn, Southwick-burn, Saturneſs-point, Newabbey-burn, Laghall and Orchyardtoun-burn*; and alſo towards the following Places on the *Loch* of *Ken*, and the River *Dee*, that is to ſay, at and oppoſite to the *Boatcroſt* of *Livingſton* on both Sides of the River *Dee*, at *Little Kenmore*, on the Weſt Side of *Loch Ken*, and at and oppoſite to the Place called *Cubbox Iſle*, on both Sides of *Ken*.

But Proprietors to be previouſly paid.

Provided always, That three Months previous Notice at the leaſt be given thereof to the reſpective Proprietors of the Lands through which ſuch Roads ſhall be made, and ſuch Proprietors ſhall be previouſly paid not only the Value of the Land to be uſed in making ſuch new Roads, and the Fences to be made along both Sides thereof, but alſo of the Ground neceſſary for a Landing-place, whereon to lay Lime, Shells, Coals, or other Goods, and alſo the Expence of fencing off the ſame; which Ground to be uſed for a Landing-place, the ſaid Truſtees, or any three or more of them, or any Committee by them named, ſhall appoint and mark out, not exceeding one Acre: Provided alſo, That no Warehouſe or other Houſe or Building whatever ſhall be erected upon the ſaid Landing-place, or upon the new Roads to be ſet out as laſt mentioned.

Other Conditions.

And for aſcertaining and fixing the Damages and Value aforeſaid, the ſame Mode ſhall be followed as is preſcribed by the ſaid Act of the eleventh of his preſent Majeſty, for determining the Value and Damage ariſing from widening Roads to thirty Feet.

No Houſe, Garden, &c. to be prejudiced.

Provided alſo, That in altering, widening, or making the Roads aforeſaid, or in digging or taking away the aforeſaid Materials, nothing ſhall be done that may any Way prejudice any Houſe or Building, the Side Walls of which are above twelve Feet high, or any Garden, Orchard, or Planted Walk, or any Avenue appertaining to ſuch Houſe.

Poſſeſſors to clean Ditches made by them.

XXI. And be it further enacted by the Authority aforeſaid, That where any Ditches have been, or in Time coming ſhall be made through any Fields adjoining to any of the ſaid Roads, either for preventing Water running upon, or for conveying the Water from, any of the Highways or Roads in the ſaid Stewartry, by the Proprietors or Occupiers of the ſaid Fields, then ſuch Proprietors or Occupiers ſhall and are hereby required to keep thoſe Ditches properly ſcoured, and not to allow the Water to ſtagnate therein; and in caſe of their failing ſo to do, after ten Days Notice previouſly given, the Overſeers of the ſaid Roads, being ſo ordered by any one of the ſaid Truſtees, may, and are hereby required to order ſuch Ditches to be cleanſed, opened, and ſcoured, at the Coſts and Expences of the Proprietors or Occupiers of the Fields through which thoſe Ditches ſhall be made; and upon their refuſing Payment of ſuch Coſts and Expences, it ſhall and may be lawful for the Juſtices of the Peace for the ſaid Stewartry, or any two or more of them, or the Stewart-depute, or his Subſtitute, to levy ſuch Coſts and Expences by Diſtreſs and Sale, in the ſame Manner as is herein-before directed for levying the Aſſeſſment or Converſion-money aforeſaid.

In Default, Truſtees may order it at their Coſt.

Provided always, That the Ditches and Drains which ſhall be made by Order of the ſaid Truſtees, or any three or more of them, ſhall be ſcoured and kept in Repair out of the Money ariſing by virtue of this Act; and if any Proprietor or Occupier of Land, through which any ſuch Ditches or Drains are or ſhall be made, ſhall obſtruct or fill up any of them, the Perſon or Perſons ſo offending ſhall forfeit and pay Triple the Expence of repairing and ſcouring the ſame, to be recovered in Manner herein-after mentioned; and the ſaid Proprietor or Occupier ſhall be deemed the Tranſgreſſor, unleſs it ſhall be proved that the Tranſgreſſion was committed by ſome other Perſon.

Ditches and Drains made by Truſtees to be ſcoured at public Expence.

Poſſeſſors obſtructing the ſame, to pay Triple Expence.

And where any Paſſage for Cattle or Carriages acroſs any Road, for the Convenience of the Occupier of the Ground through which it paſſes, ſhall be made, the Occupier of ſuch Ground ſhall always cover the Drains along the Sides of ſuch Road with ſufficient Stones, in ſuch Manner as the Courſe of the Water in the Drains may not be interrupted, or the Road thereby prejudiced: Provided always, That no Occupier of Land ſhall conduct any Water acroſs any Road for the meliorating of his Fields, or other Purpoſes, until he ſhall have applied for, and obtained the Conſent of a Quorum of the ſaid Truſtees reſiding in the Diviſion where the Road is ſituated; and every ſuch Occupier ſhall be obliged to carry the Water acroſs the Road in a covered Drain of ſuch Depth and Conſtruction as that the Water may not prejudice the Road.

Water carried acroſs any Road, Manner thereof.

XXII. And be it further enacted, That in caſe any Houſes ſhall, after the paſſing of this Act, be built near the Sides of any public Roads, or in any Villages, or in caſe any Houſes or other Buildings of any Kind ſhall be erected at or near the Outlets of any Town, within the ſaid Stewartry, where Houſes have not formerly been built or erected, no ſuch Houſe or other Building ſhall be built within the Diſtance of twenty-two Feet from the Middle of any of the ſaid public Roads or Highways, under the Penalty of forty Shillings Sterling for every Offence, and the Expence of demoliſhing ſuch Houſe or Edifice; and it ſhall be lawful for any one or more of the ſaid Juſtices of the Peace to ſtop the building or erecting of every ſuch Houſe or Building as he or they ſhall apprehend to be within the ſaid Diſtance from the Middle of the ſaid Roads or Highways, by an Order in Writing under his or their Hand or Hands, until ſuch Time as ſufficient Evidence ſhall be brought before him or them, that ſuch Building ſhall be built or erected beyond the Diſtance aforeſaid; and if ſuch Proof ſhall not be adduced at or before the next General Quarter Seſſions for the ſaid Stewartry, it ſhall be lawful for any two or more of the ſaid Juſtices of the Peace to order ſuch Building to be pulled down and removed at the Expence of the Erecter, or of the Occupier of the Ground, and to grant a Warrant for levying the ſame as herein-after mentioned.

No Houſes to be built hereafter nearer than 22 Feet from the Centre of the Road.

No Annoyances to be laid on the Roads, &c.

Head-ridges.

Gates.

'XXIII. And, for preventing Annoyances in the ſaid Roads,' be it further enacted, That every Perſon, in plowing any Field contiguous to any of the ſaid Roads, ſhall always make Head-ridges along the Side of the Roads, of the Breadth of twenty-four Feet at leaſt; and all Gates upon Incloſures next to any of the High Roads, ſhall open inwards to the Field; and no Perſon ſhall lay, or cauſe to be laid, any Timber, Stones, Lime, dead Horſes, or other Carrion, Dung, Soil, Compoſt, Aſhes, Rubbiſh, or other Matter, upon any of the ſaid Roads, or in the Trenches or Drains along the Sides of the ſame, except Materials for incloſing of Grounds adjoining to the ſaid Roads; which, nevertheleſs, ſhall be ſo laid down, as not to interrupt a free and eaſy Paſſage along the Roads for two Carriages, nor the Courſe of the Water in the Drains; and that in making any covered or arched Paſſage or Drain for Water acroſs any the ſaid Roads, a ſafe and eaſy Paſſage along one Half of ſuch Road ſhall be left without any Obſtruction

Drains.

either

either by breaking the Road, or laying down Materials; but the said covered Drain or Passage shall be made across, and completely finished across one Half of the Road before the other Half shall be opened; and the Whole, or the open Part thereof, shall, if practicable, be completed in one Day, or otherwise the Materials for executing the same shall be so well fenced off, that Passengers may suffer no Injury thereby; which Precautions, and Manner of executing covered Drains as aforesaid, shall be strictly observed by all Contractors or others employed in making or repairing the said Roads. And every Person offending herein, shall not only forfeit the Materials laid down, but also the Sum of ten Shillings Sterling for every Offence, to be levied and recovered in Manner herein-after directed, one Half thereof to be paid to the Informer, and the other Half to be applied for making or repairing the said Roads. Penalty.

XXIV. And be it further enacted by the Authority aforesaid, That if, after the first Day of *November*, one thousand seven hundred and eighty, any Person or Persons shall haul or draw, or cause to be hauled or drawn, upon any Part of the said Roads, any Tree, Log, or Piece of Timber, or any Stone, Iron, or other Thing whatsoever, otherwise than upon a Wheel-carriage (except Sledges or Sledge-carrs that are used for carrying large Stones, Grain, Hay, and Manure), or shall suffer any Tree, or other Matter whatsoever, which can be conveyed upon a Wheel-carriage, to drag upon any Part of the said Roads; every such Person shall, for every such Offence, forfeit the Sum of ten Shillings Sterling, to be recovered and levied in Manner herein-after directed. Every Thing drawn on the Roads must be on a Wheel-carriage. Exception. Penalty.

XXV. And be it further enacted by the Authority aforesaid, That the said Trustees, or any three or more of them, at their general annual Meetings, may cause any of the said Roads to be measured, and Stones or Posts to be erected on the Sides thereof, denoting the Distance, at each Mile, or at such other Distances as they may judge convenient; and also, to order or cause to be erected Guide-posts upon such Part of the said Roads, where the Roads are crossed or joined by other Roads, as they shall judge proper. And if any Person or Persons shall break down, destroy, or deface, any such Mile-stones or Guide-posts, or shall break down the Cape-stones on the Ledges or Parapet Walls on the Sides of any of the Bridges on the said Roads, or turn any Stream of Water upon any Part of the said Roads, unless a sufficient covered or arched Drain or Passage shall have been previously made, as before directed, or shall be aiding and assisting therein, or shall rescue or attempt to rescue any Person apprehended for any such Offence; every Person offending in any of the Cases aforesaid, and being thereof lawfully convicted, by the Oath of one or more credible Witness or Witnesses, before the Stewart-depute of the said Stewartry, or his Substitute, or before two or more Justices of the Peace for the said Stewartry, shall, for a first Offence, be not only adjudged to pay the Whole of the Damages and Expences sustained, but also a Penalty not exceeding five Pounds, nor less than twenty Shillings Sterling; and, for a second, or any subsequent Offence, shall, besides paying the Damages and Expences, pay a Penalty not exceeding ten Pounds, nor less than two Pounds Sterling. Trustees may erect Milestones, &c. Penalty for defacing these Stones, &c.; for breaking Parapet Walls of Bridges; for turning Water on Roads.

XXVI. And be it further enacted by the Authority aforesaid, That, so soon as the Roads in any one Parish shall be completely repaired to the Satisfaction of the Trustees in such Parish, the said Trustees are hereby impowered to apply to any of the said General Meetings, who are hereby required to appoint a Committee to inspect the said Roads: And if the said Committee shall find, and report to the General Meeting of the said Trustees, that the Roads in the said Parish shall be then completely repaired; it shall be in the Power of the said General Meeting to diminish the Assessment or Conversion of the said Parish to such a Sum as they shall think necessary for keeping the said Roads in good and proper Repair, and for defraying the Proportion of the Expences of Management with respect to such Parish. When Roads in any Parish are complete, Trustees may diminish Assessment, &c.

XXVII. And be it further enacted by the Authority aforesaid, That all Forfeitures and Penalties inflicted, or authorised to be imposed, in relation to any Matter or Thing in this Act contained, the Manner of levying and recovering whereof is not otherways particularly directed, shall, upon Proof of the Offence, before Two or more Justices of the Peace, or the Stewart-depute of the said Stewartry, or his Substitute, either by the Confession of the Party, or other legal Evidence, be levied by Distress and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant under the Hand of such Justices, or of the said Stewart-depute or his Substitute (which Warrant is hereby authorised and required to be granted, and Oaths administered by the said Justices or Stewart-depute, or his Substitute, *gratis*), such Sale being always made by public Auction to the highest Offerer, at such Places as shall be directed in the said Warrant, within three Days after such Distress shall have been made; and the overplus Money arising from such Sale (after the Penalties and Forfeitures are recovered, and the Charges thereof deducted) shall be returned, on Demand, to the Owner or Owners of such Goods and Chattels. And all such Penalties and Forfeitures, when recovered, shall be paid to the said Trustees, or their Collectors for the Time being; and shall be laid out and applied in repairing of such of the Roads upon or in respect whereof such Penalties or Forfeitures shall be incurred. And, in case sufficient Distress cannot be found, or such Forfeitures and Penalties shall not forthwith be paid, it shall be lawful for any two of the said Justices of the Peace, or for the Stewart-depute of the said Stewartry, or his Substitute, together with one Justice of the Peace, and they are hereby authorised and required, by Warrant under their Hands, to cause such Offender or Offenders to be committed to any House of Correction, or Common Gaol, in the said Stewartry, there to remain for any Time not exceeding three Calendar Months, unless such Penalties and Forfeitures, and all reasonable Charges, shall be sooner paid and satisfied. Penalties and Forfeitures how to be recovered. How to be applied. On Failure of Distress, Offender to be committed.

XXVIII. Provided always, and be it further enacted, That if any Person shall think him or herself aggrieved by any of the Proceedings in the Execution of this Act, for which no particular Method of Relief has been hereby provided, such Person or Persons may, at any Time within twelve Months after the Matter complained of shall be done (but not afterwards), appeal to the Justices of the Peace, at their Quarter Sessions for the said Stewartry, the Person or Persons appealing first giving fifteen Days previous Notice of such Appeal to the Clerk of the said Justices of the Peace, and lodging with him, at the Time of entering the said Appeal, a Recognizance to prosecute the same, and to pay Triple Costs, in case, upon Discussion thereof, it shall appear groundless: And the said Justices of the Peace are hereby authorised and required How Parties aggrieved may obtain Redress.

required to take Cognizance of such Complaints and Appeals, and to make such Determination therein, as they shall think proper; and such Determination shall be final.

Assessment for building and repairing Bridges, to continue as at present.

XXIX. Provided always, and be it further enacted and declared, That nothing in this Act shall take away or lessen the Power which the Commissioners of Supply and Justices of the Peace have, by the present Law, to assess themselves for the Expence of building and repairing Bridges in the said Stewartry.

A Trustee may act as a Justice of the Peace.

Exception.

XXX. And be it further enacted, That it shall be no Objection to any Person acting as a Justice of the Peace in any Matter or Thing relative to this Act, that he is hereby appointed a Trustee, except where such Trustee is personally interested, in which Case he shall not sit or act as a Justice of the Peace: Provided always, that none of the said Trustees shall hold any Place of Profit under this Act.

Land-owners to pay Expence of obtaining this Act.

XXXI. And be it further enacted by the Authority aforesaid, That the Expence of passing this Act, as settled and allowed at the first Meeting of the said Trustees appointed to put the same in Execution, shall be defrayed and levied by a Tax upon the Heritors or Land-owners within the said Stewartry of *Kirkcudbright*, according to the Valuation of their respective Lands; and to be collected by the Collector of the Land Tax, or any other Person appointed by the General Meeting of the said Trustees to be holden as aforesaid.

Limitation of Actions.

XXXII. And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be commenced for any Thing which shall have been done in pursuance of this Act, every such Action or Suit shall be commenced within six Calendar Months after the Fact committed, and not afterwards.

Public Act.

XXXIII. And be it further enacted by the Authority aforesaid, That this Act shall be deemed a Public Act; and all Judges, Justices, and others, are hereby required judicially to take Notice thereof as such, without the same being specially pleaded.

## CAP. XXV.

An Act for repealing the Duties payable upon Pot and Pearl Ashes, Wood and Weed Ashes, imported into *Great Britain*, and for granting other Duties in Lieu thereof, for a limited Time.

Preamble.

'WHEREAS Pot and Pearl Ashes, Wood and Weed Ashes, are essentially necessary in the whitening of Linen Cloth and Thread, and in the preparing of Linen Yarn for the Loom, and are used in several other Manufactures of this Kingdom; and in order to promote and encourage such Manufactures, it is expedient to reduce the Duties payable by Law upon the Importation of such Pot and Pearl Ashes, Wood and Weed Ashes, from any foreign Part of *Europe*, for a limited Time:' May it therefore please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, from and after the thirty-first Day of *May*, one thousand seven hundred and eighty, and during the Continuance of this Act, the several Rates and Duties payable upon the Importation of Pot and Pearl Ashes, Wood and Weed Ashes, from any foreign Part of *Europe* into this Kingdom, shall cease and determine; and in lieu and instead thereof, there shall be raised, levied, collected, and paid, the Sum of two Shillings for every Hundred Weight, containing one hundred and twelve Pounds Weight Avoirdupoise, of such Pot and Pearl Ashes; and the Sum of six Pence for every Hundred Weight, containing one hundred and twelve Pounds Weight Avoirdupoise, of such Wood and Weed Ashes, which shall be so imported into *Great Britain* from any foreign Place or Country in *Europe*; subject nevertheless to an additional Impost of five Pounds *per Centum*, in the same Manner, and under the same Regulations, as the additional Duty of five Pounds *per Centum* is granted to his Majesty, by an Act made in the last Session of Parliament, intituled, *An Act for granting to his Majesty additional Duties upon the Produce of the several Duties under the Management of the respective Commissioners of the Customs and Excise in* Great Britain, and after that Rate for any greater or less Quantity thereof; any Thing in any former Act or Acts to the contrary notwithstanding.

From May 31, 1780, all Duties on Pot and Pearl Ashes, &c. imported from any foreign Part of Europe, to cease.

New Duties granted.

New Duties to be paid in ready Money, and collected and applied as the former Duties,

II. And it is hereby further enacted by the Authority aforesaid, That the said Duties made payable by this Act upon such Pot and Pearl Ashes, Wood and Weed Ashes, shall be paid down in ready Money, without any Discount or Allowance upon Importation, or any Drawback upon Exportation, and shall, in all other Respects, be raised, levied, collected, recovered, and paid, and shall be applied and appropriated to the same Uses as the former Duties were applicable, by such Rules, Ways, and Means, and under the like Penalties and Forfeitures, as the former Duties, which are repealed by this Act, were raised, levied, collected, recovered, paid, applied, and appropriated, and were subject and liable to; and all the Powers, Penalties, Provisions, Articles, and Clauses, contained in the several Acts of Parliament relative thereto, which are now in Force and not altered by this Act, shall be applied, practised, and executed, for the raising, levying, collecting, recovering, paying and applying, the said Duties according to the true Intent and Meaning of this present Act, as fully and effectually, to all Intents and Purposes, as if the same had been particularly repeated and re-enacted in the Body of this present Act.

Continuance of this Act.

III. And it is hereby further enacted by the Authority aforesaid, That this Act shall continue in Force until the thirty-first Day of *May*, one thousand seven hundred and eighty-three.

CAP.

## CAP. XXVI.

An Act for repairing, enlarging, and preserving the Harbour of *Aberystwyth*, in the County of *Cardigan*.

'WHEREAS the Town of *Aberystwyth*, in the County of *Cardigan*, is a Port of very considerable Trade, which hath of late Years greatly increased, and the Ships and Vessels now belonging to the Harbour there, and trading to and from the said Port, are more numerous and of larger Dimensions than heretofore: And whereas the Harbour of the said Port, by reason of a large Bank of Sand which crosses the Entrance of it, is so greatly obstructed that the navigating of Vessels even of very small Burthen, into or out of the same, is become very difficult and dangerous, and often impracticable, to the great Detriment of the Trade of the said Town and Port, and to the Danger and Inconvenience, as well of Ships and Vessels belonging to the same, which, by reason of such Obstruction, are obliged to ride in the Bay of *Cardigan*, as of such other Ships and Vessels as are driven on the Coast by Stress of Weather: And whereas several Sums of Money have been from Time to Time expended in improving the said Harbour, which afforded only a temporary Relief; for the Storms from the Sea gradually formed a fresh Bank of Sand to obstruct the Entrance instead of the Obstruction removed; and the Harbour in its present ruinous State is in great Danger of being intirely lost and destroyed; which renders the clearing, deepening, enlarging, and securing the same, and the making of sufficient additional Works thereto, absolutely necessary, both for public Utility, and the Preservation and Advantage of the Trade of the said Town and Port; but as the same cannot be effectually done without the Aid and Authority of Parliament,' may it please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Right Honourable the Earl of *Lisburne*, *John Adams* of *Peterwell*, *Thomas Allcock* of *Fron Fraith*, *John Campbell* of *Stackpool Court*, *Matthew Davies* of *Cwmcynfel*, *Thomas Davies* of *Aberystwyth*, *John Davies* of *Creigiau*, *John Gwynne* of *Mynachty*, *Lewis Gwynne* of the same, *John Griffith* of *Pen Pontbren*, *Cornelius Griffith* of *Llanbadarn*, *Edward Hughes* of *Aberllolwyn*, *John Hughes* of *Morfa*, *Thomas Herbert* of *Aberystwyth*, *John Hughes* of *Ty Mawr*, *David Williams Hopkins* of *Aberystwyth*, *Thomas Johnes* senior of *Croft Castle*, *Thomas Johnes* junior of *Llanfair*, *Thomas Johnes* of *Abermead*, *John Jones* of *Crynfryn*, *John James* of *Aberystwyth*, *John Jones* of *Dolau Cothy*, *John Jones* of *Cefn y Coed*, *William Jones* of *Troed y Rhiw*, *William Jones* of *Aberystwyth*, *Henry Jones* of *Tyglyn*, Sir *Watkin Lewes* Knight, *Edward Loveden Loveden* of *Gogarthan*, *Thomas Lloyd* of *Abertrynant*, the Reverend *Richard Lloyd* Vicar of *Llanbadarn-fawr*, *James Lloyd* of *Mabus*, *John Lloyd* of the same, *John Lewis* of *Caermarthen*, *John Lewis* of *Aberystwyth*, *John Lewis* of *Llanllyr*, *William Lewis* of the same, *John Lewis* of *Llanauron*, *William Lewis* of the same, *Walter Lewis* of *Coed Mawr*, *Thomas Lewis Lloyd* of *Wern*, *David Morgan* of *Llanfraed*, *John Morgan* of *Aberystwyth*, *Thomas Owen* of *Aberystwyth*, the Reverend *William Powell* of *Nant Eos* LL. D. *Thomas Powell* of the same, *John Parry* of *Aberystwyth*, *Philip Pugh* of *Tyglyn*, *Thomas Parry* of *Llidiardau*, *George Parry* of *Haverfordwest*, *Roderick Richardes* of *Pen y Glais*, *Griffith Roderick* of *Aberystwyth*, *Richard Richards* of *Carrog*, *Thomas Rogers* of *Gelli*, *Lewis Rogers* of the same, *Thomas Steed*, the Honourable *John Vaughan*, *John Vaughan* of *Golden Grove*, the Reverend *Isaac Williams* of *Llanrhystyd*, *John Williams* of *Castle Hill*, *John Watkin*, *Nathaniel Williams* of *Rhandir*, and their Successors, to be elected in Manner herein-after mentioned, shall be, and they are hereby constituted and appointed Trustees for putting this Act in Execution. Preamble. Trustees.

II. And be it further enacted, That four General Quarterly Meetings of the said Trustees shall be held at such House or Place in *Aberystwyth* aforesaid as they, or any five or more of them, shall from Time to Time appoint, upon the first *Monday* in *January*, the first *Monday* in *April*, the first *Monday* in *July*, and the first *Monday* in *October*, yearly and every Year for ever; at each of which said Quarterly Meetings the said Trustees, or any five or more of them, shall inspect, examine, audit, adjust, settle, and make up all the Accounts of the next preceding Quarter relating to the said Harbour; and that the first of the said Meetings shall be held at the House of *Richard Foy* in *Aberystwyth* aforesaid, upon the said first *Monday* in *July*, one thousand seven hundred and eighty; and all such General Quarterly Meetings shall begin between the Hours of Ten and Eleven of the Clock in the Forenoon of each Day, whereon any such Meeting shall be held; and the said Trustees, at all Meetings to be held for the Purposes of this Act, shall pay and defray their own Charges and Expences. Times and Places for holding the Meetings of Trustees. Trustees to pay their own Charges.

III. And be it further enacted, That all Acts, Matters, and Things, hereby authorised or required to be done by any five or more of the said Trustees in Execution of any of the Powers or Authorities herein contained, shall be done at Meetings to be held in pursuance of this Act, and not otherwise: And if at any General Quarterly Meeting hereby appointed to be held, or at any Adjournment thereof, there shall not appear a sufficient Number of Trustees to act, the Trustee or Trustees then present, or the Clerk to the said Trustees, shall, from Time to Time as often as it shall so happen, adjourn the said Meeting, and appoint a Meeting of the said Trustees to be held on that Day Fortnight at the Place where the last Meeting was appointed to have been held. No Acts to be valid unless done at Meetings.

IV. And be it further enacted, That in case any of the Persons herein-before constituted and appointed Trustees, or that shall be elected or appointed in pursuance of this Act, shall die, resign, or become disqualified to act, that then and in such Case, and as often as it shall so happen, it shall and may be lawful for the surviving Trustees, within the Space of one Calendar Month next after any such Death, Resignation, or Disqualification shall happen, or be known to have happened, and they, or any five or more of them, are hereby required to elect and appoint such Person (having an Estate in Lands, Tenements, or Hereditaments, in his own Right, or in Right of his Wife, within the said County of *Cardigan*, of the clear How Trustees shall be elected in the Room of such as shall die, resign, &c.

clear yearly Value of forty Pounds or more, or having two hundred Pounds Property or upwards, for twelve Months at least preceding the Day of such Election, in one or more Vessel or Vessels belonging to the Port of *Aberystwyth*, charged and chargeable with the Rate or Duty of Tonnage hereby imposed), as they shall think proper, to be a Trustee, instead of the Person so dying, resigning, or being disqualified.

Persons holding Places of Profit under this Act, incapable of acting as Trustees.

V. Provided always, and be it enacted, That in case any Person herein-before named and appointed a Trustee, or who shall be elected a Trustee in pursuance of this Act, shall take or accept of any Place of Profit arising or to arise out of the Rates or Duties hereby granted, or shall be concerned or interested in any Contract or Bargain made or to be made for executing all or any of the several Purposes of this Act, each and every Person, from and after the Time of accepting such Place of Profit, and during the Time he shall hold and enjoy the same, or shall be concerned or interested in any Contract or Bargain as aforesaid, shall be, and is hereby declared incapable of acting as a Trustee in the Execution of this Act.

Penalty on Persons acting as Trustees, if not qualified.

VI. Provided also, and be it further enacted, That in case any Person herein-before-named and appointed a Trustee, or who shall be elected a Trustee in pursuance of this Act to put the same in Execution, shall not, at the Time of his acting as such, be qualified in Manner herein-before mentioned, each and every Person so offending shall, for every such Offence, forfeit and pay the Sum of fifty Pounds to any Person or Persons who shall sue for the same; to be recovered in any of his Majesty's Courts of Record, by Action of Debt, or on the Case, or by Bill, Suit, or Information, wherein no Essoin, Protection, or Wager of Law, or more than one Imparlance, shall be allowed; and every Person so prosecuted shall prove that he is qualified as aforesaid, or otherwise shall pay the said Penalty upon Proof given of his having acted as a Trustee in the Execution of this Act.

Power to deepen and enlarge the Harbour.

VII. And be it further enacted, That from and after the said first *Monday* in *July*, one thousand seven hundred and eighty, it shall and may be lawful to and for the said Trustees, and they, or any five or more of them, are hereby impowered to order and direct the said Harbour of *Aberystwyth* to be scoured and cleansed from Gravel, Sand, Shingle, Dirt, Mud, and all other Obstructions whatsoever; and also to raise and make, or cause to be raised and made, sufficient Works from Time to Time, for improving, enlarging and preserving the said Harbour, or to repair, take down, and remove such Works, or any of them, as Occasion shall require, for more effectually securing, enlarging, and preserving the said Harbour; and to cleanse, scour, and deepen the Channels of the Rivers *Rheidiol* and *Ystwyth*, and erect such Locks or other Works in or across the said Rivers, or either of them; as also such Docks, Locks, Piers, Jetteaus, Quays, Breastworks, or other Works, Buoys, Mooring-posts, Cranes, Engines, Lamps, Light-houses, and Landmarks, as shall from Time to Time be adjudged necessary by the said Trustees, or any five or more of them, as well for improving, enlarging, and preserving the said Harbour, as for the safe and commodious Entrance and Reception of all Ships and Vessels resorting thereto, and the convenient lading and unlading thereof.

Slips to be left in the Breastworks for launching Vessels.

VIII. Provided always, That proper and convenient Slips or Openings shall be left in such Parts of the Breastworks or Quays of the said Harbour, or of any Lock or Dock to be made in pursuance of this Act, as the said Trustees, or any five or more of them, shall adjudge necessary and direct, for the Purpose of launching any Ships or Vessels which shall be built or repaired upon the Lands adjoining thereto.

Part of the Waste below Aberystwyth Bridge vested in Trustees.

'IX. And, for the better enabling the said Trustees to complete the several Works aforesaid, and more 'effectually to put this Act in Execution,' be it further enacted and declared, That so much and such Part of the Waste or Common lying between the Bridge at *Aberystwyth* and the Sea, on both Sides of the Harbour, as shall extend to the Distance of forty Feet from High-water Mark, and also so much and such Pieces or Parcels of Land or Ground as shall be gained from the Sea by the erecting of any Pier, Jetteau, or other Work, which shall be made or erected in pursuance of this Act, shall be, and the same are hereby severally vested in the said Trustees and their Successors for ever, for the several Purposes of this Act; and that from and after the said first *Monday* in *July*, one thousand seven hundred and eighty, all Right of Common in or upon the Lands so vested in the said Trustees, shall cease, determine, and be utterly extinguished; and it shall and may from Time to Time be lawful to and for the said Trustees, or such Person or Persons as they, or any five or more of them, shall direct and appoint for that Purpose, to commence and prosecute any Action or Actions against any Person or Persons who shall molest, disturb, or injure them in the Possession thereof, or of any Part thereof.

Trustees enabled to contract with Persons for repairing the Harbour.

X. And be it further enacted, That it shall and may be lawful to and for the said Trustees, or any five or more of them, to contract and agree with any Person or Persons for the making and doing all or any Part of the Work or Business necessary to be done for cleansing, deepening, enlarging, and completing the said Harbour of *Aberystwyth*, as also with any Person or Persons for Timber, Stones, or other Materials to be used therein, and keeping the same in Repair when finished; and all Contracts so made shall be binding and conclusive to and upon all Parties and Persons whomsoever.

Property of the Piers, Quays, &c. vested in Trustees.

XI. And be it further enacted, That the several and respective Rates or Duties imposed by this Act, and also the Right and Property of all and every the Piers, Quays, Wharfs, Docks, Locks, and other Works to be erected, made, or done, in pursuance of this Act, and the Ground whereon such Works shall be erected, shall be, and the same are hereby severally vested in the said Trustees and their Successors for ever for the Purposes of this Act; and they, or any five or more of them, are hereby authorised and impowered to bring Actions, or prefer Bills of Indictment, against any Person or Persons who shall steal, take away, break down, or spoil, any Works or Materials used or to be used in completing and maintaining the said Harbour, or that shall do any Act, Matter, or Thing, whereby any Damage may accrue to the same; and the said Trustees, or any five or more of them, are hereby authorised and impowered from Time to Time to let out, for the best Rent that can be obtained, and in such Manner as they, or any five or more of them, shall think proper, all or any of the Rates or Duties by this Act granted from Year to Year, or for any Term not exceeding three Years; and also all or any such Wharfs, Docks, Quays, Cranes,

Cranes, Engines, or the Land hereby vested in them as aforesaid, for any Term not exceeding twenty-one Years, the Rent respectively arising therefrom to be applied towards completing and maintaining the said Harbour, and the Works belonging to the same.

'XII. And, to prevent any Exactions or unreasonable Demands from the respective Tenants or Lessees 'under the said Trustees,' be it enacted, That the said Trustees shall, in every Lease or Agreement that they, or any five or more of them, shall enter into for the leasing or letting such Rates or Duties, Wharfs, Docks, Quays, Cranes, Engines, or Land as aforesaid, expressly mention what Sums shall be demanded or taken by the respective Tenants or Lessees, either as Rates or Duties, or for the Use of such Wharfs, Docks, Quays, Cranes, Engines, or Land, of the Master or Owner of any Ship or Vessel, or other Person liable to pay the same; and if any such Tenant or Lessee shall demand or take more than the Sum stipulated by such Agreement, such Tenant or Lessee shall, for every such Offence, forfeit Treble the Sum demanded more than shall be allowed to be taken by such Lease or Agreement, to be recovered and levied in Manner herein after mentioned; one Moiety of which Forfeiture shall be applied to the completing and maintaining the said Harbour and other Works, and the other Moiety to such Person or Persons as shall prosecute, sue for, and recover the same.

Clause for preventing Exactions by any of the Lessees.

XIII. And be it further enacted, That, from and after the said first *Monday* in *July*, one thousand seven hundred and eighty, no Person or Persons whatsoever shall throw or empty any Ballast, Earth, Dust, Ashes, Rubbish, or Stones, into the said Harbour, or into the River *Rheidiol* or *Ystwyth*, or take away any Ballast, Shingle, Stones, or other Things, the Removal or taking away of which may be prejudicial thereto, or to the Works erected or to be erected for the Security of the same, or do any Act, Matter, or Thing, to prejudice or annoy the same; and if any such Prejudice or Annoyance shall be done, the Matter thereof shall be examined into by the said Trustees, or any three or more of them, who are hereby impowered, for every such Offence, to impose any Fine or Fines upon every or any Person or Persons so offending, not exceeding the Sum of forty Shillings, which the said Trustees, or any three or more of them (by Warrant under their Hands and Seals directed to such Person or Persons as they shall appoint), are hereby impowered to levy and raise by Distress and Sale of the respective Goods and Chattels of every or any such Offender or Offenders, rendering to him, her, or them, the Overplus, if any there be, and he, she, or they shall demand the same; and the said Fine or Fines when levied shall be paid to such Person or Persons as the said Trustees, or any three or more of them, shall direct and appoint to receive the same, to be applied as herein-after directed.

Ballast or Rubbish not to be emptied into the Harbour.

Penalty.

XIV. Provided always, That if at any Time or Times hereafter any Person or Persons shall have Occasion to throw or cast any Ballast out of any Ship or other Vessel upon any Quay or other the Works made or to be made in pursuance of this Act, the same shall not be suffered to be or remain there for a longer Space of Time than two Hours after Notice given for the Removal thereof, under the Penalty of forty Shillings for every Offence; but the same shall be removed and carried away to such Place or Places as the said Trustees, or any Person or Persons by them, or any five or more of them, appointed, shall order and direct.

Ballast not to be left upon the Quay, &c.

XV. Provided also, That no Gunpowder, Pitch, Tar, Rosin, Hemp, Flax, Faggots, or Furze, Brandy or other Spirituous Liquors, Turpentine, Oil, Hay, Straw, Tallow, Grease, Shavings of Wood, or any other flammable or combustible Matter or Thing whatsoever, shall be suffered to be or remain on any Quay, Pier, or Place, or upon the Deck of any Ship or other Vessel within the said Harbour, above the Space of twenty-four Hours after passing the Custom-house Officers; and in case the same cannot be conveniently removed or got off by Day-light, that then the Owner or Owners thereof shall be obliged, and he and they is and are hereby required, to set and maintain, at his and their own Expence, a sufficient Number of careful and sober Persons to guard and watch over the same for such and so many Hours (according to the Season of the Year) as the said Trustees, or the Quay-master, or other Person or Persons by them, or any five or more of them, appointed, shall specify and direct; and in case any such Owner or Owners, or the Person or Persons having the Rule or Command of any such Ship or Vessel as aforesaid, shall make Default in the Premises, each and every Person so offending shall, for every such Offence, forfeit and pay the Sum of ten Pounds.

Gunpowder, &c. to be removed after a certain Time;

on Penalty of 10l.

'XVI. And for the more orderly Government of the said Harbour, and for the better preserving the 'same, and the Works to be erected there, from Prejudice or Damage, as well as Accommodation of Ships 'or Vessels coming into, or going out of the said Harbour;' be it enacted, That the said Trustees, or any five or more of them, shall have Power and Authority, and they are hereby authorised and impowered to nominate and appoint such Person or Persons as they shall think proper, with such annual Allowance or Salary, out of the Rates or Duties by this Act granted and made payable, as they shall think fit, not exceeding ten Pounds *per Annum*; and such Person or Persons so appointed shall, from Time to Time, order and require all and every or any Person or Persons having the Rule or Command of any Ship or other Vessel entering into, lying, being, or abiding within the said Harbour, to lie, anchor, moor, and ballast such Ship or other Vessel in such proper Place or Places within the same, as the said Person or Persons so appointed shall order, assign, or direct, for those Purposes, provided that the Person or Persons so appointed shall, to the best of his or their Skill and Knowledge, order or require such Ship or other Vessel to lie, anchor, moor, or ballast in a Place of Safety; and in case any Person or Persons then having the Rule or Command of such Ship or other Vessel shall neglect or refuse so to do, he and they, and each of them, for such Neglect or Refusal, shall forfeit and pay any Sum not exceeding five Pounds.

Power to regulate Vessels lying within the Harbour.

XVII And be it further enacted, That for the better effecting the several Matters and Things to be done in pursuance of this Act, and supporting the same for the future, there shall, from and after the said first *Monday* in *July*, one thousand seven hundred and eighty, be paid to the said Trustees and their Successors, or to such Person or Persons as they, or any five or more of them, shall from Time to Time appoint to collect and receive the same; and they the said Trustees and their Successors, and such Person or Persons

Trustees impowered to take certain Duties.

as they, or any five or more of them, shall from Time to Time appoint as aforesaid, are hereby authorised and impowered to demand, collect, receive, and take, of and from the Masters or Owners, Master or Owner, or other Person or Persons having the Rule or Command of every Ship or other Vessel, the several Rates or Duties following; that is to say,

Enumeration thereof.

For every Ship or other Vessel coming into the said Harbour, or to any Creek, Shore, or Landing-place, between *Craig Lais* and *Craig yr Alltwen* (which shall be and is hereby declared to be the Bounds or Limits of the Harbour of *Aberystwyth* for the Purposes of this Act) from *Ireland*, the *Isle of Man*, or any Part of *Great Britain*, or driven into the same by Stress of Weather, two Pence for every Ton of the Tonnage of such Ship or Vessel; and coming into the said Harbour from any other Place whatsoever, or driven into the same by Stress of Weather, three Pence for every Ton of the Tonnage of such Ship or Vessel, according to the Admeasurement of such Ships and Vessels respectively; nevertheless not to subject any Ship or Vessel having once paid the Tonnage, Rate, or Duty, upon coming into the said Harbour by Stress of Weather as aforesaid, to pay the same again if driven back into the said Harbour: And the Merchant or other Person into whose Custody or Possession any Goods, Wares, or Merchandise shall be delivered or landed from on Board any Ship or Vessel coming into the said Harbour, and unloading in the same or above the Entrance thereof, shall, upon the Delivery of such Goods, Wares or Merchandise, pay, or cause to be paid, to the Person or Persons appointed from Time to Time to collect and receive the same, the Rates or Duties following; that is to say,

For every Hogshead of Tobacco, two Shillings:
For every Hogshead of Sugar or Melasses, six Pence:
For every Ton of Wine, Brandy, or other excisable Spirituous Liquors, two Shillings:
For every Ton of Butter, Cheese, Flax, or Hemp, one Shilling and six Pence:
For every Ton of wrought or unwrought Iron, Rice, Lead, or Logwood, one Shilling:
For every Ton of Pig-iron, Iron-stone, or Lime-stone, one Penny:
For every Ton of Coal, Culm, Brick, Brick-tiles, or Slate, two Pence:
For every Ton of Raft or Timber, six Pence:
For every Ton of Battery, two Shillings and six Pence:
For every one hundred of Deal Boards, Oak or other Boards, one Shilling:
For every Last of Oil, Tar, or Pitch, one Shilling:
For every Barrel of Herrings, one Penny:
For every Piece of Linen Cloth, two Pence:
For every Piece of Woollen Broad Cloth, one Shilling:
For every Piece of Woollen Narrow Cloth, three Pence:
For every one hundred Calf, Sheep, Lamb, Goat, or Kid Skins, six Pence:
For every one hundred Hides, two Shillings and six Pence:
For every Crate of Earthen Ware of the Manufacture of *Great Britain*, two Pence:
For every Crate of Foreign Earthen Ware, one Shilling:
For every Ton of Salt, six Pence:
For every Barrel of Malt Liquor, one Shilling:
For every Hogshead of Cyder, one Shilling:
For every Ton of Soap or Candles, two Shillings and six Pence:
For every Ton of Hops, two Shillings and six Pence:
For every Ton of Turnip Seeds, Clover, or other Grass Seeds, two Shillings and six Pence:
For every Quarter of Corn or other Grain, Malt, or Pulse, three Pence:
For every hundred Weight of Gunpowder, six Pence:
For every Bale of Paper, one Penny:
For every Truss or Box of Haberdashery, Millenery, or other Goods, not exceeding fifty Pounds Weight, six Pence; and after that Rate for every Truss or Box exceeding the Weight of fifty Pounds:
And for all other Goods, Wares, or Merchandise, not herein-before enumerated, the Sum of one Penny in or out of every twenty Shillings of the Value thereof, as the same shall be valued at the Custom-house of *Aberystwyth*:

And there shall likewise be paid, by each and every Person shipping, or causing to be shipped, at the Port of *Aberystwyth* aforesaid, any of the under-mentioned Goods or Commodities, the Rates or Duties following; *videlicet*,

For every Ton of Ore, six Pence:
For every Ton of Lead, one Shilling:
For every Ton of Bark, three Pence:
For every Ton of Black Jack, two Pence:
For every Quarter of Corn, or other Grain, Malt, or Pulse, one Penny:
For every Ton of Butter or Cheese, one Shilling and six Pence:
For every Barrel of Herrings, one Penny:
For every Barrel of Malt Liquor, six Pence:
And for every Ton of Slates, two Pence:

And that in all Cases where any of the Goods, Wares, or Merchandises, by this Act charged with the Payment of any of the aforesaid Rates or Duties, shall exceed or be less than the several and respective Weights, Quantities, or Numbers, whereby the same are herein-before particularly charged as aforesaid, a Rate

a Rate or Duty, upon every such greater or lesser Weight, Quantity, or Number, shall be demanded and taken in Proportion to the Rates or Duties hereby laid upon such Goods, Wares, or Merchandise respectively, so as such Rate or Duty shall in no Case be less than one Penny.

Exemptions from Rates.

XVIII. Provided always, That no Ship or Vessel of War belonging to his Majesty, his Heirs or Successors, nor any Ship or Vessel employed in Fishing only, shall be subject or liable to any of the Rates or Duties hereby granted.

Vessels not to be cleared till Duties paid.

'XIX. And, to the Intent the said Rates or Duties may be duly answered and paid,' be it further enacted, That no Collector, Comptroller of his Majesty's Customs, Receiver of Entries, or Ship's Surveyor, or Searcher, Waiter, or other Officer of the Customs whatsoever belonging to the Port of *Milford*, in the County of *Pembroke* (within which the Port and Harbour of *Aberystwyth* aforesaid is comprehended), shall, at any Time after the said first *Monday* in *July*, one thousand seven hundred and eighty, give or make out any Cocket or other Discharge, or take any Report outwards for any Ship or other Vessel, or permit any Ship or other Vessel to go out of the said Harbour, or from any Creek, Shore, or Landing-place within the Bounds or Limits aforesaid, until the Master or Owner, or other Person having the Rule or Command of such Ship or other Vessel, shall produce a Certificate from the Collector or Collectors, to be appointed in pursuance of this Act, that the Rates or Duties by this Act granted are paid, or secured to be paid, which said Certificate the said Collector or Collectors is and are hereby required to give without Fee or Reward; and that any Collector, Comptroller of his Majesty's Customs, Receiver of Entries, or Ship's Surveyor, or Searcher, Waiter, or other Officer of the Customs whatsoever, making Default in any of the Premises enjoined by this Act, shall forfeit and pay the Sum of twenty Pounds, to be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majesty's Courts of Record at *Westminster*, wherein no Essoin, Protection, or Wager of Law, shall be allowed, nor more than one Imparlance; one Moiety of such Forfeiture to be to the Use of the Person or Persons who shall prosecute, sue for, and recover the same; and the other Moiety thereof to be paid into the Hands of the said Trustees, or to such Person or Persons as they, or any five or more of them, shall appoint to receive the same, to be applied for the Purposes of this Act.

Manner of Recovery of Rates.

'XX. And, to the Intent the Rates or Duties imposed by this Act may be more effectually collected and levied,' be it further enacted, That in case any Owner or Master, or other Person having the Rule or Command of any Ship or other Vessel, or any other Person to whom any Goods, Wares, or Merchandise, landed or shipped within the said Harbour, or the Bounds or Limits aforesaid, and charged or chargeable with the Rates or Duties granted by this Act, shall belong, or be delivered unto, or by whose Order the same shall be landed or shipped, shall refuse to pay the same, then and in such Case it shall and may from Time to Time be lawful to and for the Collector or Collectors, to be appointed in pursuance of this Act, to go on Board such Ship or other Vessel to demand, collect, and receive the said Rates or Duties, and on Nonpayment thereof to take and distrain every such Ship or other Vessel, and all her Tackle, Apparel, and Furniture thereto belonging, or any Part thereof, or all or any Part of the Goods, Wares, or Merchandise chargeable therewith, or in respect whereof such Rates or Duties shall be payable, and Default made as aforesaid, either on Board such Ship or other Vessel or on Land, and the same to detain until the respective Rates or Duties shall be satisfied and paid; and in case of any Neglect or Default in Payment of the said Rates or Duties for the Space of three Days after any Distress or Distresses so made or taken, that then it shall and may be lawful to and for the said Collector or Collectors to cause the same to be appraised by two or more sworn Appraisers, or other sufficient Persons, and afterwards to sell the said Distress or Distresses, and therewith to satisfy himself or themselves, as well for and in respect of the Rates or Duties so neglected or delayed to be paid, and for which such Distress or Distresses shall have been made or taken as aforesaid, as also for and in respect of his or their reasonable Charges in taking, keeping, appraising, and selling the same, rendering the Overplus (if any such there be) to the Owner upon Demand.

Persons eluding the Payment to continue chargeable.

XXI. And be it further enacted, That if any Master, Owner, or other Person having the Rule or Command of any Ship or other Vessel, or the Owner of any Goods, Wares, or Merchandise, shall, by any Method whatsoever, at any Time or Times, elude or avoid the Payment of the Rates or Duties hereby made payable, or any Part thereof, each and every Person eluding or avoiding Payment as aforesaid shall stand charged with, and be liable to, the Payment of the same, and the same shall and may be recovered from such Master or Owner respectively by the same Method and in such Manner as is hereinafter directed for levying and recovering the Fines, Forfeitures, and Penalties imposed by this Act.

How Tonnage Duties shall be ascertained.

XXII. And be it further enacted, That in case the Master, or other Person having the Rule or Command of any Ship or other Vessel, and the Person appointed to collect the Rates or Duties hereby made payable, cannot otherwise agree about and ascertain the Tonnage of such Ship or Vessel, that then and so often it shall and may be lawful for such Collector, or other Person employed or appointed for that Purpose, to enter into such Ship or Vessel at any seasonable Time, and admeasure the same in Manner following; that is to say; By taking the Length of the Keel of every such Ship or other Vessel so much as she treads on the Ground, and the Breadth within Board by the midship Beam from Plank to Plank, Half of which Breadth shall be accounted for the Depth; and the Length so taken being multiplied by the Breadth, and the Product thereof by the said accounted Depth, and the Whole divided by Ninety-four, the Quotient shall give and be deemed to give the true Contents of the Tonnage; according to which Rule and Method all Ships and Vessels shall be measured for computing, ascertaining, and collecting the said Rates or Duties of Tonnage; any Custom, Practice, or Usage, to the contrary notwithstanding.

Penalty on Persons obstructing the measuring of Vessels.

XXIII. And be it further enacted, That in case the Master, or other Person having the Rule or Command of any Ship or other Vessel, or any other Person whatsoever, shall obstruct or hinder the Person appointed to collect the Rates or Duties hereby made payable, or any other Person employed or appointed by the said Trustees to admeasure Ships or Vessels in pursuance of this Act to enter on board such

Ship or Vessel, or to take the Admeasurement thereof, such Master or other Person shall, for every such Offence, forfeit and pay the Sum of five Pounds.

Officers appointed by the Trustees to be sworn.

XXIV. And be it further enacted, That the Quay-master, and other Officers and Servants to be appointed by virtue of this Act, shall, when thereunto required by any one of the said Trustees, swear that he or they will duly perform and execute his or their respective Office or Offices; and all and every Person or Persons who shall be employed or appointed to take the Tonnage of any Ship or other Vessel coming into, or going out of, the said Harbour, shall, when required in like Manner, swear that he or they will duly take the Tonnage of such Ship or Vessel; which Oath any one or more of the said Trustees is or are hereby authorised and impowered to administer.

Power to borrow Money, and assign the Rates as a Security.

'XXV. And to the End a sufficient Sum of Money may be speedily raised for the Purposes of this 'Act, and in order to secure the Repayment of the same,' be it further enacted, That it shall and may be lawful for the said Trustees, or any five or more of them, and they are hereby impowered, by Indenture or Writing under their Hands and Seals, to mortgage or assign the Rates or Duties granted by this Act as a Security for any Sum or Sums of Money by them to be borrowed (not exceeding in the Whole the Sum of four thousand Pounds), for the Ends and Purposes of this Act, to any Person or Persons, Natives or Foreigners, or Bodies Politic or Corporate, that shall or will lend or advance the same, for securing the Repayment thereof, with Interest, after the Rate of five Pounds *per Centum per Annum* (Copies of all which Mortgages or Assignments shall be entered in a Book or Books to be kept for that Purpose); and all and every Sum and Sums of Money so to be borrowed shall be paid into the Hands of the said Trustees, or of the Clerk or Clerks, Treasurer or Treasurers, to be by them appointed; the Costs and Charges of all which Mortgages or Assignments shall be borne and paid out of the Rates or Duties hereby granted; and all and every Sum and Sums of Money advanced and paid by way of Loan as aforesaid, and the Interest payable for the same respectively, shall be charged and chargeable upon the Rates or Duties hereby granted.

XXVI. And be it further enacted, That the several and respective Mortgages or Assignments, hereby directed to be made as a Security for any Sum or Sums of Money to be borrowed on the Credit of the Rates or Duties by this Act granted, shall be in the Words, or to the Effect following:

Form of Assignment.

'BY virtue of an Act, made in the twentieth Year of the Reign of his Majesty King *George* the Third, *for repairing, enlarging, and preserving the Harbour of* Aberystwyth, *in the County of* Cardigan, we whose 'Names are hereunto set, being five of the Trustees appointed by or in pursuance of the said Act, in Con- 'sideration of the Sum of fifty Pounds to us in Hand paid by *A. B.* of do assign unto 'the said *A. B.* his [*or* her] Executors, Administrators, and Assigns, all and singular the Rates or Duties 'by the said Act granted, to hold unto the said *A. B.* his [*or* her] Executors, Administrators, and Assigns, 'until the said Sum of fifty Pounds, together with Interest for the same after the Rate of five Pounds *per* 'Centum per Annum, shall be fully paid and satisfied. Given under our Hands and Seals the 'Day of

Assignments may be transferred.

And all and every Person and Persons to whom any Mortgage or Assignment of the aforesaid Rates or Duties shall be made, as a Security or Securities for any Sum or Sums of Money by him, her, or them lent on the Credit thereof, and his, her, or their Assignee or Assignees, may, and is and are hereby impowered from Time to Time to transfer or assign over such Security or Securities, and the Principal and Interest due thereon, to any other Person or Persons, by indorsing thereon the following Words, or Words to the like Effect:

Form of Transfer.

'I Do transfer this Assignment, with all my Right, Title, and Interest in and to the same, unto 'of his [*or* her] Executors, Administrators, and Assigns. Dated this 'Day of

*A. B.*'

Remedy for recovering Arrears of Interest.

XXVII. Provided always, and be it further enacted, That in case the Interest upon any Sum or Sums of Money advanced by way of Loan as aforesaid shall be in Arrear and unpaid for the Space of forty Days next after any of the Time or Times when the same is, are, or shall become due and payable, and be demanded, the aforesaid Rates or Duties shall from thenceforth vest in the Person or Persons to whom such Interest shall be so in Arrear, until the same shall be fully paid and satisfied, together with all Costs and Charges occasioned by the Nonpayment of the same; and all and every such Person and Persons shall have, and is hereby vested with the like Powers, Right, and Privilege of collecting, receiving, and levying the said Rates or Duties hereby made payable, as the said Trustees, or the Collectors or Receivers by them appointed, could have had in case the said Interest had been regularly and fully paid and satisfied.

No Money to be borrowed after the first Meeting, unless 10 Days Notice be given.

XXVIII. Provided also, and be it further enacted, That no Money shall be borrowed on the Credit of the Rates or Duties hereby granted after the first Meeting of the said Trustees, unless Notice in Writing be, by Order and under the Hands of the said Trustees, or any five or more of them, affixed on the Church Door of *Llanbadarn-fawr*, and on the Town-hall of *Aberystwyth*, at least ten Days before the borrowing of such Money.

Application of the Money borrowed, &c.

XXIX. And be it further enacted, That the several Sums of Money which shall be collected, received, levied, and borrowed by virtue of this Act shall be applied, in the first Place, in paying the Charges and Expences incident to and incurred in the obtaining and passing this Act, and afterwards in defraying the necessary Expences of completing and maintaining the several Works aforesaid, and in executing the Purposes of this Act, and to no other Use or Purpose whatsoever.

XXX. And

Trustees to appoint Officers,

XXX. And be it further enacted, That the said Trustees, at their first or any subsequent Meeting, or any five or more of them, by Writing under their Hands and Seals, shall and may chuse and appoint such Person or Persons as they shall think proper to be Collector or Collectors of the Rates or Duties granted by this Act; and also one or more fit Person or Persons to be Surveyor or Surveyors of the Harbour and Works erected for rendering the same safe and commodious for the Reception of Ships and Vessels; and also a Clerk, Treasurer, or Receiver of the said Rates or Duties, and such other Officer or Officers as they shall think necessary to employ in the Execution of this Act; and the said Trustees shall allow to such Collector or Collectors, Clerk, Treasurer, Receiver, or Surveyor or Surveyors, or other Person or Persons so appointed, such Salaries or Rewards as to the said Trustees, or any five or more of them, at a General Meeting assembled, shall appear reasonable; and the said Trustees, or any five or more of them, shall and may, and they are hereby impowered to remove or displace any such Collector, Clerk, Receiver, Treasurer, Surveyor, or other Person or Persons whatsoever by them appointed in pursuance of this Act, and in the Room and Stead of the Person or Persons so removed or displaced, to nominate and appoint from Time to Time such other Person or Persons as they shall think proper.

and allow them Salaries.

Officers to give Security.

XXXI. And be it further enacted, That the said Trustees, or any five or more of them, shall take of such Collector or Collectors, Clerk, Receiver, or Treasurer, and from such other Person or Persons as shall be chosen and nominated from Time to Time as aforesaid, a good and sufficient Security, as well for answering and paying all and every Sum or Sums of Money which shall be by him or them respectively received (and in such Manner as the said Trustees, or any five or more of them, shall, under their Hands and Seals, from Time to Time order, direct, and appoint), as for his and their giving and making true Accounts thereof in Writing when and as often and in such Manner as he and they shall be ordered and required so to do by the said Trustees, or any five or more of them, and of all Sums of Money by him or them respectively disbursed, and the respective Times of such Disbursements, and to whom, and by what Order.

Proceedings to be entered in Books.

XXXII. And be it further enacted, That the said Trustees shall take care to have all the Receipts, Payments, Debts, Credits, and Contracts, made by and with the Artificers and Workmen employed in or about the completing the said Harbour, and the maintaining or preserving the same, or anyways relating thereto, and also an Account of all Moneys received and borrowed by the said Trustees by virtue of this Act, and all other their Proceedings whatsoever, fairly entered and written in one or more Book or Books to be kept for those Purposes: to which Book or Books all Persons concerned or interested shall, at any seasonable Time or Times, have free Access, and shall have the Perusal or Inspection thereof *gratis*, and may have Copies or Extracts therefrom, paying for the same after the Rate of one Penny for every seventy-two Words; and by or out of the Money arising from the Rates or Duties by this Act granted, or by or out of any other Money which shall come into the Hands of the said Trustees, or into the Hands of the Clerk, Treasurer, or Receiver, to be by them appointed, to pay and satisfy, or cause to be paid and satisfied, unto the Artificers and Workmen to be employed in and about the completing or maintaining the said Harbour and Premises, all Sums of Money which shall be justly due to them, or any of them, for the same.

Trustees, with the Consent of Creditors, may lessen the Rates, &c.

XXXIII. Provided always, and be it further enacted, That the said Trustees, or any five or more of them, with the Consent of such Person or Persons as shall be intitled to three-fourths of the Money lent on the Credit of the Rates or Duties hereby granted, shall and may from Time to Time (if they shall think fit) lessen or reduce all or any Part of the said Rates or Duties; and if, at any Time after such Lessening or Reduction of the said Rates or Duties, the same shall be found insufficient to answer the several Intents and Purposes of this Act, that then and in such Case it shall and may be lawful to and for the said Trustees, or any five or more of them, to advance and raise the said Rates or Duties, so as not to exceed the several and respective Sums herein-before specified.

When the Money borrowed shall be paid off, one Moiety of the Rates only to be paid.

XXXIV. Provided also, That, from and after such Time as the Principal Sum and Sums of Money borrowed or to be borrowed in pursuance of this Act, and the Interest attending the same, shall be paid off and discharged, one Moiety, or such greater Part or Proportion of the Rates or Duties by this Act granted, as the said Trustees, or any five or more of them, shall think proper, shall, in respect of all *British* Ships and Vessels, Goods, Wares, and Merchandise, cease and determine; and that then and from thenceforth the other Moiety or Part as aforesaid of the said Rates or Duties shall continue to be collected, paid, and applied, by the said Trustees, or any five or more of them, towards repairing, maintaining and securing the said Harbour, and the Works and Buildings thereto belonging, in maintaining and upholding the Buoys, Lights, Light-houses, and other Land-marks appurtenant to the said Harbour, and in paying the Salaries, Rewards, or Allowances, to the several Officers and Servants belonging thereto, and such other Purposes as the said Trustees, or any five or more of them, shall think most expedient for the Benefit and Improvement of the said Harbour: But in case any Damage or unforeseen Accident shall afterwards happen to any Pier, Lock, Quay, Breast-work, or other Work, erected in pursuance of this Act, which cannot be repaired by, or out of, the Produce of the Rates or Duties reduced as aforesaid, that then, and as often as it shall so happen, it shall and may be lawful to and for the said Trustees, or any five or more of them, by Notice in Writing under their Hands affixed on the Church Door of *Llanbadarn-fawr*, and on the Town-hall of *Aberystwyth*, to revive the Rates or Duties so discontinued, and order the same to be paid according to the Proportions herein-before set forth and ascertained, till such Damages shall be repaired, and the Charges and Expences attending the same shall be fully paid and satisfied, and no longer.

If any Accident happens to the Pier, &c. the discontinued Rate to revive,

Persons destroying the Works to be deemed guilty of Felony.

XXXV. And be it further enacted, That all and every Person and Persons whomsoever who shall at any Time or Times hereafter wilfully or designedly demolish, break down, destroy, damage, or set on fire, any of the Works constructed or to be constructed, in or belonging to the said Harbour, or that shall wilfully do any Damage to any of the Shipping or Goods within the same, or who shall wilfully or designedly

signedly extinguish or put out any of the Fires or Lights used in or belonging to the said Harbour for the Safety and Protection of the Ships or other Vessels resorting to the same, shall be adjudged guilty of Felony; and the Court, by and before whom such Person or Persons shall be indicted and tried, shall, and have hereby Power and Authority to punish such Felon or Felons in such and the like Manner as Felons are directed to be punished by the Laws and Statutes of this Realm; or in Mitigation of such Punishment may (if they see Cause) adjudge the Offender or Offenders to suffer such other Punishment, by Fine, Imprisonment, or otherwise, as the said Court in their Discretion shall think proper.

Masters of Vessels to be answerable for Damages done by their Crews.

XXXVI. And be it further enacted, That the Master, Owner, or other Person having the Rule or Command of every Ship or other Vessel lying or being in the said Harbour, shall be, and is hereby made answerable to the said Trustees for the Amount or Value of any Damage or Mischief that shall be done by any of the Servants or Crew on board the same, to any of the Works constructed, or to be constructed, in pursuance of this Act; and the same, if not forthwith paid and satisfied, shall and may be recovered in such Manner as the Penalties and Forfeitures hereby inflicted are in and by this Act directed to be recovered.

Bye-laws may be made at General Meetings.

XXXVII. And be it further enacted, That it shall and may be lawful to and for the said Trustees, or any five or more of them, at any Time or Times hereafter in General Meeting assembled, to make, ordain, and establish such Rules, Orders, and Bye-laws, for the better keeping in Repair, improving, and securing the said Harbour, and the Works to be erected, made, or set up, in pursuance of this Act, as also for ascertaining the Rates payable for Carts and Carriages within and belonging to the said Harbour, or payable to the several Officers and Servants appointed by the said Trustees, and for other the Purposes of this Act; and may also from Time to Time, at any succeeding General Meeting, repeal, add to, amend, or alter, such Rules, Orders, or Bye-laws, as to them shall appear requisite and necessary, and fix and appoint reasonable pecuniary Penalties, not exceeding forty Shillings, for the Non-observance or other Breach of such Rules, Orders, or Bye-laws, or any of them; which said Penalties shall be recovered and applied in such Manner as the Fines and Penalties imposed by this Act are directed to be recovered and applied; and the said Trustees shall cause the said Rules, Orders, and Bye-laws, to be printed, and fixed or hung up at the most public and conspicuous Places, as well within the said Harbour, as within the said Town of *Aberystwyth*, within twenty-one Days after the same shall be made, amended, altered, or repealed, as aforesaid, and to pay the Charge and Expence thereof out of the Rates or Duties hereby granted; and no Rule, Order, or Bye-law, made at any General Meeting as aforesaid, shall be repealed or altered at any subsequent Meeting, unless ten Days previous Notice of the Intention to repeal or alter the same, signed by the Clerk or Treasurer to the said Trustees, be affixed on the Church Door of *Llanbadarn-fawr*, and on the Town-hall of *Aberystwyth* aforesaid, and unless seven Trustees shall be present and consenting thereto.

Penalties how to be recovered and applied.

XXXVIII. And be it further enacted, That all Fines, Penalties, and Forfeitures, by this Act inflicted or authorised to be imposed or levied (the Manner of levying and recovering whereof is not otherwise hereby particularly directed) shall be levied and recovered by Distress and Sale of the Offender's Goods and Chattels, by Warrant or Warrants under the Hands and Seals of any two or more Justices of the Peace for the said County of *Cardigan* (which Warrant or Warrants the said Justices are hereby impowered and required to grant upon the Information of any one or more credible Witness or Witnesses upon Oath, which Oath the said Justices are hereby impowered and required to administer without Fee or Reward); and such Fines, Penalties and Forfeitures, when recovered (after rendering the Overplus, if any, to the Party or Parties whose Goods and Chattels shall be so distrained and sold (the Charges of such Distress and Sale being first deducted), shall go, be applied, and disposed of, if not otherwise directed to be applied and disposed of by this Act, for and towards the Execution of the several Purposes hereby intended; and for Want of sufficient Distress the said Justices, or any two of them, are hereby impowered and required to commit the Person or Persons so convicted to the common Gaol or other public Prison of or within the said County, there to remain for the Space of two Months, or until Payment of the respective Forfeitures shall be made.

How Distresses shall be disposed of.

XXXIX. Provided always, and be it enacted, That no Part of the Goods or Chattels to be at any Time distrained by virtue of this Act (other than such Distress or Distresses as shall be made for Nonpayment of the Rates or Duties hereby granted) shall be sold till the Expiration of five Days from the Day upon which such Goods or Chattels shall be distrained; but that it shall and may be lawful to and for the Person or Persons convicted, at any Time before the Expiration of the said five Days, by Payment of the Money for which such Goods or Chattels shall have been distrained, and the Costs and Charges attending such Distress, to redeem the same.

Distress not to be deemed unlawful for Want of Form.

XL. And be it further enacted, That where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers on account of any Defect in the Summons, Conviction, Warrant of Distress, or other Proceedings relating thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity by him or them done or committed after such Distress made or taken; but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage in an Action upon the Case.

Satisfaction for special Damage.

Plaintiff not to recover, unless proper Notice be given, nor after Tender of Amends, &c.

XLI. Provided always, That no Plaintiff or Plaintiffs shall recover in any Action for such Irregularity, or for any Trespass or other wrongful Proceeding, unless Notice in Writing signed by his, her, or their Attorney (specifying the Cause of Action) shall have been given to the Defendant or Defendants at least twenty-one Days before the same shall be brought; nor shall the Plaintiff or Plaintiffs recover in any such Action, if Tender of sufficient Amends shall have been made to him, her, or them, or to his, her, or their Attorney, by or on the Behalf of the Defendant or Defendants before such Action brought; and in case no such Tender of Amends shall have been made, it shall and may be lawful for the Defendant or Defendants (by

(by Leave of the Court) at any Time before Issue joined, to pay into Court such Sum of Money as he, she, or they shall think fit; whereupon such Proceedings, Orders, and Judgments shall be had, made, and given, in and by such Court, as in other Actions where Defendants are allowed to pay Money into Court.

Proceedings not to be quashed for Want of Form.

XLII. And be it further enacted, That no Order, Verdict, Judgment, or other Proceeding, touching or concerning any of the Matters aforesaid, or touching or concerning the Conviction of any Offender or Offenders against this Act, shall be quashed or vacated for want of Form only, or be removed or removable by *Certiorari*, or any other Writ or Process whatsoever, into any of his Majesty's Courts of Record at *Westminster*; any Law or Statute to the contrary hereof in any wise notwithstanding.

Exemption from Stamp-duty.

XLIII. And be it further enacted, That no Warrant, Mortgage, Assignment, Transfer, or other Security, or any other Writing whatsoever, in pursuance of, or relating to the Execution of any of the Powers or Authorities in this Act contained, shall be subject or liable to any Stamp-duty whatsoever.

Persons aggrieved may appeal to the Quarter Session,

XLIV. And be it further enacted, That in case any Person shall think himself or herself aggrieved by any Thing done in pursuance of this Act, and for which no particular Method of Relief is hereby otherwise provided, it shall and may be lawful for such Person to appeal to the Justices of the Peace at any General or Quarter Session of the Peace to be holden in and for the said County of *Cardigan* within six Calendar Months next after the Cause of such Appeal shall have arisen, such Appellant first giving, or causing to be given, fourteen Days Notice at the least in Writing of his or her Intention to bring such Appeal, and of the Matter thereof, to the Clerk or Treasurer of the said Trustees, and within four Days after such Notice entering into a Recognizance before some Justice of the Peace for the said County, with two sufficient Sureties, conditioned to try such Appeal, and to abide the Order of, and pay such Costs as shall be awarded by, the Justices at such General or Quarter Session; and the said Justices at such Session, upon due Proof of such Notice having been given as aforesaid, and of the entering into such Recognizance, shall hear and finally determine the Matter of such Appeal in a summary Way, and award such Costs to the Parties appealing or appealed against, as the said Justices shall think proper; and the Determination of such Justices thereupon shall be final, binding, and conclusive to all Parties.

giving 14 Days Notice.

Limitation of Actions.

XLV. And be it further enacted, That in case any Action or Suit shall be commenced or prosecuted against any Person or Persons for any Thing done in pursuance of this Act, twenty-one Days previous Notice thereof shall be given to the Clerk or Treasurer to the said Trustees; and every such Action or Suit shall be commenced within six Calendar Months next after the Cause of Action shall arise, and not afterwards, and shall be laid or brought in the County of *Cardigan*, and not elsewhere; and the Defendant or Defendants in all Actions or Suits so brought, shall and may plead the General Issue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act: And if it shall appear to have been so done, or that such Action or Suit was brought after the Time before limited, or shall be brought in any other County or Place, that then the Jury shall find a Verdict for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or suffer a Discontinuance of his, her, or their Action or Suit after the Defendant or Defendants shall have appeared; or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover Treble Costs, and have the like Remedy for the same as any Defendant or Defendants hath or have for Costs of Suit in other Cases by Law.

General Issue.

Treble Costs.

Public Act.

XLVI. And be it further enacted, That this Act shall be adjudged, deemed, and taken to be a public Act; and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons whomsoever, without specially pleading the same.

## CAP. XXVII.

### An Act for building a Bridge across the River *Wye*, between *Whitney* and *Clifford*, in the County of *Hereford*.

Preamble.

'WHEREAS the Ferry over the River *Wye*, between the Villages of *Whitney* and *Clifford*, in the County of *Hereford*, is frequently very dangerous, and sometimes impassable; and it would be of great Convenience to the Public, if a proper and substantial Bridge, for the Passage of Carriages, was built over the said River, at or near the said Ferry: And whereas *Tomkyns Dew* Esquire (Lord of the Manor of *Whitney* and *Clifford* aforesaid) is Owner of the said Ferry, and of the Soil of the Waste and other Lands on each Side the River: And whereas *Thomas Weale* of the said Parish of *Whitney*, *Francis Eves* of *The Hay*, in the County of *Brecon*, *Charles Haywood* of *The Sheepcott*, in the Parish of *Clifford* aforesaid, *Lewis Chambers* of the said Parish of *Clifford*, and *John Philips* of *The Hay* aforesaid, Gentlemen, are willing, at their own Expence, to undertake to build, support, and maintain, such Bridge as aforesaid; and the said *Tomkyns Dew* is consenting thereto, upon having a reasonable Compensation made to him for his said Ferry: But although the building such Bridge as aforesaid will be of public Utility, yet the same cannot be effected without the Aid and Authority of Parliament:' May it therefore please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said *Thomas Weale*, *Francis Eves*, *Charles Haywood*, *Lewis Chambers*, and *John Phillips*, are hereby appointed Undertakers for building, supporting, and maintaining the said Bridge; and that it shall and may be lawful for the said Undertakers, their Heirs and Assigns, and they are hereby authorised, impowered, and required, within the Space of three Years next after the passing of this Act, at their own proper Costs and Charges, by themselves, their Deputies, Agents, Officers, Workmen, Servants, and others, to build a good and substantial

Undertakers impowered to build a Stone Bridge across the River Wye.

Stone

Stone Bridge across the said River, at or near the said Ferry, fit and proper for the Passage of Travellers and Carriages, and to keep the same in good Repair for ever; and for that Purpose, to cause any Shelves or other Obstructions in the said River to be removed, and all Beds of Gravel, Sand, Mud, or other Impediment, to be taken away, and the Banks of the said River to be dug and cut, in such Manner as shall be necessary and proper for building the said Bridge; and from Time to Time, and at all Times hereafter, to do, or cause to be done, all other Things necessary and convenient for erecting, supporting, and maintaining the said Bridge; and after the said Bridge shall be built as aforesaid, the same shall for ever be and remain a public Bridge; and all Persons, Horses, Cattle, and Carriages, shall have free Liberty (upon Payment of the respective Tolls herein-after granted) to pass over the same, without any Hindrance or Interruption of or by the said Undertakers, their Heirs or Assigns, or any other Person or Persons whomsoever.

The Bridge to be a public one.

II. Provided always, That nothing herein-before contained shall restrain the said Undertakers, their Heirs and Assigns, from making Use of Bricks, for the Purpose only of turning the Arches and Upper Works of the said Bridge.

Bricks may be used for turning the Arches.

III. Provided also, That the Center or Middle Arch of the said Bridge shall be at least thirty Feet wide in the Clear, and at least fifteen Feet high above the usual Height of the Water in the said River, in order that a sufficient Passage may be left for the Navigation of Boats, Barges, and other Vessels; and that the Carriage Way over the said Bridge shall be twelve Feet wide at the least, any Thing in this Act to the contrary notwithstanding.

Dimensions of the Middle Arch, &c.

IV. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said Undertakers, their Heirs and Assigns, to inclose a Piece of Ground, Part of the Commons and Waste Lands within the said Manors, contiguous to the said Bridge, not exceeding one Acre, and to build a Toll-house upon Part thereof, and to make Use of the Remainder for a Yard and Garden to such Toll-house, or for such other Purpose as they shall think proper; and when the said Piece of Ground shall be so inclosed, the same shall be, and is hereby vested in the said Undertakers, their Heirs and Assigns, for ever, without making any Recompence for the same to the said *Tomkyns Dew*, or any other Person or Persons whomsoever.

Undertakers may inclose a Piece of Common for building a Toll-house, &c.

V. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said Undertakers, their Heirs and Assigns, their Servants and Workmen, from Time to Time to search for and dig, and to take and carry away, such Quantity or Quantities of Stones as they shall think proper, in, upon, and from any of the Lands belonging to the said *Tomkyns Dew*, within the said Manors, for the Purpose only of building and repairing the said Bridge and Toll-house, they the said Undertakers, their Heirs and Assigns, making Satisfaction to the Occupiers of such Lands, for the Damage that shall be done thereby; and that it shall and may also be lawful for the said Undertakers, their Heirs and Assigns, their Servants and Workmen, from Time to Time, to search for and dig Sand and Gravel, and also Brick-earth or Clay, and to make and burn Bricks in and upon any of the Commons and Waste Lands within the said Manors, and to carry away such Sand, Gravel, Earth, or Clay, and Bricks, for the Purpose only of building and repairing the said Bridge and Toll-house, without making any Recompense for the same to the said *Tomkyns Dew*, or to any other Person whomsoever; they the said Undertakers, their Heirs and Assigns, their Servants and Workmen, filling up the Pits, and levelling the Ground from whence such Stones, Gravel, Sand, Earth, or Clay shall be taken, so that the same shall not be dangerous to Passengers or Cattle.

Undertakers may get Stones and Materials within the Manors.

VI. And be it further enacted, That the said Bridge and Toll-house, and also any Turnpike, or other Matter or Thing, which may be erected or made by virtue of this Act; and all the Stones, Bricks, and other Materials, which shall be provided for making and repairing the same, shall be, and are hereby vested in the said Undertakers, their Heirs and Assigns; and they are hereby authorised and impowered, in the Name of any one of them, to bring, or cause to be brought, any Action or Actions, or to prefer and prosecute, or order and direct the preferring and prosecuting of, Indictments against any Person or Persons who shall steal, take, or carry away, any of the said Stones, Bricks, or Materials, or do any Act to hinder or obstruct any Person or Persons employed by the said Undertakers, their Heirs or Assigns, in the Execution of this Act.

Bridge, &c and Materials vested in the Undertakers.

VII. And be it further enacted by the Authority aforesaid, That if any Person shall wilfully or maliciously pull down, destroy, or damage, or attempt to pull down, destroy, or damage, the said Bridge, or any Part thereof, or any Toll-house to be erected at or near the same, every Person so offending, and being thereof lawfully convicted, shall be subject and liable to the like Pains and Penalties as in Cases of Felony; and the Court by and before whom such Person or Persons shall be tried, shall, and have hereby Power and Authority to cause such Person or Persons to be punished in like Manner as Felons are directed to be punished by the Laws and Statutes of this Realm; or in Mitigation of such Punishment such Court may, if they think fit, award such Sentence as the Law directs in Cases of Petit Larceny.

Punishment for wilfully damaging the Bridge.

VIII. And be it further enacted by the Authority aforesaid, That if the Person or Persons having the Care of any Boat, Barge, or other Vessel, which shall be navigated upon the said River, shall wilfully, carelessly, or negligently, cause, permit, or suffer any Damage or Injury to be done to the said Bridge, by any such Boats, Barges, or other Vessels; then, and in every such Case, the Owner or Owners of every such Boat, Barge, or other Vessel, shall be answerable and liable to make Satisfaction to the said Undertakers, their Heirs and Assigns, for all such Damage or Injury; and in Default of Payment of such Satisfaction upon Demand, the said Undertakers, their Heirs or Assigns, are hereby authorised and impowered, in the Name of any one of them, to sue the Owner or Owners of such Boat, Barge, or Vessel, in any Court of Record at *Westminster*, for the Trespass or Damage which shall be so done.

Barge Owners to be answerable for Damages done by their Servants.

IX. And be it further enacted and declared by the Authority aforesaid, That the said Bridge shall not be rated or assessed for or towards any Public or Parish Rate, Tax, or Duty whatsoever, but shall be deemed extra-parochial, to all Intents and Purposes; and that the said Bridge shall not be adjudged or

The Bridge to be deemed extra-parochial and not a County Bridge.

taken to be a County Bridge, or to subject the County of *Hereford* to the repairing, amending, or supporting the same; any Law or Statute to the contrary hereof notwithstanding.

'X. And, in order the better to enable the said Undertakers, their Heirs and Assigns, to defray the 'Expence of building and supporting the said Bridge;' be it further enacted by the Authority aforesaid, That as soon as the said Bridge shall be made fit for the Passage of Travellers and Carriages, it shall and may be lawful for the said Undertakers, their Heirs and Assigns, or such Person or Persons as they shall by Writing under their Hands and Seals appoint, from Time to Time, and at all Times hereafter, to demand, collect, and receive, to and for the only proper Use and Behoof of the said Undertakers, their Heirs and Assigns, before any Person on Foot, or any Horses, Cattle, or Carriages shall be permitted to pass over the said Bridge, such Tolls as they the said Undertakers, their Heirs or Assigns, shall think proper, not exceeding the respective Sums following; (that is to say) Undertakers authorised to collect Tolls.

For every Foot Passenger, the Sum of one Halfpenny:
For every Horse, Mare, Gelding, Ox, or other Beast, drawing any Carriage, the Sum of three Pence:
For every Horse, Mare, Gelding, Mule, or Ass, laden or unladen and not drawing, the Sum of one Penny:
For every Score of Oxen, Cows, or Neat Cattle, the Sum of ten Pence; and so in Proportion for any greater or less Number:
And for every Score of Calves, Hogs, Sheep, or Lambs, the Sum of five Pence; and so in Proportion for any greater or less Number: The Tolls.

Which said respective Tolls shall be, and are hereby vested in the said Undertakers, their Heirs and Assigns, and shall be paid to them accordingly; and if any Person liable to pay the said Tolls shall, after Demand made thereof by the said Undertakers, their Heirs or Assigns, or any of them, or any Person or Persons to be appointed the Collector thereof as aforesaid, refuse or neglect to pay the same, that then, and in every such Case, it shall and may be lawful for such Collector or Collectors to stop and prevent the Passage of the Person so refusing or neglecting, or of the Horses, Cattle, or Carriages, for which such Tolls ought to be paid, until full Payment be made thereof. Tolls vested in Undertakers.

XI. Provided always, That no Toll shall be demanded or taken, by virtue of this Act, for or in respect of any Soldiers on Foot, or of any Horses belonging to Officers or Soldiers upon their March, or upon Duty; or for any Horses, Cattle, or Carriages, employed in carrying or conveying the Arms or Baggage of any such Officers or Soldiers, or in carrying any sick, wounded, or disabled Officers or Soldiers. Exemptions from Toll.

XII. And be it further enacted, That if any Person shall take off, or cause to be taken off, any Horse or other Beast, from any Carriage, before the same shall pass through the Gate or Turnpike to be erected at or upon the said Bridge, with Intent to avoid the Payment of the Tolls hereby granted; or shall forcibly pass through any such Gate or Turnpike without having paid the said Tolls; or shall assault, interrupt, or obstruct any Person employed in the Collection of the said Tolls; or if the Owner or Occupier of any Lands or Grounds shall suffer any Person to pass through the same, whereby the Payment of any of the Tolls hereby granted shall be evaded, every Person offending in any of the Cases aforesaid, shall, for every such Offence, forfeit the Sum of ten Shillings, for the Use of the said Undertakers, their Heirs and Assigns; and in case such Forfeiture be not forthwith paid, the same shall, upon Proof of the Offences respectively before any Justice of the Peace for the said County of *Hereford*, either by the Confession of the Party or Parties, or by the Oath of one credible Witness (which Oath such Justice is hereby impowered to administer), be levied and recovered by Distress and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant or Warrants under the Hand and Seal of such Justice (which Warrant or Warrants such Justice is hereby impowered to grant), and the Overplus, after such Forfeiture, and the Charges of such Distress and Sale, are deducted, shall be returned, upon Demand, to the Owner or Owners of such Goods and Chattels. Penalty on evading the Tolls.

XIII. And be it further enacted, That in case the said Bridge shall at any Time become impassable or unsafe for Travellers and Carriages, it shall and may be lawful for the said Undertakers, their Heirs or Assigns, and they are hereby required, during all such Time as the said Bridge shall be impassable or unsafe as aforesaid, to provide a proper and convenient Ferry for the Passage of Travellers, Horses, Cattle, and Carriages over the said River, as near to the said Bridge as conveniently may be; and it shall and may be lawful for the said Undertakers, their Heirs or Assigns, or their Collector or Collectors of the Tolls, to demand, collect, and receive, for the Passage of such Travellers, Horses, Cattle, and Carriages, in the said Ferry, before the same shall be permitted to pass, the like Tolls as are hereby authorised to be taken for passing over the said Bridge. Ferry to be provided, in case the Bridge shall become impassable.

'XIV. And whereas it is agreed, that the Compensation to be made for the said Ferry should be ascertained 'by a Jury, to be impannelled for that Purpose as herein-after mentioned;' be it therefore enacted by the Authority aforesaid, That after the said Bridge shall be made fit for the Passage of Travellers and Carriages as aforesaid, the said *Tomkyns Dew*, or the Lord of the said Manors for the Time being, shall, and is hereby required to cause twenty Days Notice, at the least, to be given to the said Undertakers, their Heirs or Assigns, or to one of them, purporting, that the Compensation to be made for the said Ferry will be ascertained and awarded by a Jury, at some General Quarter Session of the Peace to be holden for the said County, within four Calendar Months next after the said Bridge shall be made fit for the Passage of Travellers and Carriages as aforesaid, to be mentioned in such Notice; and the Justices at such Session, or the Adjournment thereof, upon Application made to them by the said *Tomkyns Dew*, or the Lord of the said Manors for the Time being, and upon Proof of such Notice having been given as aforesaid, shall, and are hereby authorised and required to charge a Jury to be impannelled and returned by the Sheriff of the The Compensation to be made for the Ferry, to be ascertained by a Jury.

said County, without Fee or Reward, consisting of twelve substantial and disinterested Persons, qualified to serve on Juries, upon the Trial of Issues at Law, and to cause them to be sworn, well and truly, on their Oaths, to ascertain and award the Compensation to be made for the said Ferry; to which said Jury the Parties interested shall have their lawful Challenges, when they come to be sworn; and any one Justice of the Peace for the said County is hereby authorised and impowered (upon Application made to him by any of the Parties interested) by Warrant under his Hand and Seal, to call before the Justices at such Session, or the Adjournment thereof, any Person or Persons who shall be thought proper to be examined touching or concerning the Premises; and the said Jury upon their Oaths (which Oaths, and also the Oaths to be taken by the Persons who shall appear to be examined and give Evidence as aforesaid, any one of the said Justices is hereby impowered and required to administer) shall enquire touching the Value of the said Ferry, and shall ascertain and award what annual Sum of Money shall be paid by the said Undertakers, their Heirs or Assigns, to the said *Tomkyns Dew*, or the Lord of the said Manors for the Time being, or his Lessee of the said Ferry, as a Compensation for the same, and also the respective Times of Payment thereof; and the said Justices shall and may give Judgment for the Money so to be ascertained and awarded by the said Jury as aforesaid; which Verdict of the said Jury, and the Judgment thereupon declared and pronounced by the said Justices, shall be binding and conclusive, to all Intents and Purposes whatsoever, upon all the Parties interested, and shall be fairly entered and kept amongst the Records of the Quarter Sessions for the said County; and the same, or true Copies thereof, shall be deemed and taken as good Evidence and Proof, in any Court of Law or Equity whatsoever; and all Persons may have Recourse thereto, and may take Copies thereof, or Extracts therefrom, on paying the usual Fees paid in Cases of the like Nature.

Jurors may be challenged.

Witnesses may be examined on Oath.

Verdict of Jury, &c. to be binding on all Parties.

The Money adjudged by the Jury, to be paid to Mr. Dew.

XV. And be it further enacted, That after the said Verdict shall have been given, and Judgment thereon declared and pronounced, as aforesaid, the said Undertakers, their Heirs or Assigns, shall pay, or cause to be paid, to the said *Tomkyns Dew*, or the Lord of the said Manors for the Time being, or his Lessee of the said Ferry, the said annual Sum of Money, and at the Time or Times to be ascertained and awarded by the said Jury as aforesaid; and in Default of such Payment, the said *Tomkyns Dew*, and the Lord of the said Manors for the Time being, or the Lessee of the said Ferry, shall and may have, use, exercise, and take, such and the same Powers and Remedies, by Action, or by Entry, Distress and Sale, or otherwise, for recovering the said Sum or Sums of Money from the said Undertakers, their Heirs or Assigns, as by the Laws now in Force are provided for and given to Landlords, or as they can use and take for Recovery of Rack Rents in Arrear.

Persons aggrieved may appeal to the Quarter Session, giving 21 Days Notice.

XVI. And be it further enacted, That if any Person shall think himself or herself aggrieved by any Thing done in pursuance of this Act, such Person may appeal to the Justices, at any General Quarter Session of the Peace to be holden for the said County of *Hereford*, within four Calendar Months after the Cause of Complaint shall have arisen, the Person appealing first giving, or causing to be given, twenty-one Days Notice in Writing, of his or her Intention to bring such Appeal, and of the Cause or Matter thereof, to the said Undertakers, their Heirs or Assigns, or to one of them, or to their Collector; and within seven Days after such Notice, entering into a Recognizance before some Justice of the Peace for the said County of *Hereford*, with two sufficient Sureties, conditioned to try such Appeal, and abide the Order of, and to pay such Costs as shall be awarded by, the Justices at such Session; and the Justices at the said Session, upon due Proof of such Notice being given as aforesaid, and of the entering into such Recognizance, shall hear and finally determine the Matter of every such Appeal, in a summary Way, and award such Costs to the Party appealing or appealed against, as the said Justices shall think proper; and such Determination shall be binding and conclusive to all Intents and Purposes.

Limitation of Actions.

General Issue.

Treble Costs.

XVII. And be it further enacted, That if any Action or Suit shall be brought or prosecuted against any Person or Persons, for any Thing done in pursuance of this Act, every such Action or Suit shall be commenced within three Calendar Months next after the Fact committed, and not afterwards, and shall be laid and tried in the County of *Hereford*, and not elsewhere; and the Defendant or Defendants in such Action or Suit shall and may plead the General Issue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act: And if the same shall appear to have been so done, or if any such Action or Suit shall be brought after the Time before limited for bringing the same, or shall be brought in any other County than as aforesaid, then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or suffer a Discontinuance of his, her, or their Action or Suit, after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have Treble Costs, and shall have such Remedy for the same as any Defendant or Defendants hath or have for Costs of Suit, in any other Cases by Law.

Public Act.

XVIII. And be it further enacted, That this Act shall be deemed a Public Act; and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons whomsoever, without specially pleading the same.

CAP.

## CAP. XXVIII.

An Act for granting to his Majesty several additional Duties on Advertisements; and certain Duties on Receipts for Legacies, or for any Share of a Personal Estate divided by force of the Statute of Distributions, or the Custom of any Province or Place.

'Most Gracious Sovereign,

'WE, your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain*, in Parliament assembled, towards raising, by the most easy Means, the necessary Supplies to defray your Majesty's public Expences, have freely and voluntarily resolved to give and grant unto your Majesty the several Rates and Duties and Sums of Money herein-after mentioned; and do most humbly beseech your Majesty that it may be enacted;' and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, from and after the first Day of *June*, one thousand seven hundred and eighty, there shall be raised, levied, collected, and paid, throughout the Kingdom of *Great Britain*, unto and for the Use of his Majesty, his Heirs and Successors,

Preamble.

After June 1, 1780, the following Duties to be paid to his Majesty:

For every Advertisement to be contained in the *London Gazette*, or any other printed Paper in *Great Britain*, to be dispersed and made public weekly or oftener, over and above all other Rates and Duties now imposed, there be charged an additional Duty of six Pence:

An additional Duty of 6d. on all Advertisements:

For every Advertisement to be contained in or published with any Paper or Pamphlet whatsoever, printed in *Great Britain*, to be dispersed or made public yearly, monthly, or at any other Interval of Time exceeding one Week, over and above all other Rates and Duties now imposed thereon, there be charged an additional Duty of six Pence:

For every Skin or Piece of Vellum or Parchment, or Sheet or Piece of Paper, upon which any Receipt or other Discharge for any Legacy left by any Will, or other Testamentary Instrument, or for any Share or Part of a personal Estate divided by force of the Statute of Distributions, or the Custom of any Province or Place, shall be ingrossed, written, or printed, the Amount whereof shall not exceed the Value of twenty Pounds, a Stamp-duty of two Shillings and six Pence; and where the Amount thereof shall be of the Value of twenty Pounds, and not amounting to one hundred Pounds, a Stamp-duty of five Shillings; and where the Amount thereof shall be of the Value of one hundred Pounds and upwards, a Stamp-duty of twenty Shillings be charged thereon.

A Duty on Receipts for Legacies left by Will, &c. after the following Rate; not exceeding 20l.—2s. 6d; between 20l. and 100l.—5s; 100l. and upwards, 20s.

II. And be it further enacted by the Authority aforesaid, That, for the better and more effectual levying, collecting, and paying all the said Duties herein-before granted, the same shall be under the Government, Care, and Management of the Commissioners for the Time being appointed to manage the Duties charged on stamped Vellum, Parchment, and Paper, who, or the major Part of them, are hereby required and impowered to employ the necessary Officers under them for that Purpose, and to use and provide such Stamps to denote the said several Duties as shall be requisite in that Behalf, and to do all other Things necessary to be done for putting this Act in Execution, with relation to the said Rates and Duties herein-before granted, in the like and in as full and ample Manner as they, or the major Part of them, are authorised to put in Execution any former Law concerning stamped Vellum, Parchment, and Paper.

Duties to be under the Management of Commissioners of Stamps.

'III. And, for better securing the said Stamp-duties hereby imposed,' be it further enacted by the Authority aforesaid, That all Vellum, Parchment, or Paper, upon which any such Receipt or other Discharge for any Legacy left by any Will, or other Testamentary Instrument, or any Part thereof, or for any Share or Part of a personal Estate, divided by force of the Statute of Distributions, or the Custom of any Province or Place, or any Part thereof, shall, before the same shall be ingrossed, written, or printed, be brought to the Head Office for stamping and marking of Vellum, Parchment, and Paper; and the said Commissioners, by themselves or their Officers, shall from Time to Time stamp or mark as this Act directs, any Quantities of Vellum, Parchment, or Paper, upon Payment of the said Duty, the said Duty to be paid by the Person or Persons giving such Receipt or other Discharge; and if any Receipt or other Discharge, so hereby directed to be stamped, shall not be marked or stamped as by this Act is directed, or shall be marked or stamped for a lower Duty than as aforesaid, no such Receipt shall be pleaded or given in Evidence in any Court, or admitted in any Court to be good, useful, or available, in Law or Equity.

Parchment, &c. to be brought to the Stamp-office to be stamped, before any Receipt for a Legacy, &c. shall be written or printed thereon.

Receipts, if not properly stamped, not to be admitted as Evidence.

IV. And be it further enacted by the Authority aforesaid, That the same Allowance shall be made on present Payment of the several Duties granted by this Act, in such Manner as by any former Law relating to stamped Vellum, Parchment, and Paper, is directed and allowed.

Usual Allowance to be made for present Payment.

V. And be it further enacted by the Authority aforesaid, That such Stamps as the said Commissioners are hereby directed and authorised to provide and use, shall and may be altered and renewed in such Manner as any other Stamps on Vellum, Parchment, or Paper, are by any former Law relating to stamped Vellum, Parchment, or Paper, directed to be altered and renewed.

Stamps may be altered and renewed.

VI. And be it further enacted by the Authority aforesaid, That if any Person shall counterfeit or forge, or procure to be counterfeited or forged, any Seal, Stamp, or Mark, directed or allowed to be used by this Act for the Purpose of denoting the Duties by this Act granted, or shall counterfeit or resemble the Impression of the same, with an Intent to defraud his Majesty, his Heirs and Successors, of any of the said Duties, or shall privately or fraudulently use any Seal, Stamp, or Mark, directed or allowed to be used by this Act, with Intent to defraud his Majesty, his Heirs and Successors, of any of the said Duties; every

If any Person shall counterfeit any Stamp directed to be used by this Act, &c. with Intent to defraud his Majesty, such Person shall suffer Death as a Felon.

every Person so offending, and being thereof lawfully convicted, shall be adjudged a Felon, and shall suffer Death as in Cases of Felony, without Benefit of Clergy.

All Powers, Clauses, &c. appointed by former Acts relating to Stamp-duties, to be in Force in raising, collecting, &c. the new Duties imposed by this Act.

VII. And be it further enacted by the Authority aforesaid, That all Powers, Provisions, Articles, Clauses, Distribution of Penalties and Forfeitures, and all other Matters and Things prescribed or appointed by any former Act or Acts of Parliament relating to the Stamp-duties on Vellum, Parchment, and Paper, shall be of full Force and Effect, with relation to the Rates and Duties hereby imposed, and shall be applied and put in Execution for the raising, levying, collecting, and securing the said new Rates and Duties hereby imposed, according to the true Intent and Meaning of this Act, as fully, to all Intents and Purposes, as if the same had severally and respectively been hereby enacted, with relation to the said new Rates and Duties hereby imposed.

Receiver-general of Stamp-duties to keep a separate Account of the new Duties, and pay them into the Exchequer, &c.

VIII. And be it further enacted by the Authority aforesaid, That the several Rates and Duties hereinbefore granted, shall be paid from Time to Time into the Hands of the Receiver-general for the Time being of the Duties on Stamped Vellum, Parchment, and Paper, who shall keep a separate and distinct Account of the several Rates and Duties, and pay the same (the necessary Charges of raising, paying, and accounting for the same, being deducted) into the Receipt of the Exchequer, for the Uses and Purposes in this Act mentioned, at such Time and in such Manner as any former Duties on stamped Vellum, Parchment, or Paper, are directed to be paid.

A separate Account to be kept, in the Auditor's Office, of all Monies produced by this Act.

How to be applied.

IX. And be it further enacted by the Authority aforesaid, That there shall be provided and kept in the Office of the Auditor of the said Receipt of Exchequer, a Book or Books, in which all the Monies arising from the said several Rates and Duties, and paid into the said Receipt as aforesaid, shall be entered separate and apart from all other Monies paid and payable to his Majesty, his Heirs and Successors, upon any Account whatsoever; and the said Money so paid into the said Receipt of Exchequer as aforesaid, shall, together with such other Rates, Duties, and Revenues as shall be granted by any Act or Acts of this Session of Parliament for this Purpose, be a Fund for the Payment of the several Annuities, and all such other Charges and Expences as are directed to be paid and payable pursuant to an Act of this present Session of Parliament, intituled, *An Act for raising a certain Sum of Money by way of Annuities, and for establishing a Lottery.*

Persons sued in the Execution of this Act,

may plead the General Issue,

and recover Treble Costs.

X. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall at any Time or Times be sued, molested, or prosecuted, for any Thing by him or them done or executed in pursuance of this Act, or of any Clause, Matter, or Thing herein contained, such Person or Persons shall and may plead the General Issue, and give the special Matter in Evidence for his or their Defence; and if upon the Trial a Verdict shall pass for the Defendant or Defendants, or the Plaintiff or Plaintiffs shall become nonsuited, then such Defendant or Defendants shall have Treble Costs awarded to him or them against such Plaintiff or Plaintiffs.

## CAP. XXIX.

An Act to protect Goods or Merchandise, of the Growth, Produce, or Manufacture of the Islands of *Grenada* and the *Grenadines*, on Board Neutral Vessels bound to Neutral Ports, during the present Hostilities.

Preamble.

'WHEREAS, during the present Hostilities with *France*, the Islands of *Grenada* and the *Grenadines* 'have been taken by the *French* King: And whereas it is just and expedient to give every possible 'Relief to the Inhabitants and Proprietors of Estates in the said Islands:' May it therefore please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, from and after the passing of this present Act, no Goods or Merchandise of the Growth, Produce, or Manufacture of the said Islands of *Grenada* or the *Grenadines*, which shall be found on Board any Neutral Ship or Vessel bound from any of the said Islands to any Neutral Port, nor any such Ship or Vessel on Board which such Goods or Merchandise shall be laden, if taken by any of his Majesty's Ships or Vessels of War, or by any private Ship or Vessel having Letters of Marque or General Reprisals, shall be liable to Confiscation or Condemnation as lawful Prize; any Thing in an Act made in the last Session of Parliament, intituled, *An Act for the Encouragement of Seamen, and the more speedy and effectual manning his Majesty's Navy*, or any other Law or Statute, to the contrary thereof in anywise notwithstanding.

Goods the Produce or Manufacture of Grenada or the Grenadines, on Board Neutral Vessels, bound to any Neutral Port, not liable to Condemnation as Prize.

'II. And, in order to ascertain that the said Goods and Merchandise are really and *bona fide* of the 'Growth, Produce or Manufacture of any of the said Islands,' be it further enacted by the Authority aforesaid, That the Master, Commander, or other Person having the Charge of such Ship or Vessel, shall, before his Departure from any Port or Place in the said Islands, be furnished with a Manifest in Writing, specifying the Particulars of the whole Cargo of such Ship or Vessel, with the Marks and Numbers of each Package containing the same, as also the Port or Place to which such Ship or Vessel is bound; which Manifest shall subscribed by any five of the following Persons; *(videlicet) Charles Grant, William Johnston, Alexander Scott, James Stewart, William Niccoll, William Lucas, Alexander Symson, Samuel Williams, John Nelson, George Campbell, Robert Threlfal, Henry Palmer, John Pegus, Alexander Fraser, James Wilkinson, John Lesly, David Mill, Thomas Campbell, Edmund Thornton, Fergus Paterson, James Campbell, Alexander Cockburn, David Young, Alexander Campbell, Ninian Home, Edmund Proudfoot, James Baillie, Patrick Maxwell, Thomas Townsend, Robert Bogle, Richard Oliver, James Taylor, William Smith, Alexander Stewart, Frederick Corsar, Robert Lang, John Castles, Andrew Irvin, Robert Harvey, Peter Gordon, Andrew Grant, Joseph Cumming, John Urquhart, Peter Pegus, John Grant, Walter Todd*, all of which Persons reside in the

Master of every such Vessel, before he leaves the said Islands, shall be furnished with a Manifest specifying the Particulars of his Cargo, &c.; which Manifest shall be subscribed by five Persons.

the said Islands; and if any such Ship or Vessel shall be taken or surprised on her Voyage by any of his Majesty's Ships or Vessels of War, or by any private Ship or Vessel having Letters of Marque or General Reprisals, then the Master or Commander, or other Person having the Charge of such Ship or Vessel, shall produce such Manifest to the Captain, or other Commanding Officer, of any of his Majesty's Ships or Vessels of War, or to the Master or Commander of such private Ship or Vessel having such Letters of Marque or General Reprisals, who shall immediately release such Neutral Ship or Vessel, and the Goods and Merchandises on Board the same; any Law, Custom, or Usage to the contrary in anywise notwithstanding.

If any such Vessel shall be taken by a King's Ship or Privateer, on producing the said Manifest to the Captain, &c. she shall be immediately released.

III. And be it further enacted by the Authority aforesaid, That no Goods or Merchandise, of the Growth, Produce, or Manufacture of the said Islands, which shall be found on Board any Drogher or other Vessel, employed for conveying the same from one Bay of the said Islands to another, for the Purpose of loading the same on Board any Neutral Ship or Vessel, for any Neutral Port, shall be liable to Confiscation or Condemnation as lawful Prize.

Goods found on Board any Drogher employed in conveying the same from Bay to Bay, &c. not liable to Condemnation.

IV. Provided always, That nothing contained in this Act shall extend, or be construed to extend, to protect from Condemnation any Goods or Merchandise which shall be found on Board any Ships or Vessels which may have taken in any Part of their Loadings or Cargoes at any other Island than *Grenada* or the *Grenadines*, the Whole of which Loadings or Cargoes shall be liable to Confiscation and Condemnation as lawful Prize; any Thing in this Act to the contrary in anywise notwithstanding.

This Act not to protect any Vessels, except their whole Cargo was taken in at Grenada or the Grenadines:

V. Provided always, and be it enacted, That nothing contained in this Act shall extend, or be construed to extend, to affect any Sentence of any Court of Vice-admiralty respecting any Goods or Merchandise of the Growth, Produce, or Manufacture of the said Islands of *Grenada* and the *Grenadines*, that may have been, or may be, condemned by any such Court, on or before the first Day of *June*, one thousand seven hundred and eighty.

Nor to affect the Sentence of any Vice-admiralty Court previous to June 1, 1780.

VI. Provided also, That no Captain, or other Commanding Officer of any of his Majesty's Ships or Vessels of War, or the Master or Commander of any Private Ship or Vessel having Letters of Marque or General Reprisal, shall be liable to any Suit or Action for or on account of having detained any Ships or Vessels, Goods or Merchandise, which, by virtue of this Act, are not subject to Confiscation, in case it shall appear that such Captain or other Commanding Officer of any of his Majesty's Ships or Vessels of War, or such Master or Commander of any private Ship or Vessel having Letters of Marque or General Reprisal, has not had Knowledge of the passing of this Act at the Time of the Capture; provided that such Captain or other Commanding Officer, or such Master or Commander, shall immediately, on receiving Notice of this Act, make full and complete Restitution of such Ships or Vessels, Goods or Merchandise, to the Owners thereof, according as the Case may be.

Commanders of King's Ships, &c. not liable to any Action for detaining Vessels contrary to this Act, if they were ignorant of the passing thereof at the Time of the Capture, &c.

## CAP. XXX.

### An Act for granting to his Majesty several additional Duties upon Wines and Vinegar imported into this Kingdom.

'Most Gracious Sovereign,

'WE, Your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain*, in Parliament 'assembled, towards raising by the most easy Means the necessary Supplies to defray your Majesty's 'public Expences, have freely and voluntarily resolved to give and grant unto your Majesty the several 'Rates, Duties, and Impositions, herein-after mentioned; and do most humbly beseech your Majesty 'that it may be enacted;' and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, from and after the tenth Day of *May*, one thousand seven hundred and eighty, over and above all Subsidies of Tonnage and Poundage, and all other Subsidies, additional Duties, and Impositions, whatsoever, due and payable for all Wines and Vinegar imported into *Great Britain*, by any Act or Acts of Parliament now in force, there shall be raised, levied, collected, and paid unto his Majesty, his Heirs and Successors (before landing thereof), the additional Impositions, Rates or Duties following, without any Discount or Deduction inwards whatsoever; (that is to say),

Preamble.

After May 10, 1780, the following additional Duties to be laid on Wines and Vinegar imported into Great Britain, viz.

For every Ton of *French* Wine and *French* Vinegar which shall be imported into this Kingdom, the Sum of eight Pounds; and so after that Rate for any greater or lesser Quantity:

And also for every Ton of all other Wines and Vinegar imported into this Kingdom, the Sum of four Pounds; and so after that Rate for any greater or lesser Quantity.

On French Wine and Vinegar 8*l.* per Ton;

and on all other Wines and Vinegar, 4*l.* per Ton.

II. Provided always, That nothing in this Act contained shall extend, or be construed to extend, to lay any further Duties upon Wines damaged, corrupt, or unmerchantable, and for which the Merchants or Importers thereof shall refuse to pay or secure the Duties; and which by an Act, passed in the twelfth Year of the Reign of his late Majesty King *George* the First, intituled, *An Act for the Improvement of his Majesty's Revenues of Customs, Excise, and inland Duties*, are, on such Refusal, directed to be received into the Custody of proper Officers of the Customs, to be publicly sold, in order to be distilled into Brandy, or to be made into Vinegar.

No additional Duty to be laid on damaged Wines.

III. And it is hereby further enacted by the Authority aforesaid, That the said additional Duties hereinbefore granted, shall be also subject and liable to an additional Impost or Duty of five Pounds *per Centum*, in the same Manner, and under the same Regulations, as the additional Duty of five Pounds *per Centum* is

The Duties above mentioned liable to an additional Impost of 5 per Cent. in the same Manner as the

additional Duty of 5 per Cent. granted by 19 Geo. III. Cap. 25.

is granted to his Majesty, by an Act, made in the last Session of Parliament, intituled, *An Act for granting to his Majesty additional Duties upon the Produce of the several Duties under the Management of the respective Commissioners of the Customs and Excise in* Great Britain.

Duties to be levied and recovered in the same Manner as former Duties;

IV. And it is hereby further enacted by the Authority aforesaid, That the said several Duties and Impositions herein-before granted, shall be raised, levied, collected, paid, and recovered, in such Manner and Form, and by such Ways, Means, and Methods, and under such Penalties and Forfeitures (except where any Alteration is made by this Act), as the former Duties now payable to his Majesty upon such Articles respectively are raised, levied, collected, paid, and recovered, as fully and effectually to all Intents and Purposes, as if the several Clauses, Powers, Directions, Penalties, and Forfeitures, respectively, relating thereto, were particularly repeated and again enacted in the Body of this present Act; and the same shall be under the Management and Direction of the respective Commissioners of the Customs, and their Officers, for the Time being, and shall be paid into the Hands of the Receiver-general of the Customs in *England*, and shall be by him paid (the necessary Charges of raising, collecting, and answering the same, only excepted) into the Receipt of his Majesty's Exchequer, distinct and apart from all other Monies which such Receiver-general shall receive for the Use of his Majesty, his Heirs and Successors, for the Use and Purposes in this Act mentioned.

and to be under the Management of the Commissioners of the Customs, &c.

A separate Account to be kept in the Auditor's Office of all Monies paid in by Authority of this Act. Application thereof.

V. And be it further enacted by the Authority aforesaid, That there shall be provided and kept in the Office of the Auditor of the said Receipt of Exchequer, a Book or Books, in which all the Monies arising from the said several Rates and Duties, and paid into the said Receipt as aforesaid, shall be entered separate and apart from all other Monies paid and payable to his Majesty, his Heirs and Successors, upon any Account whatsoever; and the said Money so paid into the said Receipt of Exchequer as aforesaid, shall, together with such other Rates, Duties, and Revenues, as shall be granted by any Act or Acts of this Session of Parliament for this Purpose, be a Fund for the Payment of the several Annuities, and all such other Charges and Expences as are directed to be paid and payable pursuant to an Act of this present Session of Parliament, intituled, *An Act for raising a certain Sum of Money by Way of Annuities, and for establishing a Lottery.*

Upon the Exportation of any Wine from this Kingdom, Exporter to be allowed a Drawback of all the Duties laid hereon by this Act.

VI. Provided always, and it is hereby further enacted by the Authority aforesaid, That upon the Exportation of any Sort of Wine from this Kingdom to any Part or Place beyond the Seas, as Merchandise, the Exporter shall be paid and allowed a Drawback of all the before-mentioned Duties paid upon the Importation of such Wine, by virtue of this Act; which Drawback or Allowance shall be made in such Manner, and under such Rules, Regulations, Penalties, and Forfeitures, in all Respects, as any former Drawback or Allowance, payable out of the Duties of Customs upon the Exportation of such Wine, was, could, or might be made before the passing of this Act.

## CAP. XXXI.

### An Act for allowing a Bounty on the Exportation of *British* Corn and Grain, in Ships the Property of Persons of any Kingdom or State in Amity with his Majesty.

Preamble.

'WHEREAS much of the Shipping of this Kingdom, built in Times of Peace for the Purposes of Commerce, is now, in the present Time of War and Hostilities, employed in transporting your Majesty's Troops and Stores, and many Ships and Vessels, through the spirited Exertions of your Majesty's Subjects, are converted into private Ships of War, as also great Numbers of Seamen, taken from the Merchants Service, are in like Manner employed: And whereas, from these and other Effects of the War, the Exportation of Corn and Grain from *Great Britain* is so far interrupted, that it cannot now, with Advantage to the Farmer and Merchant, notwithstanding the Bounty granted thereon, be exported in *British* Shipping, the Master and Two-thirds at least of the Mariners being your Majesty's Subjects:' May it therefore please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, from and after the passing of this Act, there be allowed to the Exporters of Corn and Grain, who shall export the same in Ships or Vessels that are the Property of Persons of any Kingdom or States in Amity with his Majesty, his Heirs or Successors, one Moiety of the Bounty or Bounties respectively which is or are, by the Laws now in being, directed to be allowed to the Exporters of Corn and Grain the Growth of *Great Britain*, exported in *British* Shipping.

Exporters of British Corn in Vessels belonging to any State in Amity with his Majesty, to be allowed Half the usual Bounty.

II. Provided always, That the said Bounty or Bounties be allowed and paid under the like Conditions, Regulations, and Restrictions, as by the Laws now in being are directed to be observed in the Case of the said Corn or Grain exported in *British* Shipping; and that the Collector, or other proper Officer at the Ports or Places in this Kingdom from whence the same shall be exported, do first receive full and satisfactory Proof that the said Corn or Grain, for which the Bounty herein-before allowed is claimed, is wholly and entirely, without Mixture of any other, the Growth of *Great Britain*.

The said Bounty to be paid under the like Conditions, &c. as for Corn exported in British Shipping.

III. And be it further enacted by the Authority aforesaid, That this Act shall continue in Force until the twenty-fifth Day of *March*, which shall be in the Year of our Lord one thousand seven hundred and eighty-one.

Continuance of this Act.

CAP.

## CAP. XXXII.

An Act for enlarging the Powers of an Act made in the twentieth Year of his late Majesty King *George* the Second, *for building a Bridge cross the River* Thames *from the Parish of* Walton upon Thames, *in the County of* Surrey, *to* Shepperton, *in the County of* Middlesex.

Preamble. Act 20 Geo. II. recited.

'WHEREAS by an Act, made in the twentieth Year of the Reign of his late Majesty King *George* the Second, intituled, *An Act for building a Bridge cross the River* Thames *from the Parish of* Walton upon Thames, *in the County of* Surrey, *to* Shepperton, *in the County of* Middlesex, several Tolls, Duties, and Powers were given and granted to *Samuel Dicker*, Esquire, of the Parish of *Walton*, in the County of *Surrey*, to build a Bridge cross the River *Thames* from the said Parish of *Walton* to *Shepperton*, in the County of *Middlesex*; and a Bridge was accordingly built and passable for many Years: And whereas the said Bridge is now in a ruinous Condition, and, if not effectually repaired or rebuilt, will be manifestly to the Inconvenience of the Public: And whereas *Michael Dicker Saunders* of the City of *Exeter* is now sole Proprietor of the said Bridge, and hath proposed effectually to repair or rebuild the said Bridge cross the said River, conformable to the Powers and subject to the Provisoes in the said above-recited Act; but it having been found by Experience that the Pontage Toll or Duty for passing over the said Bridge, or any Part thereof, is greatly inadequate to the Expence of building and keeping in Repair the same;' be it therefore enacted, *&c.*

"*Michael Dicker Sanders*, of *Exeter*, impowered to take the following Tolls: For every Coach or other Vehicle, drawn by six Horses, or other Cattle, 2*s.* 6*d.*; by four Horses, 1*s.* 6*d.*; by less than four Horses, 1*s.*: For every Chaise, or other Vehicle, drawn by one Horse, 6*d.*: For every Waggon, or other Carriage, drawn by more than six Horses, or other Cattle, 2*s.*; by four Horses, 1*s.* 6*d.*; and by two or three Horses, 1*s.*; and by one Horse, 6*d.*: For every Horse, *&c.* 1*d.*: For every Foot Passenger, ½*d.*; and if with a Wheel-barrow, or such like Carriage, 1*d.*: For every Drove of Oxen or Neat Cattle, 1*s. per* Score: For every Drove of Calves, Hogs, Sheep, or Lambs, 6*d. per* Score. Toll to be paid every Time the Bridge is passed over. How to be levied. Persons unloading Carts, *&c.* to evade the Tolls, to forfeit 10*s.* 208 Feet to be left for the Passage of the Water. A Temporary Bridge may be erected. The same Tolls for passing over the same. Temporary Bridge to remain no longer than Bridge shall be rebuilt. Powers of former Act extended to this Act. Limitation of Actions. General Issue. Treble Costs. Public Act.

## CAP. XXXIII.

An Act to explain and amend an Act, made in the seventeenth Year of the Reign of his present Majesty, intituled, *An Act to repeal an Act, made in the twelfth Year of the Reign of King* Charles *the Second, intituled, 'The Master of the Rolls impowered to make Leases for 'Years, in order to new build the old Houses belonging to the Rolls;' and for the better regulating the Method of granting Leases of the said Rolls Estate for the future; and for making Compensation to the Earl of* Macclesfield, *and Sir* Thomas Sewell, *for their beneficial Rights and Interests in certain Leases made the Rolls Estate; and for regulating the Method of making Leases of the said Estate for the future.*

Preamble. Recital of 17 Geo. III. Cap. 59.

'WHEREAS by an Act, passed in the seventeenth Year of the Reign of his present Majesty, intituled, *An Act to repeal an Act, made in the twelfth Year of the Reign of King* Charles *the Second, intituled,* "*The Master of the Rolls impowered to make Leases for Years, in order to new-build the old Houses belonging to the Rolls;*" *and for the better regulating the Method of granting Leases of the said Rolls Estate for the future; and for making Compensation to the Earl of* Macclesfield, *and Sir* Thomas Sewell, *for their beneficial Rights and Interests in certain Leases made of the Rolls Estate; and for regulating the Method of making Leases of the said Estate for the future*, it is, amongst other Things, recited, That by an Act, passed in the fourteenth Year of the Reign of his present Majesty, intituled, *An Act for rebuilding the Office of the Six Clerks of the King's Court of Chancery, and for erecting Offices for the Register and Accountant-general of the said Court, for the better preserving the Records, Decrees, Orders, and Books of Account, kept in such Offices*, it was, amongst other Things, enacted, That out of the Securities purchased with the Surplus Money placed to the Account of Interest arising from Monies placed out in pursuance of an Act of the twelfth Year of his late Majesty King *George* the Second, therein mentioned, and out of the Interest produced, and to be produced, from such Securities; and also out of the Securities purchased with the Surplus Money placed to the Account of Interest arising from Monies placed out in pursuance of an Act of the fifth Year of the Reign of his present Majesty, therein also mentioned, and out of the Interest produced, and to be produced, from such Securities; and out of the Surplus Interest which should arise or be produced from Securities purchased in pursuance of the said several Acts of the twelfth Year of the Reign of his late Majesty, and of the fourth, fifth, and ninth Years of the Reign of his present Majesty, therein mentioned; and out of the Interest which should arise or be produced from Securities to be purchased in pursuance of the said Act of the fourteenth Year of the Reign of the present King;

Act 14 Geo. III. for rebuilding the Six Clerks Office.

'such Sum and Sums of Money as the Lord High Chancellor of *Great Britain*, or the Lord Keeper, or 'Lords Commissioners for the Custody of the Great Seal of *Great Britain*, for the Time being, should in 'his and their Discretion deem necessary, should be paid by virtue of any Order or Orders of the said 'Court, and be applied under the Direction of the said Court, in the first Place, in paying and defraying 'the Charges and Expences in obtaining the said Act, and then in rebuilding the said Office called *The* '*Six Clerks Office*, with the Offices thereto belonging, and in purchasing Ground and Houses for that 'Purpose, if any should be deemed necessary by the said Court, and in providing a proper Place for transacting the Business of the said Six Clerks Office during the Time such Office should be rebuilding; and 'the Sum of ten thousand Pounds in erecting proper and convenient Offices for the said Register and Accountant-general of the said Court, separate and detached from each other, and in purchasing such Ground 'and Houses as should be necessary for those Purposes, and for preserving the ancient Books of Entries of 'Decrees and Orders of the said Court: And it is also recited, That by an Act, passed in the fifteenth 25 Geo. III. Cap. 22. 'Year of his present Majesty, intituled, *An Act for vesting Part of the Garden of the Society of* Lincoln's-inn, '*in the County of* Middlesex, *in the Accountant-general of the Court of Chancery, and his Successors for ever, 'for the Purpose of erecting thereon Offices for the Accountant-general, and for the Register of the said Court*, 'it was enacted, That the Charges and Expences attending the passing and obtaining that Act should be 'paid and defrayed out of the same Funds, and in like Manner as the Charges and Expences attending 'the passing and obtaining the said Act of the fourteenth Year of the Reign of his present Majesty are 'thereby directed: And it is also recited, That by an Act, passed in the said fifteenth Year of his present Recital of 25 Geo. III. Cap. 56. 'Majesty, intituled, *An Act for applying the Funds provided for rebuilding the Offices of the Six Clerks of the 'King's Court of Chancery, by an Act made in the fourteenth Year of the Reign of his present Majesty, intituled,* "*An Act for rebuilding the Office of the Six Clerks of the King's Court of Chancery, and for erecting Offices for* "*the Register and Accountant-general of the said Court, for the better preserving the Records, Decrees, Orders,* "*and Books of Account kept in such Offices;*" *in building Offices for the said Six Clerks, in the Garden of* Lincoln's-Inn, *instead of rebuilding the present Six Clerks Office in* Chancery-Lane; *and for other Purposes*, it 'is enacted, That out of the Securities purchased with the Surplus Money mentioned in the said recited 'Act, and out of the Interest produced, and to be produced, from such Securities; and out of Surplus 'Interest produced, and to be produced, from Securities purchased in pursuance of the several Acts in the 'said Act of the fourteenth Year of his present Majesty mentioned; and out of the Interest produced, 'or to be produced, from Securities purchased in pursuance of the said Act; such Sum and Sums of 'Money as the Lord High Chancellor of *Great Britain*, or the Lord Keeper, or Lords Commissioners for the 'Custody of the Great Seal of *Great Britain*, for the Time being, should in his and their Discretion deem 'necessary, should be paid by virtue of any Order or Orders of the said Court, and be applied, under the 'Direction of the said Court, in paying and defraying the Charges and Expences attending the passing 'and obtaining of that Act, and in purchasing of the said Ground belonging to the Society of *Lincoln's-'Inn*, therein mentioned and described, and in building thereon an Office for the said Six Clerks, and the 'Offices thereto belonging, as well as in carrying into Execution the Purposes of the said Act of the 'fourteenth Year of his present Majesty, except so much thereof as relates to the rebuilding of the said 'Six Clerks Office in the Place where the same then stood, and except so far as the said Act of the 'fourteenth Year of his present Majesty is thereby altered and varied: And by the said Act of the 'seventeenth Year of the Reign of his present Majesty, it is also recited, That the Ground for building 'the Offices for the Six Clerks, and for the Register and Accountant-general of the Court of Chancery, 'had been purchased, and the said Offices for the Register and Accountant-general had been erected, 'and so far completed and finished that the Business of those Offices then was and had for some Time 'been carried on and transacted therein; and that all the several Purposes of the said three Acts of the 'fourteenth and fifteenth Years of his present Majesty had been in a great Measure answered and satisfied 'by and out of the Funds provided for the same by those Acts, and would in a very short Time be fully 'answered and satisfied thereout, except that the said Sum of ten thousand Pounds, mentioned in the 'said Act of the fourteenth Year of his present Majesty, had been found not to be fully sufficient to answer and satisfy the Purposes intended thereby; it was therefore enacted (amongst other Things), That, 'from and after the Time when the Lord High Chancellor of *Great Britain*, or the Lord Keeper, or the 'Lords Commissioners for the Custody of the Great Seal of *Great Britain*, should deem the Purposes of 'the said Acts of the fourteenth and fifteenth Years of his present Majesty, to have been fully satisfied, 'the Surplus Interest arising, and which should arise, from Monies placed out in pursuance of the said 'Act of the twelfth Year of his late Majesty King *George* the Second; and the Surplus Interest arising, 'and which should arise, from Monies placed out in pursuance of the said Act of the fifth Year of his 'present Majesty; and the Interest arising, and which should arise, from Monies placed out in pursuance 'of the said Act of the fourteenth Year of his present Majesty, shall and may, by an Order or Orders of 'the said Court of Chancery to be made for that Purpose, be appropriated and applied in and to the raising 'and discharging of the several Sums of Money in the said Act of the seventeenth Year of the Reign of 'his present Majesty directed to be raised and paid: And whereas, notwithstanding the said Sum of ten 'thousand Pounds has been found not to be sufficient to answer and satisfy the Purposes intended by the 'said Act of the fourteenth Year of the present King, and is so recited in the said Act of the seventeenth 'Year of the present King, yet there is no Provision in the said last mentioned Act enabling the Lord 'High Chancellor of *Great Britain*, or the Lord Keeper or Lords Commissioners for the Custody of the 'Great Seal of *Great Britain*, to make any Order for the raising and paying any further or greater Sum 'than the said Sum of ten thousand Pounds, out of the Funds provided for building Offices for the said 'Register, and for the Accountant-general of the said Court of Chancery; by reason whereof the Purposes of the said Acts of the fourteenth and fifteenth Years of his present Majesty cannot be satisfied, 'or be deemed to be satisfied, and no Order or Orders of the said Court of Chancery can be made for

'applying the said Surplus Interest to the discharging the Sums of Money directed to be applied by the 'said Act of the seventeenth of his present Majesty, nor can the said last mentioned Act be carried into 'Execution, unless a Power be given to the Lord High Chancellor of *Great Britain*, or the Lord Keeper, 'or Lords Commissioners for the Custody of the Great Seal of *Great Britain*, to satisfy the Purposes of 'the said former Act of the fourteenth of his present Majesty;' be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, out of the Funds in and by the said recited Acts, or any of them, mentioned, it shall and may be lawful for the Lord High Chancellor of *Great Britain*, or the Lord Keeper, or Lords Commissioners for the Custody of the Great Seal of *Great Britain*, for the Time being, by any Order or Orders of the said Court of Chancery, to direct the Payment of the Charges and Expences attending the passing and obtaining this Act, and such further Sum or Sums of Money, not exceeding the Sum of three thousand Pounds, over and above the said Sum of ten thousand Pounds, in order to answer and satisfy the Purposes intended by the said Act of the fourteenth Year of his present Majesty, for the erecting Offices for the Accountant-general, and the Register of the said Court, and for the Purchase of the Ground whereon the same stand, in such Manner as to the said Lord High Chancellor, or the Lord Keeper, or Lords Commissioners for the Custody of the Great Seal of *Great Britain*, shall seem meet; any Thing in the said recited Acts, or any of them, contained to the contrary notwithstanding.

Court of Chancery impowered to direct the Payment of the Charges of passing this Act, out of any of the Funds therein mentioned, and a further Sum of 3,000*l.* to answer the Purposes of the recited Act of 14 Geo. III.

## CAP. XXXIV.

### An Act for granting to his Majesty additional Duties upon Salt; and for regulating the Exportation of Salt to the *Isle of Man*.

'Most Gracious Sovereign,

'WE, your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain*, in Parliament 'assembled, towards raising the necessary Supplies to defray your Majesty's public Expences, have 'freely and voluntarily resolved to give and grant unto your Majesty the several additional Rates and 'Duties on Salt herein-after mentioned; and do therefore most humbly beseech your Majesty that it may 'be enacted;' and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, from and after the tenth Day of *May*, one thousand seven hundred and eighty, there shall be raised, levied, collected, and paid, to and for the Use of his Majesty, his Heirs and Successors, for and upon all Salt (over and above the Rates and Duties now due or payable thereon by any Act or Acts of Parliament now in Force), the several additional Rates and Duties following; that is to say,

Preamble.

After May 10, 1780, the following new Duties to be laid on Salt; videlicet,

For every Gallon of Salt, not being of the Product or Manufacture of *Great Britain*, that shall be imported, from and after the said tenth Day of *May*, one thousand seven hundred and eighty, into any Part of *Great Britain*, the Sum of two Pence Half-penny of lawful Money of *Great Britain*, to be paid by the Importer or Importers thereof; and after that Rate for a greater or lesser Quantity:

2*d.* Halfpenny per Gallon on all foreign Salt imported:

For every Gallon of Salt, and Rock Salt, that, from and after the said tenth Day of *May*, one thousand seven hundred and eighty, shall be made at any Salt Works, or be taken out of any Pit or Pits, in that Part of *Great Britain* called *England*, *Wales*, and the Town of *Berwick upon Tweed*, the Sum of one Penny Farthing of like lawful Money; and after that Rate for a greater or lesser Quantity:

1*d.* Farthing per Gallon on all Salt and Rock Salt made, &c. in England or Wales:

For every Bushel of Salt, that, from and after the said tenth Day of *May*, one thousand seven hundred and eighty, shall be made at any Salt Works, or be taken out of any Pit or Pits, in that Part of *Great Britain* called *Scotland*, the Sum of three Pence of like lawful Money; and after that Rate for a greater or lesser Quantity:

3*d.* per Bushel on all Salt made, &c. in Scotland:

And for every Bushel of Salt, that, from and after the said tenth Day of *May*, one thousand seven hundred and eighty, shall be imported from *Scotland* into *England*, *Wales*, or the Town of *Berwick upon Tweed*, the Sum of seven Pence; and after that Rate for a greater or lesser Quantity; to be paid by the Importer or Importers thereof.

And 7*d.* per Bushel on all Salt imported from Scotland into England or Wales.

Which said several and respective additional Rates and Duties, herein-before granted, shall and may, from Time to Time, be charged, raised, received, levied, collected, recovered, secured, and paid unto his Majesty, his Heirs and Successors, by such Ways and Means, and under such Management, and subject to such Penalties and Forfeitures, and with such Power of adjudging and mitigating Penalties and Forfeitures, and subject to such Allowances, Repayments, Drawbacks, Rules, Regulations, and Directions, in all Respects (not otherwise directed by this Act) as the present Duties on Salt are or can, by any Law or Statute now in Force, be charged, raised, received, levied, collected, recovered, secured, and paid, as fully and effectually, to all Intents and Purposes, as if all and every the several and respective Powers, Authorities, Methods, Penalties, Forfeitures, Fines, Powers of Recovery, and Mitigation of Penalties, Forfeitures, and Fines, Allowances, Repayments, Drawbacks, Rules, Regulations, Directions, Clauses, Matters, and Things, were particularly repeated and again enacted in the Body of this present Act.

The said Duties to be levied and recovered, &c. in the same Manner as the present Duties.

II. And be it further enacted by the Authority aforesaid, That the Monies arising by the said several additional Rates and Duties, herein-before by this Act granted, shall, from Time to Time, be paid into the Receipt of his Majesty's Exchequer by the respective Commissioners for the Duties on Salt in *England* and *Scotland* for the Time being, at such Times, and in such Manner, as the present Duties on Salt are

Produce of the Duties to be paid into the Exchequer.

by any Law now in Force directed to be paid (the neceſſary Charges of raiſing, collecting and accounting for the ſame, being deducted), for the Uſes and Purpoſes in this Act mentioned, diſtinct and apart from all other Monies which ſuch Commiſſioners reſpectively ſhall receive for the Uſe of his Majeſty, his Heirs and Succeſſors; and that there ſhall be provided and kept, in the Office of the Auditor of the ſaid Receipt of Exchequer, a Book or Books, in which all the Monies ariſing from the aforeſaid Rates and Duties, and paid into the Receipt of Exchequer as aforeſaid, ſhall be entered, ſeparate and apart from all other Monies paid and payable to his Majeſty, his Heirs and Succeſſors, upon any Account whatſoever; and the ſaid Money, ſo paid into the ſaid Receipt of Exchequer as aforeſaid, ſhall, together with ſuch other Rates, Duties, and Revenues, as ſhall be granted by any Act or Acts of this Seſſion of Parliament for this Purpoſe, be a Fund for the Payment of the ſeveral Annuities, and all ſuch other Charges and Expences as are directed to be paid and payable purſuant to an Act of this preſent Seſſion of Parliament, intituled, *An Act for raiſing a certain Sum of Money by way of Annuities, and for eſtabliſhing a Lottery.*

A ſeparate Account thereof to be kept in the Auditor's Office.

How to be applied.

Recital of an Act 2 & 3 Anne.

'III. And whereas by an Act, made in the ſecond and third Years of the Reign of her late Majeſty 'Queen *Anne*, intituled, *An Act for the better ſecuring and regulating the Duties upon Salt*, it is (amongſt 'other Things) enacted and declared, That any Perſon exporting Salt to the *Iſle of Man*, according to 'the Directions of the ſeveral Acts relating to the ſaid Duties upon Salt, is and ſhall be intitled to a 'Drawback of the Duties of the Salt ſo exported, in ſuch Manner as in caſe of the Exportation of Salt 'to any other foreign Parts: And whereas great Sums of Money are paid out of his Majeſty's Duties 'upon Salt on Account of Debentures for *Britiſh* Salt ſhipped to be exported to the *Iſle of Man*, and it is 'found, by frequent Experience, that great Part of ſuch Salt has been fradulently put on Shore and 'relanded in *Great Britain*, without being carried to the *Iſle of Man*, by which evil Practice his Majeſty's 'ſaid Duties are very much leſſened;' for Remedy whereof be it enacted by the Authority aforeſaid, That, from and after the ſaid tenth Day of *May*, one thouſand ſeven hundred and eighty, no Debenture ſhall be made or granted, or Drawback allowed to be paid, for or upon Account of the Exportation of any Salt or Rock Salt for the *Iſle of Man*, until the Exporter of the ſaid Salt or Rock Salt ſhall produce, to the Officer appointed to make out ſuch Debenture, a Certificate under the Hand of the Chief Officer of the Cuſtoms of the Port or Place in the *Iſle of Man* where ſuch Salt ſhall be landed, or of the Perſon executing ſuch Office, of the particular Quantity of Salt or Rock Salt actually landed, to be computed after the Rate of fifty-ſix Pounds Weight to the Buſhel, in caſe the ſame ſhall be White Salt, and after the Rate of ſixty-five Pounds to the Buſhel, in caſe the ſame ſhall be Rock Salt; which Salt, and Rock Salt, is hereby directed and required to be weighed by the ſaid Chief Officer, or Perſon executing ſuch Office, who ſhall, without Delay, make out and deliver a Certificate thereof as aforeſaid, *gratis*.

No Drawback to be allowed on Exportation of Salt for the Iſle of Man, until a proper Certificate ſhall be produced of the landing thereof in the ſaid Iſland.

IV. And it is hereby enacted, That no Drawback ſhall be allowed or paid for more Salt or Rock Salt of the Quantity exported, than what ſhall appear by ſuch Certificate to have been actually landed in the *Iſle of Man*; any Thing in the ſaid Act, or any other Law or Statute, to the contrary in anywiſe notwithſtanding.

No Drawback ſhall be allowed for more than the Quantity actually landed there.

'V. And whereas White Salt and Rock Salt, in the Exportation to the *Iſle of Man*, are liable to Waſte,' be it therefore enacted by the Authority aforeſaid, That, from and after the ſaid tenth Day of *May*, one thouſand ſeven hundred and eighty, upon producing ſuch Certificate as before required from the Chief Officer of the Cuſtoms of the Port or Place in the *Iſle of Man* where any White Salt or Rock Salt exported from *Great Britain* ſhall be landed, or from the Perſon executing ſuch Office, of what Quantity of White Salt and Rock Salt was actually landed there, the Exporter or Proprietor of ſuch White Salt and Rock Salt ſhall have an Allowance of four Buſhels for every forty Buſhels of White Salt, and of two Buſhels for every forty Buſhels of Rock Salt, put on Board in order to be exported to the *Iſle of Man*, in Conſideration of the Ordinary Waſte in the Carriage thereof, to be allowed upon the Debenture before mentioned, over and above the Quantity certified to have been landed in the *Iſle of Man*, as aforeſaid, and no other or greater Allowance for or in reſpect of ſuch Waſte; any other Law or Statute to the contrary in anywiſe notwithſtanding.

The Exporter to have an Allowance of four Buſhels for every forty exported of White Salt, and of two Buſhels for every forty of Rock Salt.

Proviſo.

VI. Provided nevertheleſs, That no Debenture ſhall be made out or granted to the Exporter of ſuch Salt or Rock Salt, for more than the Quantity actually ſhipped, although the Certificate of the Quantity of Salt landed in the *Iſle of Man*, together with the Allowance for Waſte on the Salt ſhipped as aforeſaid, ſhall amount to more.

Regulations to be obſerved in caſe Salt ſo exported ſhall be ſunk at Sea, or taken by the Enemy.

VII. And be it further enacted by the Authority aforeſaid, That, from and after the ſaid tenth Day of *May*, one thouſand ſeven hundred and eighty, in caſe any Salt or Rock Salt, ſhipped for Exportation to the *Iſle of Man* (the Duties whereof ſhall have been paid or ſecured to be paid according to the Direction of the Laws now in Force relating to the ſaid Duties on Salt), ſhall happen to periſh by ſinking of the Ship or Veſſel on which the ſame ſhall be ſo ſhipped and laid on Board, or ſhall be taken by Enemies, then, and in ſuch Caſe, the Exporter or Proprietor of ſuch Salt or Rock Salt, ſo periſhing or loſt, ſhall, upon Proof made before the Juſtices of the Peace at the General Quarter Seſſions of the Peace, to be held for the County, City, Riding, Diviſion, or Place, from whence the ſame ſhall be ſo exported, of the Loſs of ſuch Salt ſo ſhipped, receive from the ſaid Seſſions a Certificate (which the ſaid Juſtices are hereby authoriſed and required to grant), that ſuch Proof was made before them; and upon producing the ſaid Certificate to the Officer of the Place where the Duty on ſuch Salt ſhall have been paid, or ſecured to be paid, ſuch Security ſhall be diſcharged, and ſo much Money as was actually paid for the Duty on the ſaid Salt, ſhall be repaid upon Demand by the ſaid Officer, without Fee or Reward, provided ſuch Proof to be made as aforeſaid, ſhall be made by two credible Witneſſes upon Oath, within two Years next after ſuch Loſs or Capture as aforeſaid; any other Law or Statute to the contrary in anywiſe notwithſtanding.

No Drawback to be allowed for Salt landed in the Iſle of Man, un-

VIII. Provided always, and be it further enacted by the Authority aforeſaid, That there ſhall be no Debenture made out, or Drawback allowed, for any Salt or Rock Salt, to be landed in the *Iſle of Man*,

after the said tenth Day of *May*, one thousand seven hundred and eighty, unless the Entry of the same Salt at Exportation be made for some Port or Place in the *Isle of Man*, any other Law or Statute to the contrary in anywise notwithstanding.

Unless the same was entered for some Port in the said Island.

IX. And be it further enacted, by the Authority aforesaid, That if any Person or Persons shall, at any Time or Times, be sued, molested, or prosecuted, for any Thing by him or them done or executed in pursuance of this Act, or of any Clause, Matter, or Thing herein contained, such Person or Persons shall and may plead the General Issue, and give the special Matter in Evidence for his and their Defence; and if upon the Trial a Verdict shall pass for the Defendant or Defendants, or the Plaintiff or Plaintiffs shall become nonsuited, then such Defendant or Defendants shall have Treble Costs awarded to him or them against such Plaintiff or Plaintiffs.

Persons prosecuted in executing this Act, may plead the General Issue, and recover Treble Costs.

## CAP. XXXV.

An Act for granting to his Majesty additional Duties upon Malt, and upon Low Wines and Spirits made for home Consumption, and upon foreign Spirits imported into *Great Britain*, and upon the Produce of the said several Duties; and for granting a Duty on Licences to be taken out by all Persons trading in, vending, or selling of, Coffee, Tea, or Chocolate.

Preamble.

'Most Gracious Sovereign,

'WE, your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain*, in Parliament assembled, being desirous, by the most easy and effectual Ways and Means, to raise the necessary Supplies for defraying your Majesty's public Expences, have freely and voluntarily resolved to give and grant, and by this Act do give and grant unto your Majesty, the several Duties herein-after mentioned; and do most humbly beseech your Majesty that it may be enacted;' and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the thirtieth Day of *May*, one thousand seven hundred and eighty, there shall be raised, levied, collected, paid and satisfied, unto and for the Use of his Majesty, his Heirs and Successors, for and upon all Malt, the Rates, Duties, and Malt Impositions, herein-after mentioned; that is to say,

After May 30, 1780, the following additional Duties to be laid on Malt; videlicet,

For and upon every Bushel of Malt which at any Time or Times shall be made of Barley, or any other Corn or Grain, within that Part of *Great Britain* called *England*, *Wales*, and the Town of *Berwick upon Tweed*, by any Person or Persons whomsoever, whether the same shall be or not be for Sale, the Sum of six Pence, and so proportionably for any greater or less Quantity; to be paid by the Maker or Makers thereof respectively, over and above all other Rates, Duties, and Impositions, charged or chargeable thereupon, or that may be payable for the same:

6 d. per Bushel on all Malt made in England, Wales, or Berwick;

And for and upon every Bushel of Malt, which at any Time or Times shall be made of Barley, or any other Corn or Grain, within that Part of *Great Britain* called *Scotland*, by any Person or Persons whatsoever, whether the same shall be or not be for Sale, the Sum of three Pence, and so proportionably for any greater or less Quantity; to be paid by the Maker or Makers thereof respectively, over and above all other Rates, Duties, and Impositions, charged or chargeable thereupon, or that may be payable for the same:

3 d. per Bushel on all Malt made in Scotland;

And for and upon every Bushel of Malt which at any Time or Times shall be brought from *Scotland* into *England*, *Wales*, or the Town of *Berwick upon Tweed*, the Sum of three Pence, and so proportionably for any greater or less Quantity; over and above the Duty herein-before granted upon Malt made in *Scotland*, and all other Rates, Duties, and Impositions, charged or chargeable thereupon, or that may be payable for the same.

and 3 d. per Bushel on all Malt imported from Scotland into England, &c.

II. And be it further enacted by the Authority aforesaid, That there shall also be raised, levied, collected, paid and satisfied, unto and for the Use of his Majesty, his Heirs and Successors, for and upon every Bushel of Malt, whether ground or unground, made of Barley, or of any other Corn or Grain, belonging to any Maltster or Maker of Malt for Sale, Seller or Retailer of Malt, Brewer, Distiller, Innkeeper, Victualler, or Vinegar-maker, either in his, her, or their Custody or Possession, or in the Custody or Possession of any other Person or Persons whatever in Trust for him, her, or them, or for his, her, or their Use, Benefit, or Account, upon the said thirtieth Day of *May*, one thousand seven hundred and eighty, the Sum of six Pence, in that Part of *Great Britain* called *England*, *Wales*, and the Town of *Berwick upon Tweed*, and the Sum of three Pence in that Part of *Great Britain* called *Scotland*, and so proportionably for any greater or lesser Quantity; to be paid by the Person or Persons respectively possessed of such Malt, over and above all other Rates, Duties, and Impositions, charged or chargeable thereupon, or that may be payable for the same.

6 d. per Bushel to be paid by Maltsters, Retailers of Malt, &c. for the Stock of Malt in Hand on May 30, 1780, in England and and Wales; 3 d. per Bushel in Scotland:

III. Provided always, That the said additional Duty, hereby directed to be imposed, raised, and satisfied to his Majesty on the said Malt, which shall be in the Possession of any such Persons as are herein-before described, on the said thirtieth Day of *May*, shall be collected and paid in Manner following; that is to say, one third Part thereof on the thirtieth Day of *June*, one other third Part thereof on the thirty-first Day of *July*, and the remaining third Part thereof on the thirtieth Day of *August*, one thousand seven hundred and eighty.

To be paid in three separate Payments.

Regulations relative to such Contracts for Sale of Malt as will not be fulfilled before May 30, 1780.

'IV. And whereas several Maltsters, who have sold or contracted for the Sale of Malt, may not have delivered the same to the Buyers thereof before the said thirtieth Day of *May*, one thousand seven hundred and eighty, and it is reasonable that such Buyers should reimburse to the said Maltsters all such Money as they shall have paid for the Duty charged thereon by virtue of this Act; be it therefore enacted by the Authority aforesaid, That, in all Cases where any Person shall have sold or contracted for the Sale of any Malt, and shall not have delivered the same to the Buyer, or Person who shall have contracted for the Purchase thereof, before the said thirtieth Day of *May*, one thousand seven hundred and eighty, every such Sale and Contract shall, and is hereby declared to be as valid and effectual as if this Act had not been made; and the Buyer or Person who shall have contracted for the Purchase of any such Malt, shall, and is hereby required, at the Time of the Delivery thereof, to pay to the Person who shall have sold or contracted for the Sale of such Malt (over and above the Price agreed to be given for the same) all such Money as shall have been charged for the Duty thereon by virtue of this Act.

All the Powers contained in former Acts for collecting and recovering, &c. the Duties on Malt, to be in Force for collecting and recovering the new Duties.

V. And be it further enacted by the Authority aforesaid, That all and every the Powers, Authorities, Directions, Rules, Methods, Exemptions, Deductions, Bounties, Penalties and Forfeitures, Clauses, Matters, and Things, which in and by an Act, made in the thirty-third Year of the Reign of his late Majesty King *George* the Second, intituled, *An Act for granting to his Majesty several Duties upon Malt; and for raising the Sum of eight Millions by way of Annuities and a Lottery, to be charged on the said Duties; and to prevent the fraudulent obtaining of Allowances in the gauging of Corn making into Malt; and for making forth Duplicates of Exchequer Bills, Tickets, Certificates, Receipts, Annuity Orders, and other Orders, lost, burnt, or otherwise destroyed*; or as are contained in any other Act or Acts of Parliament in the said Act mentioned or referred unto, or any of them, are provided, settled, established, prescribed, or directed, for managing, ascertaining, securing, compounding, raising, collecting, levying, recovering, paying, allowing, repaying, adjusting, and settling, the Duties there by granted, or to the Payment of Rents payable in Malt, or according to the Price of Malt, other than in such Cases for which other Directions are prescribed by this Act, shall be exercised, practised, applied, used, and put in Execution, in and for the managing, ascertaining, securing, compounding, raising, collecting, levying, recovering, paying, allowing, repaying, adjusting, and settling the several and respective Rates, Duties, and Impositions, by this Act granted upon Malt, as fully and effectually, to all Intents and Purposes, as if all and every the said Powers, Authorities, Directions, Rules, Methods, Exemptions, Deductions, Bounties, Penalties and Forfeitures, Clauses, Matters, and Things, were particularly repeated and again enacted in the Body of this present Act.

Certain Allowances to be made to Common Brewers out of the Duties on Malt; videlicet,

'VI. And, for the better Encouragement of Common Brewers, and Makers of Beer or Ale for Sale, and 'to the End that no such Brewer or Maker of Beer or Ale may be under the Necessity to take any more 'in the Price thereof, upon the Retail of the same, than according to the usual Rates and Prices,' be it enacted by the Authority aforesaid, That, from and after the said thirtieth Day of *May*, one thousand seven hundred and eighty, there shall be paid and allowed, out of the Monies to arise by the said Duties on Malt, to every Common Brewer, or other Person or Persons who brew Beer or Ale, and sell or tap out the same publicly or privately, over and above all other Allowances already given by any Law now in Force, the several and respective Allowances herein-after mentioned; that is to say,

Upon every Barrel of Beer or Ale above 6s. Value, 1s. 4d. within London and Westminster, and the Bills of Mortality; and in all other Parts of England, Wales, or Berwick, 1s. 8d. per Barrel;

The Sum of one Shilling and four Pence, upon every Barrel of Beer or Ale, above six Shillings the Barrel, exclusive of the Duties of Excise, brewed by the Common Brewer, or by any other Person or Persons who doth or shall sell or tap out Beer or Ale, publicly or privately, within the Cities of *London* and *Westminster*, or within the Limits of the weekly Bills of Mortality, and returned by the Gauger; and so in Proportion for any greater or less Quantity:

The Sum of one Shilling and eight Pence, upon every Barrel of Beer or Ale, above six Shillings the Barrel, exclusive of the Duties of Excise, brewed by the Common Brewer, or by any other Person or Persons who doth or shall sell or tap out Beer or Ale, publicly or privately, in *England*, *Wales*, or the Town of *Berwick upon Tweed*, not within the said Cities of *London* and *Westminster*, nor within the weekly Bills of Mortality, and returned by the Gauger; and so in Proportion for any greater or less Quantity:

Upon every Barrel of Beer or Ale sold for 6s. or under, 4d. per Barrel:

The Sum of four Pence, upon every Barrel of Beer or Ale, of six Shillings the Barrel or under, brewed by the Common Brewer, or any other Person or Persons who doth or shall sell or tap out Beer or Ale, publicly or privately, throughout *England*, *Wales*, and the Town of *Berwick upon Tweed*, and returned by the Gauger; and so in Proportion for any greater or less Quantity:

Upon every Barrel brewed in Scotland, above 6s. Value, 10d.

The Sum of ten Pence, upon every Barrel of Beer or Ale, above six Shillings the Barrel, exclusive of the Duties of Excise, brewed by the Common Brewer, or by any other Person or Persons who doth or shall sell or tap out Beer or Ale, publicly or privately, within that Part of *Great Britain* called *Scotland*, and returned by the Gauger; and so in Proportion for any greater or less Quantity:

Upon every Barrel of Twopenny Ale, 6d.;

The Sum of six Pence, upon every Barrel of Two-penny Ale, mentioned and described in the seventh Article of the Treaty of Union, brewed within that Part of *Great Britain* called *Scotland*, and returned by the Gauger; and so in Proportion for any greater or less Quantity:

And upon every Barrel sold for 6s. or under, 3d.

And the Sum of three Pence, upon every Barrel of six Shillings Beer or Ale, or under, brewed by the Common Brewer, or any other Person or Persons who doth or shall sell or tap out Beer or Ale, publicly or privately, within that Part of *Great Britain* called *Scotland*, and returned by the Gauger; and so in Proportion for any greater or less Quantity:

Which said several respective Allowances for the said Beer or Ale, so brewed as aforesaid, shall be paid at the End of every four Months respectively, after the Duties shall have been paid for the same, and not sooner.

VII. And

VII. And be it further enacted by the Authority aforesaid, That if any Common Brewer, or other Person or Persons who brew Beer or Ale, and sell or tap out the same, publicly or privately, shall, by himself or themselves, or by his or their Agent or Agents, at any Time after the End of four Months after he or they shall have paid the Duties for any Beer or Ale by him or them brewed after the said thirtieth Day of *May*, one thousand seven hundred and eighty, produce to, and leave with, the Collector of Excise of the County, Shire, Stewartry, or Place, where the Beer or Ale, for which the Allowances are by this Act directed to be made, was brewed, and where the Duties were paid for the same, a Certificate or Certificates from the Officer who received the said Duties, that the Duties charged or chargeable upon the said Beer or Ale have been actually paid, and that the same Beer or Ale was brewed since the said thirtieth Day of *May*, one thousand seven hundred and eighty (which Certificate the said Officer is hereby required to give *gratis*); then, and in every such Case, the said Collector shall, out of the Monies arising from the Duties by this Act imposed upon Malt, forthwith pay to the Person producing the said Certificate, for every Barrel of Beer or Ale mentioned therein, the respective Allowances by this Act in such Case directed to be made; and in Case the said Collector shall not have sufficient Money in his Hands, arising by the Duty by this Act imposed upon Malt, to pay the same, then the respective Commissioners for the said Duty are hereby required to pay the said Allowances out of the said Duty upon Malt arising by this Act; and if at any Time it shall happen that the said respective Commissioners shall not have in their Hands Monies, arising by the said Duty, sufficient to pay the said Allowances, then and in every such Case the said respective Commissioners shall pay the said Allowances out of any Monies then in their Hands.

Common Brewers, four Months after Payment of the Duties for any Beer or Ale brewed after May 30, 1780, on producing a Certificate thereof to the Collector of Excise,

shall be forthwith paid the Allowances before mentioned.

VIII. Provided always, and it is hereby enacted by the Authority aforesaid, That whatever Sum or Sums of Money shall be so paid by the respective Commissioners, shall be replaced to the Fund or Funds from which the same was borrowed, out of the first Monies that shall arise and be received from and upon Account of the Duty on Malt by this Act imposed, in Preference to all other Payments whatever.

Monies borrowed from any other Fund to pay the aforesaid Allowances, how to be replaced.

IX. And be it further enacted by the Authority aforesaid, That, from and after the thirtieth Day of *May*, one thousand seven hundred and eighty, there shall be raised, levied, collected, and paid unto his Majesty, his Heirs and Successors, throughout the Kingdom of *Great Britain*, for the several Kinds of Spirituous Liquors herein-after mentioned, specified, and enumerated, which shall be made in *Great Britain* for Home Consumption, or imported into *Great Britain* from Parts beyond the Seas, over and above all Duties, Charges, and Impositions, by any former Act or Acts of Parliament thereupon respectively set, rated, and imposed, the several additional Rates and Duties of Excise herein after mentioned and expressed; that is to say,

After May 30, 1780, the following additional Duties to be laid on Spirituous Liquors made in Great Britain for Home Consumption, or imported from abroad; videlicet,

For every Gallon of Low Wines and Spirits of the first Extraction, made or drawn in *Great Britain*, for Home Consumption, from any Sort of Drink or Wash, brewed or made from any Sort of Malt or Corn, or from Brewers Wash or Tilts, or any Mixture with such Brewers Wash or Tilts, to be paid by the Distillers or Makers thereof, one Penny:

Low Wines or Spirits of the first Extraction, made from Malt or Corn, or Brewers Wash, &c. 1 d. per Gallon:

For every Gallon of Strong Waters, or *Aqua Vitæ*, made for Sale, for Home Consumption, of the Materials aforesaid, or any of them, to be paid by the Distillers or Makers thereof, three Pence:

Strong Waters, or Aqua Vitæ, made of the Materials aforesaid, 3 d. per Gallon:

For every Gallon of Low Wines or Spirits, of the first Extraction, made or drawn in *Great Britain*, for Home Consumption, from any foreign or imported Materials, or any Mixture therewith, to be paid by the Distillers or Makers thereof, three Pence:

Low Wines or Spirits of the first Extraction, made from foreign Materials, &c. 3 d. per Gallon:

For every Gallon of Spirits, made or drawn in *Great Britain*, for Home Consumption, from any foreign or imported Materials, or any Mixture therewith, to be paid by the Distillers or Makers thereof, two Pence:

Spirits, made of the aforesaid Materials, 2 d. per Gallon:

For every Gallon of Low Wines or Spirits, of the first Extraction, made or drawn, for Home Consumption, from Cyder, or any Sort or Kind of *British* Materials (except those before mentioned), or any Mixture therewith, to be paid by the Distillers or Makers thereof, one Penny three Farthings:

Low Wines or Spirits of the first Extraction, made from Cyder, &c. 1 d. 3 q. per Gallon:

For every Gallon of Spirits, made for Sale, for Home Consumption, from Cyder, or any Sort or Kind of *British* Materials (except those before mentioned), to be paid by the Distillers or Makers thereof, two Pence:

Spirits, made from Cyder, &c. 2 d. per Gallon:

For every Gallon of Single Brandy Spirits, or *Aqua Vitæ*, imported into *Great Britain* from beyond the Seas, to be paid by the Importer before landing, one Shilling:

Single Brandy, &c. imported, 1 s. per Gallon:

For every Gallon of Brandy Spirits, or *Aqua Vitæ*, above Proof, commonly called *Double Brandy*, imported into *Great Britain* from beyond the Seas, to be paid by the Importer before landing, two Shillings.

Double Brandy, 2 s. per Gallon.

'X. And, for the better ascertaining, charging, collecting, raising, levying, and securing, the additional 'Rates and Duties by this Act imposed on the said Spirituous Liquors, and preventing Frauds therein,' be it further enacted by the Authority aforesaid, That such of the said Rates and Duties by this Act granted, as are charged upon Spirituous Liquors made and manufactured in, or imported into, *England*, *Wales*, or *Berwick upon Tweed*, shall be under the Receipt and Management of the Commissioners of Excise in *England* for the Time being; and such of the said Rates and Duties as are imposed by this Act upon Spirituous Liquors made and manufactured, or imported into *Scotland*, shall be under the Receipt and Management

Duties on Spirits made in, or imported into, England, &c. to be under the Management of the Commissioners of Excise in England; and those made

in, or imported into Scotland, to be under the Commissioners in Scotland.

Monies arising by the said Duties to be paid into the Exchequer apart from all others.

Additional Duty on Rum, &c. to be paid as the former Duties.

An additional Duty of 5 per Cent. to be laid on all the before mentioned Duties; which shall be collected and paid, &c. agreeable to 19 Geo. III. Cap. 25.

After July 5, 1780 5s. to be paid for every Licence for selling Coffee, Tea, or Chocolate;

and no Person to sell any of the said Goods without having taken out such Licence.

Who shall grant such Licences in England;

and who in Scotland.

How Licences are to be renewed.

Penalty on selling Coffee, &c. without a Licence.

Management of the Commissioners of the Excise in *Scotland* for the Time being; and the said respective Commissioners of Excise, or the major Part of them, have hereby Power, by Commission under their respective Hands and Seals, to constitute and appoint under them such Officers as shall be necessary in that Behalf; and all Monies arising by the said Duties in *Great Britain*, or any Part thereof (the necessary Charges of raising and accounting for the same excepted), shall, from Time to Time, be paid into the Receipt of His Majesty's Exchequer at *Westminster*, distinctly and apart from all other Branches of the public Revenue, subject and liable to the Uses and Purposes herein-after mentioned.

XI. Provided always, and be it enacted by the Authority aforesaid, That the additional Rate or Duty hereby charged upon Rum or Spirits, of the Growth, Produce, or Manufacture of the *British* Sugar Plantations, imported into this Kingdom, shall be paid and payable in such Manner only, and under such Regulations and Restrictions, as the Rates and Duties of Excise heretofore charged on such Rum or Spirits are now by Law paid and payable.

XII. And be it further enacted by the Authority aforesaid, That the several additional Duties herein-before granted on Malt, on low Wines and Spirits made for Home Consumption, and on Spirituous Liquors imported into *Great Britain*, shall be moreover subject and liable to an additional Duty or Impost of five Pounds *per Centum* on the Produce and Amount thereof; and that such additional Duty or Impost shall be raised and levied, collected and paid, in the same Manner, and under the same Rules, Regulations, Powers and Authorities, Ways and Means, Penalties and Forfeitures, as the additional Duty or Charge of five Pounds *per Centum*, granted to his Majesty by an Act made in the last Session of Parliament, intituled, *An Act for granting to his Majesty additional Duties upon the Produce of the several Duties under the Management of the respective Commissioners of the Customs and Excise in* Great Britain, are directed to be collected and paid; and all Monies arising by the additional Duty or Impost of five Pounds *per Centum*, by this Act imposed (the necessary Charges of raising and accounting for the same excepted), shall, from Time to Time, be paid into the Receipt of his Majesty's Exchequer, distinctly and apart from all other Branches of the public Revenues, subject and liable to the Uses and Purposes herein-after mentioned.

'XIII. And, for the more effectual raising the said Supply granted to his said Majesty,' be it further enacted by the Authority aforesaid, That, from and after the fifth Day of *July*, one thousand seven hundred and eighty, there shall be paid unto his Majesty, his Heirs and Successors, a Duty of five Shillings for any Licence to be taken out, in Manner herein-after mentioned, by each Person trading in, selling or vending, Coffee, Tea, or Chocolate, or either of them.

XIV. And be it further enacted by the Authority aforesaid, That, from and after the fifth Day of *July*, one thousand seven hundred and eighty, no Person or Persons whatsoever, who now, or at any Time or Times hereafter, doth or shall trade in, sell or vend, any Coffee, Tea, or Chocolate, shall presume, by him, her, or themselves, or by any other Person or Persons whatsoever, employed by him, her, or them, for his, her, or their Benefit, either publicly or privately, to trade in, sell or vend any Coffee, Tea, or Chocolate, or either of them, without first taking out a Licence for that Purpose in Manner herein-after mentioned, before he, she, or they shall trade in, sell or vend any Coffee, Tea, or Chocolate; for which Licence he, she, or they, shall, immediately upon taking out thereof, pay down for the same the Sum of five Shillings, in Manner following; that is to say, If such Licence be taken out within the Limits of the Chief Office of Excise in *London*, then such Licence shall be granted under the Hands and Seals of two or more of his Majesty's Commissioners for the Duties of Excise for the Time being, or of such Person or Persons as the Commissioners of Excise shall from Time to Time appoint for that Purpose, and the Duty for the same shall be paid at the Chief Office of Excise in *London*; but if such Licences shall be taken out in any Part of *England* or *Wales* not within the said Limits, then such Licences to be granted under the Hands and Seals of the several Collectors and Supervisors of Excise, within their respective Collections and Districts; and the said Duty of five Shillings shall be paid for the same to the Collector of Excise within whose Collection such Licence shall be so granted: And in case such Licence shall be taken out within the Limits of the City of *Edinburgh*, such Licence shall be granted under the Hands and Seals of two or more of his Majesty's Commissioners of Excise in *Scotland* for the Time being, or of such Person or Persons as the Commissioners of Excise in *Scotland* shall from Time to Time appoint for that Purpose, and the Duties for the same shall be paid at the Chief Office of Excise in *Edinburgh*; but if such Licence shall be taken out in any other Part of *Scotland*, without the Limits aforesaid, then such Licences shall be granted under the Hands and Seals of the several Collectors and Supervisors of Excise within their respective Collections and Districts, and the Duties for the same shall be paid to the Collectors of Excise within whose Collection such Licence shall be so granted; and such respective Commissioners of Excise, and the Persons so to be appointed by them respectively, and also all such Collectors, are hereby respectively authorised and required to grant and deliver such Licences to the Persons who shall apply for the same, upon their Payment of five Shillings for each Licence.

XV. And be it further enacted by the Authority aforesaid, That every Person or Persons who shall take out any such Licence as aforesaid, is and are hereby required to take out a fresh Licence ten Days at least before the Expiration of twelve Calendar Months after taking out the first Licence, before he, she, or they do presume to trade in, sell or vend, any Coffee, Tea, or Chocolate; and in the same Manner to renew every such Licence from Year to Year, paying down the like Sum of five Shillings for each and every new or renewed Licence, in Manner, and at the Places and Times before mentioned: And if any Person or Persons shall, after the said fifth Day of *July*, one thousand seven hundred and eighty, presume or offer to trade in, sell or vend, any Coffee, Tea, or Chocolate, without first taking out such Licence, and renewing the same yearly in Manner aforesaid, he, she, or they shall respectively forfeit and lose the Sum of twenty Pounds for each Offence.

XVI. Provided

XVI. Provided always, That Persons in Partnership, and carrying on their Trade or Business of selling or vending Coffee, Tea, or Chocolate, in one House or Shop only, shall not be obliged to take out more than one Licence in any one Year, for carrying on such Trade; and that no Licence which shall be granted by virtue of this Act, shall authorise or impower any Person or Persons, to whom the same shall be granted, to trade in, sell, or vend, any Coffee, Tea, or Chocolate, in any other House or Place, except in such Houses or Places thereto belonging, wherein he, she, and they shall inhabit and dwell at the Time of granting such Licence.

Persons in Partnership not obliged to take out more than one Licence for carrying on Trade in one House, &c.

'XVII. And, for the better collecting, raising, levying, and securing the Duties by this Act imposed 'on Licences for dealing in, vending and selling, Coffee, Tea, or Chocolate;' be it further enacted by the Authority aforesaid, That such of the said Duties as are charged upon such Licences in *England*, *Wales*, or the Town of *Berwick upon Tweed*, shall be under the Management of the Commissioners and Officers of his Majesty's Revenue of Excise in *England* for the Time being; and such of the said Duties as are charged upon such Licences in *Scotland*, shall be under the Management of the Commissioners and Officers of Excise in *Scotland* for the Time being; which said several and respective Commissioners of Excise, or the major Part of them, shall be his Majesty's Commissioners for granting such Licences; and the said respective Commissioners of Excise, or the major Part of them, have hereby Power, by Commission under their respective Hands and Seals, to constitute and appoint under them such Officers as shall be necessary in that Behalf; and all Monies arising by the said Licences (the necessary Charges of raising and accounting for the same excepted) shall, from Time to Time, be paid into the Receipt of his Majesty's Exchequer, distinctly and apart from all other Branches of the public Revenues, subject and liable to the Uses and Purposes herein-after mentioned.

The Duties on Licences to be under the Management of the Commissioners of Excise in England and Scotland respectively;

and to be paid into the Exchequer apart from all other Duties.

XVIII. And be it further enacted by the Authority aforesaid, That there shall be provided and kept in the Office of the Auditor of the said Receipt of Exchequer, a Book or Books, in which all the Monies arising from the said several Rates and Duties, and paid into the said Receipt as aforesaid, shall be entered separate and apart from all other Monies paid and payable to his Majesty, his Heirs and Successors, upon any Account whatsoever; and the said Money so paid into the said Receipt of Exchequer as aforesaid, shall, together with such other Rates, Duties, and Revenues, as shall be granted by any Act or Acts of this Session of Parliament for this Purpose, be a Fund for the Payment of the several Annuities, and all such other Charges and Expences as are directed to be paid and payable pursuant to an Act of this present Session of Parliament, intituled, *An Act for raising a certain Sum of Money by way of Annuities, and for establishing a Lottery.*

A separate Account to be kept in the Auditor's Office of all Monies paid in by virtue of this Act.

How to be applied.

XIX. And it is hereby enacted by the Authority aforesaid, That if at any Time or Times it shall happen that the Produce of the several Duties granted by this Act, together with the several other Duties, Revenues, and Taxes granted in this Session of Parliament, for the Payment of the several Annuities of four Pounds *per Centum*, and of one Pound sixteen Shillings and three Pence *per Centum*, in respect of twelve Millions borrowed in pursuance of an Act of this present Session of Parliament, intituled, *An Act for raising a certain Sum of Money by way of Annuities, and for establishing a Lottery*, shall not be sufficient to pay and discharge the Annuity to be due and paid on the said four Pounds *per Centum* Annuities granted by the said Act, for one Quarter of a Year, to the fifth Day of *April*, one thousand seven hundred and eighty, and the several Annuities of four Pounds *per Centum* from thenceforth payable half-yearly, as also the said Annuity of one Pound sixteen Shillings and three Pence *per Centum*, to continue for eighty Years, from the fifth Day of *January*, one thousand seven hundred and eighty, and then to cease, together with the other Charges and Expences attending the said respective Annuities, to be satisfied and paid out of the same, at the End of any or either of the half-yearly Days of Payment at which the same are directed by the said Act to be paid; then, and so often, and in every such Case, such Deficiency or Deficiencies shall and may be supplied out of any of the Monies, which at any Time or Times shall be or remain in the Receipt of the Exchequer of the Surplusses, Excesses, Overplus Monies, and other Revenues, composing the Fund commonly called *The Sinking Fund* (except such Monies of the said Sinking Fund as are appropriated to any particular Use or Uses, by any former Act or Acts of Parliament in that Behalf), and such Monies of the said Sinking Fund shall and may be, from Time to Time, issued and applied accordingly; and if at any Time or Times, before any Monies of the said Fund, to be established as aforesaid, shall be brought into the Exchequer as aforesaid, there shall happen to be a Want of Money for paying the several Annuities as aforesaid, which shall be actually incurred and grown due at any of the half-yearly Days of Payment before mentioned, that then, and in every such Case, the Money so wanted shall and may be supplied out of the Monies of the Sinking Fund (except as before excepted), and be issued accordingly.

In case the Produce of the Duties granted by this Act, and other Acts of this Session, shall prove insufficient to pay the several Annuities granted by the Lottery Act,

such Deficiency shall be supplied out of the Sinking Fund;

XX. Provided always, and be it enacted by the Authority aforesaid, That whatever Monies shall be issued out of the Sinking Fund, shall, from Time to Time, be replaced by and out of the first Supplies to be then after granted in Parliament.

which shall be repaid out of the first Supplies.

XXI. Provided always, and be it enacted by the Authority aforesaid, That in case there shall be any Surplus or Remainder of the Monies arising by the said Fund, after the said several and respective Annuities, and all Arrears thereof, are satisfied, or Money sufficient shall be reserved for that Purpose; such Surplus or Remainder shall, from Time to Time, be reserved for the Disposition of Parliament, and shall not be issued but by the Authority of Parliament, and as shall be directed by future Act or Acts of Parliament; any Thing in any former or other Act or Acts of Parliament to the contrary notwithstanding.

In case of any Surplus of the said Fund after Payment of the Annuities, the same shall be reserved for the Disposition of Parliament.

XXII. And be it further enacted by the Authority aforesaid, That all and every the Powers, Authorities, Directions, Rules, Methods, Penalties, and Forfeitures, Clauses, Matters, and Things, which in and by an Act, made in the twelfth Year of the Reign of King *Charles* the Second, intituled, *An Act for taking away the Court of Wards and Liveries, and Tenures* in Capite, *and by Knights Service, and Purveyance*,

All the Powers contained in former Acts relative to the Duties of

Excise on Beer, &c. for collecting and recovering the said Duties, are to be applied in collecting, recovering, &c. the Duties hereby granted.

*ance, and for settling a Revenue upon his Majesty in Lieu thereof*, or by any other Law now in Force relating to his Majesty's Revenue of Excise upon Beer, Ale, or other Liquors, are provided, settled, or established, for securing, enforcing, managing, raising, levying, collecting, paying, mitigating, or recovering, adjudging or ascertaining the Duties or Penalties thereby granted, and for preventing, detecting, and punishing Frauds relating thereto (other than in such Cases for which other Penalties or Provisions are prescribed by this Act), shall be exercised, practised, applied, used, and put in Execution, in and for the managing, raising, levying, collecting, mitigating, adjudging, ascertaining, recovering, and paying the several Duties hereby granted, as fully and effectually, to all Intents and Purposes, as if all and every the said Powers, Authorities, Rules, Directions, Methods, Penalties, Forfeitures, Clauses, Matters, and Things, were particularly repeated, and again enacted in the Body of this present Act.

Penalty on molesting Officers of Excise in executing this Act.

XXIII. And be it further enacted by the Authority aforesaid, That if any Person or Persons whatsoever shall assault, resist, oppose, molest, or hinder, any Officer or Officers of Excise in the due Execution of the Powers or Authorities given or granted to such Officer or Officers by this Act, every Person or Persons so doing shall forfeit and lose, for every such Offence, the Sum of fifty Pounds.

Penalties and Forfeitures how to be recovered and applied.

XXIV. And be it further enacted by the Authority aforesaid, That all Fines, Penalties, and Forfeitures, imposed by this Act, shall be sued for, recovered, levied, or mitigated, by such Ways, Means, and Methods, as any Fine, Penalty, or Forfeiture is or may be sued for, recovered, or mitigated, by any Law or Laws of Excise, or by Action of Debt, Bill, Plaint, or Information, in any of his Majesty's Courts of Record at *Westminster*, or in the Court of Exchequer in *Scotland*, respectively; and that one Moiety of every such Fine, Penalty, or Forfeiture, shall be to his Majesty, his Heirs and Successors, and the other Moiety to him or them who shall discover, inform, or sue for the same.

Persons sued for any Thing done in pursuance of this Act, may plead the General Issue, and recover Treble Costs.

XXV. And it is hereby enacted by the Authority aforesaid, That if any Person or Persons shall, at any Time or Times, be sued or prosecuted for any Thing by him or them done or executed in pursuance of this Act, or of any Matter or Thing in this Act contained, such Person or Persons shall and may plead the General Issue, and give the special Matter in Evidence for his or their Defence; and if upon Trial a Verdict shall pass for the Defendant or Defendants, or the Plaintiff or Plaintiffs shall become nonsuited, then such Defendant or Defendants shall have Treble Costs to him or them awarded against such Plaintiff or Plaintiffs.

## CAP. XXXVI.

An Act for obviating Doubts, touching the binding and receiving of poor Children Apprentices, in pursuance of several Acts of Parliament made for the Relief of the Poor within particular incorporated Hundreds or Districts; and for ascertaining the Settlement of Bastard Children born in the Houses of Industry within such Hundreds or Districts.

Preamble.

'WHEREAS several Acts of Parliament have of late Years been made and passed, for the better Relief and Employment of the Poor in particular incorporated Hundreds or Districts, within that Part of *Great Britain* called *England*, whereby Power is given to bind poor Children Apprentices under certain Restrictions therein mentioned: And whereas Doubts have arisen, whether Persons are compellable to receive and provide for such poor Children as shall be appointed to be bound Apprentices to them in pursuance of the said Acts;' be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, from and after the twenty-fourth Day of *June*, one thousand seven hundred and eighty, the respective Persons to whom any poor Children shall be appointed to be bound Apprentices, in pursuance of any Act or Acts of Parliament made and passed for the better Relief and Employment of the Poor in any particular incorporated Hundreds or Districts, within that Part of *Great Britain* called *England*, shall, and they are hereby required to receive and provide for such Children, according to the Indentures to be executed by the Directors and acting Guardians of the Poor for such respective Hundreds or Districts, for the binding of such poor Children, in like Manner as Persons are now obliged by the Laws in being to receive and provide for poor Children appointed to be bound Apprentices by Churchwardens and Overseers of the Poor, with the Assent of two Justices of the Peace, and also to execute the Counterpart of such Indentures respectively: And if any Person, to whom any poor Child shall be appointed to be bound Apprentice, in pursuance of any such Act of Parliament as aforesaid, shall refuse or neglect to receive and provide for such poor Child, or to execute the Counterpart of the Indenture for binding such Child as aforesaid, every Person so refusing or neglecting, upon Proof of such Refusal or Neglect being made, by the Oath of one of the Directors or acting Guardians, or of some other credible Witness, before any two Justices of the Peace acting in and for the County, Liberty, or Place, within which the incorporated Hundred or District to which such Child belongs shall be situate, shall forfeit and pay to the Directors and acting Guardians of the Poor for such incorporated Hundred or District, or to their Treasurer or Appointee, to be applied to the Relief of the Poor within the same, the Sum of ten Pounds; such Penalty or Forfeiture to be levied, by Distress and Sale of the Goods of the Person refusing or neglecting as aforesaid, by Warrant under the Hands and Seals of such Justices; saving always to the Person, to whom any poor Child shall be so appointed to be bound an Apprentice, his or her Appeal to the next General or Quarter Session of the Peace for that County, Liberty, or Place, whose Order therein shall be final.

After June 24, 1780, all Persons to whom any Children shall be appointed to be bound in pursuance of any Act for Relief of the Poor in any particular District in England, shall be obliged to provide for them, &c.

Penalty on such Persons neglecting to provide for such Children.

May be levied by Distress.

Appeal to the Quarter Sessions.

II. Provided

II. Provided always, That nothing in this Act contained shall be construed to compel any Person to take any such poor Child Apprentice as aforesaid, unless such Person shall be an Inhabitant and Occupier of Lands, Tenements, or Hereditaments, in the Parish to which such Child belongs; and that all Bastard Children born or to be born in the House of Industry within any such incorporated Hundred or District, shall be deemed to belong to the Parish or Place where the Mother of such Bastard Child was legally settled.

No Person compellable to take a poor Child Apprentice, except he be an Inhabitant, &c. of the Parish.

Bastards born in Houses of Industry to belong to the Mother's Parish.

## CAP. XXXVII.

An Act to continue, for a limited Time, so much of an Act, made in the last Session of Parliament, *for the more easy and better recruiting his Majesty's Land Forces and Marines*, as relates to the Encouragement of Volunteers.

Preamble. Recital of 19 Geo. III. Cap. 10.

'WHEREAS an Act was made in the last Session of Parliament, intituled, *An Act for repealing an Act, made in the last Session of Parliament, intituled, "An Act for the more easy and better recruiting of his Majesty's Land Forces and Marines;" and for substituting other and more effectual Provisions in the Place thereof*; to continue in Force until the first Day of *May*, one thousand seven hundred and eighty, and no longer; and it is found expedient, that so much of the said Act, as relates to the Encouragement of Volunteers, should be continued;' be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all the Provisions, Clauses, Matters, and Things, in the said Act contained, so far as the same relate to the Encouragement of Volunteers to inlist in his Majesty's Service, and the several Privileges, Immunities, and Advantages therein given and granted to such Volunteers, their Wives and Families, and also to the Time for which such Volunteers shall be inlisted; and also all Provisions relating to the entering the Names, Descriptions, and Terms of Service, of every such Volunteer, in the public Book of the Regiment or Company to which he shall belong, on his being inlisted or draughted, shall be, and the same are hereby declared to be, continued from the said first Day of *May*, one thousand seven hundred and eighty, until the first Day of *May*, one thousand seven hundred and eighty-two, and from thence to the End of the then next Session of Parliament, in as full and ample Manner, to all Intents and Purposes, as if the same were repeated and re-enacted in this present Act.

So much of the recited Act, as relates to the Encouragement of Volunteers to inlist in his Majesty's Service, &c. continued until May 1, 1782.

## CAP. XXXVIII.

An Act to vest certain Messuages, Lands, Tenements, and Hereditaments, in Trustees, for the better securing his Majesty's Docks, Ships, and Stores, at *Plymouth* and *Sheerness*; and for better defending the Passage of the River *Thames* at *Gravesend* and *Tilbury Fort*.

Preamble.

'WHEREAS, by reason of the hostile Intentions of the Courts of *France* and *Spain* to invade these Realms, and of the great Preparations made in the said Kingdoms for that Purpose, it is become absolutely necessary, for the present and future Protection and Security, as well of his Majesty's Dock, Ships of War, and Stores, at *Plymouth* and *Sheerness*, as of the Passage of the River *Thames* at *Gravesend* and *Tilbury Fort*, to erect and raise additional Fortifications and Intrenchments near the same: And whereas the Lands herein-after mentioned, lying near the said Docks of *Plymouth* and *Sheerness*, and also near the Passage of the River *Thames* at or near *Gravesend* and *Tilbury Fort* aforesaid, are wanted for the Purpose of being made use of to erect and raise such Fortifications and Intrenchments: And whereas many of the Owners and Proprietors of the Lands, Tenements, and Hereditaments, necessary to be purchased, may insist on large and extravagant Demands for the Purchase of such Lands, Tenements, and Hereditaments, or for the Damage and Injury they may pretend that they shall sustain by reason of such Fortifications and Intrenchments: And whereas many Persons may pretend or claim to have Title to the same Lands, Tenements, or Hereditaments, so that it may be doubtful to whom a Compensation ought to be made, which cannot be determined without the Aid of Parliament: To the End therefore that the true and real Value of such Lands, Tenements, and Hereditaments, may be ascertained, and the actual and real Owners and Proprietors may have a just and reasonable Satisfaction for such Lands, Tenements, and Hereditaments, or for any Claim or Right thereto; may it please your Majesty that it may be enacted;' and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all that Piece or Parcel of Ground, called or known by the Name of *Mount Pleasant*, containing by Estimation six Acres, be the same more or less, situate, lying, and being in the Parish of *Stoke Damerell*, in the County of *Devon*, and all Tenements and Hereditaments thereto belonging, now or late in the Tenure or Occupation of *Matthew Dixon*, *John Spurrell*, and *Samuel Pyke*; and also all that Piece or Parcel of Ground, containing by Estimation seven Acres, be the same more or less, situate, lying, and being near the Manor Pound in the Parish of *Stoke Damerell*, in the said County of *Devon*, together with a Stone Pound thereon erected, and all Tenements and Hereditaments to the said Piece or Parcel of Ground belonging or appertaining, now or late in the Tenure or Occupation of *Nicholas Farr*, *Orlando Lockyer*, and *Richard Vivyan Willisford*; and also all that Piece or Parcel of Ground, containing by Estimation seven Acres, be the same more or less, situate, lying,

Certain Parcels of Ground, and Tenements thereunto belonging, situate near Plymouth;

lying, and being in the Midway from *Mount Pleasant* to *Keyham Point* in the said Parish of *Stoke Damerell*, and all Tenements and Hereditaments thereto belonging, now or late in the Tenure or Occupation of *John Hill*, *William Austin*, and *Susanna Croad*; and also all that Piece or Parcel of Ground called or known by the Name of *Dodges Hill*, containing by Estimation four Acres, be the same more or less, situate, lying, and being in the Parish of *Stoke Damerell* aforesaid, and all Tenements and Hereditaments thereto belonging, now or late in the Tenure or Occupation of *Mary Connick*, *Nicholas Mill*, *George Lier*, *Magnes Dawe*, *William Davies*, *John James Hicks*, *James Tredimick*, *John Elis*, *John Bonner*, *Francis Kelly*, *Elizabeth Lamb*, *Justinia Toms*, *James Dunn*, *Anne Poppleſtone*, *William Indicott*, *William Jenkins*, *Francis Cocke*, *William Palmer*, *John Stephenson*, and *Benjamin Andrews*; and also all that Piece or Parcel of Ground, containing by Estimation twelve Acres, be the same more or less, situate, lying, and being on *Stonehouse Hill*, in the Parish of *East Stonehouse* in the said County of *Devon*, and all Tenements and Hereditaments thereto belonging, now or late in the Tenure or Occupation of *Luke Dunn*, *Thomas Warne*, and *Susanna Croad*; and also all that Piece or Parcel of Ground, containing by Estimation twenty Acres, be the same more or less, situate, lying, and being on the Heights of *Maker*, in the Parish of *Maker* in the County of *Devon*, and all Tenements and Hereditaments thereto belonging, now or late in the Tenure or Occupation of the Right Honourable the Lord *Edgecumbe*, *John Bager*, *John Laskey*, *William Elworthy*, and *Thomas Edwards*; and also all that Piece or Parcel of Ground, containing by Estimation twenty Acres, be the same more or less, situate, lying, and being near *Tor Point*, in the Parish of *Anthony* in the County of *Cornwall*, and all Tenements and Hereditaments thereto belonging, now or late in the Tenure or Occupation of *Thomas Graves*, *John Jeffery*, *Abraham Roberts*, and *John Hill*; and also all that Piece or Parcel of Ground, containing by Estimation thirty Acres, be the same more or less, situate, lying, and being at *Mount Batten*, in the Parish of *Plymstock* in the said County of *Devon*, together with a round Tower erected thereon, and all Tenements and Hereditaments to the said Piece or Parcel of Ground belonging or appertaining, now or late in the Tenure or Occupation of *Christopher Rouse*; and also all that Piece or Parcel of Land, containing by Estimation twenty-six Acres or thereabouts, be the same more or less, now or late in the Tenure or Occupation of *John Holden*, situate, lying, and being in the Parish of in the County of *Kent*, abutting East on the High-water Mark, and West on certain Lands belonging to his Majesty, and all Tenements and Hereditaments to the said Piece or Parcel of Ground belonging or appertaining; and also all those Pieces or Parcels of Land, containing by Estimation twenty-nine Acres or thereabouts, be the same more or less, situate, lying, and being in the said Parish of , abutting North on the Road to the Ferry, East upon a certain Creek dividing the said Piece of Land from other Lands late belonging to *Hoster Hart* Esquire deceased, and South to the High-water Mark adjoining to the Footway leading from *Sheerness* to *Queenborough*, and all Tenements and Hereditaments thereto belonging, being late the Property of the said *Hoster Hart*; which said Pieces or Parcels of Land last mentioned now or late were in the Tenure or Occupation of *Thomas Bell*, the Widow *Lee*, *John Dickson*, and others; and also all those several Pieces of Land, consisting of Garden Ground and Fields, now or late the Property of *Francis Wadman* Esquire, containing by Estimation twenty-six Acres or thereabouts, be the same more or less, situate, lying, and being in the Parish of *Gravesend* in the County of *Kent*, abutting West on the Road leading to the New Tavern in the Town of *Gravesend*, South on the Road leading from *Gravesend* to *Milton* and *Chatham*, and North on certain Lands the Property of *Sarah Gordon* of *Rochester* Widow, and all Tenements and Hereditaments thereto belonging, now or late in the Tenure or Occupation of ; and also all that Piece or Parcel of Land, now or late the Property of the said *Sarah Gordon*, containing by Estimation seven Acres or thereabouts, be the same more or less, situate, lying, and being in the said Parish of *Gravesend*, abutting South and West upon the Lands hereinbefore last described, and North on the Bank of the River *Thames*, and all Tenements and Hereditaments thereto belonging, now or late in the Tenure or Occupation of ; and also all that Piece or Parcel of Land, containing by Estimation one Acre and three Roods or thereabouts, be the same more or less, situate, lying, and being near *Tilbury Fort*, in the Parish of , in the County of *Essex*, extending from North-east to South-west from a certain Bank called *The Manoway*, and all Tenements and Hereditaments thereto belonging, now or late in the Tenure or Occupation of , shall be, and are hereby vested and settled, and declared and taken to be in the actual and real Possession and Seizin of the Right Honourable Sir *Fletcher Norton* Speaker of the House of Commons, Sir *William Lemon* Baronet, *Edward Eliot* Esquire, *John Parker* Esquire, *John Rolle* Esquire, the Honourable *Charles Marsham*, *Thomas Knight* junior Esquire, *John Luther* Esquire, and *Thomas Berney Bramston* Esquire, their Heirs and Assigns for ever, in Trust nevertheless for such Person or Persons, Bodies Politic or Corporate, Ecclesiastical or Civil, as, at or immediately before the Time of making this Act, were the several and respective Owners and Proprietors thereof, according to their several Estates and Interests therein, at the same Time, in Possession, Reversion, Remainder, or otherwise, until such Estates and Interests shall be respectively adjudged and determined, or Possession thereof taken by the Principal Officers of his Majesty's Ordnance or Engineers, or other Officers acting under their Authority, which they are hereby impowered to do whenever it shall be found necessary for his Majesty's Service; and the several Sum or Sums of Money, and Interest for the same, after the Rate of five Pounds *per Centum* for one Year, for the gross Sum that shall be assessed for the true and real Value thereof, in Manner and Form as is hereinafter mentioned and expressed, shall be paid.

and also certain Parcels of Land, and Tenements thereunto belonging, in or near to Gravesend and Tilbury Fort,

vested in Trustees.

II. And be it further enacted by the Authority aforesaid, That reasonable and just Compensation and Satisfaction shall be made out of the next Aids to be granted in Parliament, for and in respect of the said Lands, Tenements, and Hereditaments, before mentioned, to all and every Person and Persons, Bodies Politic and Corporate, Ecclesiastical and Civil.

Reasonable Compensation to be made to the Proprietors out of the next Parliamentary Aids.

III. And

III. And be it further enacted by the Authority aforesaid, That, for the better ascertaining the several Owners and Proprietors of the said Lands, Tenements, and Hereditaments, and their respective Titles and Claims thereto, it shall and may be lawful to and for his Majesty, by one or more Commission or Commissions by Letters Patent under the Great Seal of *Great Britain*, to authorize and appoint any Number of Persons to be Commissioners to hear and determine all Titles and Claims that shall or may be made to the said Lands, Tenements, and Hereditaments, or to any Part or Parcel thereof; which Commissioners so to be appointed, or any five or more of them, are hereby authorised and required, and shall and may in a summary Manner proceed, act, and determine, by and upon the Testimony of Witnesses upon Oath (which Oath they, or any five or more of them, are hereby impowered to administer), Inspection, and Examination of Deeds, Writings, and Records; or, if requested by the Parties interested, by Inquest of twelve good and lawful Men, to be impannelled and sworn in Manner herein-after mentioned and directed, or by all or any of the said Ways, or otherwise, according to their Discretion, all and all Manner of Rights, Estates, and Interests, and all Controversies, Debates, and Questions, which shall happen and arise between any Person or Persons whomsoever, or any other Matter or Thing relating to any of the Premises, or any Part thereof; and shall have Power to send for any Person or Persons, and oblige them to produce their Deeds or Writings upon Oath relating to any of the same Premises, and also shall and may, by Agreement with the respective Person or Persons that shall be determined to be the Owners and Proprietors of the said Lands, Tenements, or Hereditaments, or by the said Inquest of the said twelve good and lawful Men to be impannelled and sworn, inquire, proceed, act, and determine, touching and concerning the true and real Value of the said Premises, or any Part or Parcel thereof; and the said Commissioners, or any five or more of them, are hereby required to cause all their Judgments and Decrees to be entered fairly in Books, which Judgments and Decrees shall expressly mention and specify the respective House or Houses, or other Messuages or Tenements, Number of Acres or Parcels of Land, with their several Abuttals and Boundaries, together with the Name or Names of every Person or Persons interested respectively in the same, and the respective Sum or Sums that shall be so agreed for or assessed by the said Jury to be paid for the same respectively, which Judgments and Decrees shall likewise be fairly ingrossed on Parchment, and certified to the Clerk of the Crown in Chancery, and to the King's Remembrancer in his Majesty's Court of Exchequer; and such Judgments and Decrees made as aforesaid shall be final, and shall conclude all and every Person and Persons, Bodies Politic and Corporate, Ecclesiastical and Civil, their Heirs, Successors, Executors, Administrators, and Assigns respectively, notwithstanding any Disability or Incapacity whatsoever, any Law, Statute, or Custom, or other Matter or Thing whatsoever, to the contrary notwithstanding; Copies of which said Judgments and Decrees shall be laid forthwith before both Houses of Parliament, that a just and reasonable Compensation and Satisfaction may be made to the several Owners and Proprietors of the said Lands, Tenements, and Hereditaments.

His Majesty impowered, by Letters Patent under the Great Seal, to appoint Commissioners to determine Claims to the said Lands, &c.

How they are to proceed.

Judgments and Decrees of Commissioners to be entered in Books, &c.

Copies thereof to be laid before both Houses of Parliament.

IV. And be it further enacted by the Authority aforesaid, That, for the better carrying the said Commission or Commissions into Execution, the said Commissioners, to be appointed in and by the said Commission or Commissions, or any five or more of them, shall and lawfully may, and are hereby authorised and required to issue forth their Warrant or Warrants, under their Hands and Seals, to be directed to the respective Sheriffs of the respective Counties wherein such Lands, Tenements, or Hereditaments shall lie; thereby commanding them respectively to impannel, summon, and return, before the said Commissioners, at such Times and Places as shall be appointed in such Warrant or Warrants, a good and sufficient Jury of twenty-four good and lawful Men, qualified to serve upon Juries, at the Assizes for the said respective Counties, who, upon their Oaths (which Oath the said Commissioners, or any five or more of them, shall have Power to administer), shall inquire into the true and real Value of the said Lands, Tenements, and Hereditaments, and every Part or Parcel thereof, and who respectively are the Owners and Proprietors thereof, and their respective Estates and Interests therein: And the better to enable the said Jurors to make such Inquiry, the said Commissioners shall and lawfully may direct, in such their Warrant or Warrants to the said respective Sheriffs, a View to be taken, by six or more of the said Jurors, of the several Lands, Tenements, and Hereditaments, in the said respective Counties, at some Time previous to the Meeting of the said Commissioners: And the Sheriffs of the said Counties respectively, upon the Receipt of such Warrant or Warrants from the said Commissioners as aforesaid, are hereby required to impannel, summon, and return twenty-four good and lawful Men, qualified to serve upon Juries at the Assizes for the said respective Counties, and in the mean Time to have six or more of the said Jurors, so impannelled and sworn, to view the said Lands, Tenements, and Hereditaments, in their respective Counties; and at the Return of such Warrant or Warrants, to attend the said Commissioners, with his or their Bailiffs or Officers, to prove, if necessary, the Summons of the Jurors so to be impannelled and returned respectively, upon Oath (which Oath the said Commissioners, or any five or more of them, shall have Power to administer to the said respective Sheriffs, and their Bailiffs and Officers, or any or either of them): And in case the said Sheriff or Sheriffs, and his or their Bailiffs and Officers, or any or either of them, shall neglect or refuse (being duly served with such Warrant or Warrants of the said Commissioners fourteen Days before the Return thereof) to impannel, summon, and return, such Jury of good and lawful Men as aforesaid, or otherwise refuse to execute such Warrant or Warrants, or shall not attend the said Commissioners with his or their Bailiffs and Officers who shall summon the said Jurors, at the Return of such Warrant or Warrants as aforesaid; then, and in either of the said Cases, the said Commissioners, or any five or more of them, are hereby authorised and required to impose a Fine on such Sheriffs, Bailiffs, and Officers, or any or either of them, so making Default, not exceeding twenty Pounds, nor less than ten Pounds, for any one Offence; and in case the said Jurors so to be impannelled summoned, and returned, or any or either of them, shall neglect or refuse to appear at the Return of such Warrant or Warrants, and to be sworn for the Purposes aforesaid, then and in such Case it shall and may be lawful to and for the said Commissioners then assembled and met, or any five or more of them,

Commissioners to issue their Warrants to Sheriffs to summon Juries;

who are to inquire into the Value of Lands, &c.

Sheriffs to summon Juries accordingly.

Penalty on Sheriffs or their Officers making Default;

and also on Jurors.

to impose a Fine upon each and every of the Jurors so impannelled, summoned, and returned, and (without lawful Excuse, to be allowed of by the said Commissioners then sitting, or the major Part of them) making Default, or refusing to be sworn, not exceeding the Sum of ten Pounds of lawful Money of *Great Britain*; which Fine and Fines, so to be imposed and set, the said Commissioners are hereby authorised and required to estreat into his Majesty's Court of Exchequer, to be levied to the Use of his Majesty.

In case a sufficient Jury shall not appear upon Return of the Warrant, Commissioners may adjourn the Inquest, and issue their Warrant for summoning other Jurors in Room of Defaulters.

V. And be it further enacted by the Authority aforesaid, That in case a sufficient Jury shall not appear upon the Return of the said Warrant or Warrants to take the Inquest, it shall and may be lawful to and for the said Commissioners, or any five or more of them, to adjourn the said Inquest to any future Day, not exceeding fourteen Days, nor less than four Days, from the Adjournment thereof, and to issue out their Warrant or Warrants for impannelling, summoning, and returning an equal Number of Jurors to those so making Default, who, together with the Jurors before returned by the Sheriffs of the respective Counties upon such second Warrant or Warrants afterwards to be issued, or upon any future Warrant or Warrants, Adjournment or Adjournments, which the said Commissioners, or any five or more of them, are hereby authorised to issue and make from Time to Time, until a sufficient Jury can be had, shall inquire as aforesaid.

Commissioners, after the Inquest shall be taken, may adjourn, &c.

VI. Provided always, That twelve good and lawful Men shall be sufficient to take the Inquest aforesaid; and that in case twelve or more, not exceeding twenty-three in the Whole, shall appear, and be sworn, to take such Inquest, then and in such Case the said Commissioners shall continue and sit from Day to Day, until the said Inquest shall be taken, and, after the Inquest shall be taken, may adjourn to some future Day for making their Judgments and Decrees thereon.

Commissioners to give Notice previous to their respective Meetings.

'VII. And, to the Intent that no Person or Persons may have any Cause or Pretence for not appearing 'to make out their Claims or Title to the said Lands, Tenements, or Hereditaments, or any Part or 'Parcel thereof,' be it further enacted by the Authority aforesaid, That five or more of the said Commissioners shall give Notice, in Writing, twenty-one Days at least before their Meeting at each Place, which Writing shall be affixed at the Gates of the respective Docks of *Plymouth* and *Sheerness*, and on the Door of the respective Town-halls of *Plymouth* and *Rochester*, and on the respective Church Doors of the Parishes wherein the Town of *Gravesend* and *Tilbury Fort* are situate, and shall likewise be published in the *London Gazette*; and if any Person or Persons shall neglect or refuse to appear, or, when he or they shall appear, shall wilfully refuse to shew his or their Deeds or Writings relating to the Premises; that then the said Commissioners, or any five or more of them, and the Jurors to be impannelled and sworn upon such Inquest, shall proceed, upon the best Information they can get or have, to make such Inquest, Judgments, and Decrees, as before directed; and all such Judgments and Decrees, being entered and certified as aforesaid, shall be final and conclusive.

How they are to proceed if Owners make Default in appearing, &c.

On Payment of the Sums assessed by Jury, &c. Trustees to be deemed seised of the Premises, for the Use of his Majesty.

VIII. And be it further enacted by the Authority aforesaid, That immediately from and after the Time that Payments shall be made of the Sum and Sums of Money so to be agreed for or assessed by the said Jury, and decreed and adjudged by the said Commissioners, or any five or more of them, to the Owners and Proprietors of the said Lands, Tenements, and Hereditaments, herein-before mentioned, or to any or either of them, the Trustees herein-before mentioned shall be deemed and adjudged to stand seised of such Part and Parcel of the said Premises as shall be so paid for, to and for the Use of his Majesty, his Heirs and Successors, for ever, freed and discharged of and from all and all Manner of Right, Title, Claim, and Demand whatsoever, that can or may be made by any Person or Persons, Bodies Politic or Corporate, Ecclesiastical or Civil.

Commissioners to examine into Complaints of Owners of adjoining Lands, &c. and to make an Estimate of the Damages received.

IX. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners, or any five or more of them, upon the Complaint of any Owner or Owners, Occupier or Occupiers, of any other Lands, Tenements, and Hereditaments, adjoining to any Part of the Lands, Tenements, and Hereditaments, by this Act vested in the said Trustees, that he, she, or they have received any Damage by the erecting or completing of the said Fortifications and Intrenchments, or of any of the Works thereto belonging, to examine into and hear every such Complaint, and shall make an Estimate of such Damage, and shall return such Estimate with, and in the Manner they are herein-before directed to return the aforesaid Judgments and Decrees.

How the Profits of Lands vested in the Trustees shall be applied.

X. And be it further enacted by the Authority aforesaid, That no private Building or Buildings shall be made or erected upon any of the Lands vested by this Act as aforesaid; and that the whole Profits arising, or that shall hereafter arise, from the said Lands, be, and are hereby appropriated and applied for and towards the Erection and Reparation of the respective Fortifications and Intrenchments of each Place, and to no other Use or Purpose whatsoever; and all and singular the Premises shall be, and are hereby enacted and declared to be, unalienable from the Crown; neither shall any Part of the Premises be demised or demiseable, otherwise than during Pleasure only.

Commissioners not liable to the Penalties mentioned in an Act of 25 Car. II.; or in 1 Gul & Mar. Cap. 8; 13 and 14 Gul. III. Cap. 6;

1 Geo. I. Cap. 13.

XI. Provided always, and be it enacted, That no Commissioner, who shall be employed in the Execution of this Act, shall be liable, for or by reason of such Execution, to any of the Penalties mentioned in an Act, made in the twenty-fifth Year of the Reign of King *Charles* the Second, intituled, *An Act for preventing Dangers which may happen from* Popish *Recusants*; or in one other Act, made in the first Year of the Reign of King *William* and Queen *Mary*, intituled, *An Act for the abrogating the Oaths of Supremacy and Allegiance, and appointing other Oaths*; or in one other Act, made in the Parliament holden in the thirteenth and fourteenth Years of the Reign of the late King *William* the Third, intituled, *An Act for the better Security of his Majesty's Person, and the Succession of the Crown in the Protestant Line; and for extinguishing the Hopes of the pretended Prince of* Wales, *and all other Pretenders, and their open and secret Abettors*; or in one other Act, made in the Parliament begun and holden in the first Year of the Reign of King *George* the First, intituled, *An Act for the better Security of his Majesty's Person and Government, and the Succession of the Crown in the Heirs of the late Princess* Sophia, *being Protestants; and for extinguishing the Hopes of the pretended Prince of* Wales, *and his open and secret Abettors*.

XII. Provided

XII. Provided also, and be it enacted, That such Commissioners as his Majesty shall nominate for the Purposes in this Act, or any of them, shall not by reason thereof in any Sort be disabled or disqualified from sitting in the House of Commons, or their Election thereby become void; any Law or Statute to the contrary thereof in anywise notwithstanding.

Commissioners not disqualified from being Members of Parliament.

## CAP. XXXIX.

An Act to admit to an Entry in this Kingdom, under certain Restrictions, Tobacco imported not directly from the Place of its Growth or Produce, and for granting an additional Duty on such Tobacco, during the present Hostilities.

Preamble.

'WHEREAS by an Act, made in the twelfth Year of the Reign of King *Charles* the Second, intituled, *An Act for the encouraging and increasing of Shipping and Navigation*, it was, amongst other Things, enacted, That no Goods or Commodities of the Growth, Production, or Manufacture of *Africa*, *Asia*, or *America*, shall be imported or brought into *England*, *Ireland*, *Wales*, the Islands of *Guernsey* or *Jersey*, or Town of *Berwick upon Tweed*, from any other Place or Places, Country or Countries, but only from those of the said Growth, Production, or Manufacture, or from those Parts where the said Goods and Commodities can only, or are, or usually have been, first shipped for Transportation, and from none other Places or Countries, under the Penalty of the Forfeiture of all such of the aforesaid Goods as shall be imported from any other Place or Country, contrary to the true Intent and Meaning of the said Act; and also of the Ship in which they were imported, with all her Guns, Furniture, Ammunition, Tackle, and Apparel: And whereas, during the present Rebellion of the Colonies in *America*, several Parcels of Tobacco of the Growth of the said Colonies, which have escaped the Capture of *British* Cruizers, have been imported into some of the neutral Islands in the *West Indies*, where they have been purchased by some of his Majesty's Subjects not in Rebellion, and thence conveyed to some *British* Island in the *West Indies*, where they have been admitted to Entry; and from whence they have been imported into this Kingdom upon Payment of, or Security given for, the Payment of the *British* Plantation Duties: And whereas Doubts have arisen respecting the Legality of such Importation into the said *British* Islands in the *West Indies*, as also of the Importation thereof from the said Islands into this Kingdom: And whereas it is manifestly for the Benefit of the Revenue and Navigation of this Kingdom, to permit the said Trade, and to exempt from the Forfeitures and Penalties above mentioned, any Parcels of the aforesaid Tobacco, which having been transhipped at Sea on board such Vessels which brought the same from *Saint Eustatia*, and other neutral Islands, have not been landed at any Island or other Place in the *British* Dominions in *America*, from which the same may be lawfully imported into this Kingdom: May it therefore please your Majesty that it may be enacted;' and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for the Owners of such Tobacco so imported, or which shall or may be imported into this Kingdom, before the first Day of *January*, one thousand seven hundred and eighty-one, to enter and pay the Duties due and payable for such Tobacco, without incurring any Penalty or Forfeiture whatsoever, for or by reason of such Importation; and the said Tobacco so entered or to be entered, and the Ships or Vessels in which the same was or may be so imported as aforesaid, shall be released and discharged from any Seizure or Forfeiture on account of such Importation; any Thing in the said recited Act, or any other Act, to the contrary notwithstanding.

Recital of the Navigation Act 12 Car. II.

Tobacco the Growth of the British Colonies in America, imported from the neutral Islands in the West Indies, &c. before Jan. 1, 1781, may be entered, without incurring any Penalty:

'II. And, for obviating any Doubts or Difficulties that may hereafter arise by such Importations,' it is hereby further enacted and declared by the Authority aforesaid, That, from and after the first Day of *January*, one thousand seven hundred and eighty-one, any Tobacco, being the Growth or Produce of any Part of the *British* Dominions in *America*, which, during the Continuance of the present Hostilities, shall be *bona fide* imported into and landed at any *British* Island in the *West Indies*, from any Island or Place in *America* or the *West Indies* in Amity with his Majesty, his Heirs or Successors, shall and may be imported directly from such *British* Island, and shall and may be entered and landed in this Kingdom upon Payment of the proper Duties due thereon; provided the Master, or Person having the Command or Charge of the Vessel in which the same shall be imported, shall produce and deliver to the Collector, or other proper Officer of the Customs at the Port of Importation, at the Time he makes his Report, a Certificate, under the Hand and Seal of Office of the Collector and Comptroller, or other principal Officer of the Customs, of the *British* Island where such Tobacco was laden and taken on Board, certifying that the said Tobacco was so laden and taken on Board there, and naming the Island or Place from which such Tobacco was so imported; and such Tobacco shall also be accompanied with the customary Manifests and other Documents, and shall in all other Respects be subject and liable to the same Securities, Rules, Regulations, Restrictions, Penalties, and Forfeitures, as Tobacco the Growth or Produce of any *British* Colony or Plantation is or may be subject and liable to, by any Act or Acts of Parliament now in Force.

And after Jan. 1, 1781, any such Tobacco, which, during the present Hostilities, shall be landed at any British Island in the West Indies from a neutral Port, may be imported directly from such Island into this Kingdom; provided the Master of the Vessel shall produce to the Custom-house Officer at the Port of Importation a proper Certificate, &c.

III. And it is hereby further enacted by the Authority aforesaid, That it shall and may be lawful to import in *British* Ships or Vessels, duly navigated according to Law, any Tobacco of the Growth or Produce of any Part of the *British* Dominions in *America*, from any Island or Place in Amity with his Majesty, into any *British* Island in the *West Indies*; and that the Tobacco so imported into such *British* Island, shall not be liable to Seizure or Confiscation.

Such Tobacco may be imported in British Vessels from any neutral Port into the British West Indies.

IV. And it is hereby further enacted by the Authority aforesaid, That for all Tobacco of the Growth or Produce of any *British* Colony or Plantation in *America* or the *West Indies*, which, from and after the first Day of *January*, one thousand seven hundred and eighty-one, shall be imported into this Kingdom, from

For all Tobacco, the Produce of British America, imported as before mentioned,

after Jan. 1, 1781, (except Prize Tobacco) there shall be paid an additional Duty of 1 d. per Pound; besides the additional 5 per Cent. granted by 19 Geo. III. Cap. 25.

from any Island or Place from whence the same may be lawfully imported, not being the Island or Place of the Growth or Produce of such Tobacco (except Tobacco taken and condemned as Prize), there shall be raised, levied, collected, and paid, unto his Majesty, his Heirs and Successors, an additional Duty of one Penny for every Pound Weight of such Tobacco, which shall be paid down in ready Money, without any Discount or Deduction whatsoever; and shall be also subject and liable to an additional Impost or Duty of five Pounds *per Centum*, in the same Manner, and under the same Regulations, as the additional Duty of five Pounds *per Centum* is granted to his Majesty by an Act made in the last Session of Parliament (intituled, *An Act for granting to his Majesty additional Duties upon the Produce of the several Duties under the Management of the respective Commissioners of the Customs and Excise in* Great Britain).

New Duty to be collected and recovered, &c. in the same Manner as the former Duties on Tobacco (except where altered by this Act); and to be paid into the Exchequer by the Receiver-general of the Customs.

V. And it is hereby further enacted by the Authority aforesaid, That the said Duty herein-before granted, shall be raised, levied, collected, paid, and recovered, in such Manner and Form, and by such Ways, Means, and Methods, and under such Penalties and Forfeitures (except where any Alteration is made by this Act), as the former Duties now payable to his Majesty upon such Tobacco are raised, levied, paid, and recovered, as fully and effectually, to all Intents and Purposes, as if the several Clauses, Powers, Directions, Penalties, and Forfeitures, respectively relating thereto, were particularly repeated and again enacted in the Body of this present Act; and shall be paid into the Hands of the Receiver-general of the Customs in *England*, and shall be by him paid (the necessary Charges of raising, collecting, and answering the same, only excepted) into the Receipt of his Majesty's Exchequer, distinct and apart from all other Monies which such Receiver-general shall receive for the Use of his Majesty, for the Uses and Purposes in this Act mentioned.

A separate Account to be kept in the Auditor's Office of all Monies paid in by virtue of this Act.

How to be applied.

VI. And be it further enacted by the Authority aforesaid, That there shall be provided and kept in the Office of the Auditor of the said Receipt of Exchequer a Book or Books, in which all the Monies arising from the Duties hereby granted, and paid into the said Receipt as aforesaid, shall be entered separate and apart from all other Monies paid and payable to his Majesty, his Heirs and Successors, upon any Account whatsoever; and the said Money, so paid into the said Receipt of Exchequer as aforesaid, shall, together with such other Rates, Duties, and Revenues, as shall be granted by any Act or Acts of this Session of Parliament for this Purpose, be a Fund for the Payment of the several Annuities, and all such other Charges and Expences as are directed to be paid and payable pursuant to an Act of this present Session of Parliament, intituled, *An Act for raising a certain Sum of Money by way of Annuities, and for establishing a Lottery.*

Upon Exportation of such Tobacco, a Drawback to be allowed of all the Duties paid upon Importation by virtue of this Act.

VII. Provided always, and it is hereby further enacted by the Authority aforesaid, That upon the Exportation of such Tobacco from this Kingdom to any Part beyond the Seas as Merchandise, the Exporter shall be paid and allowed a Drawback of all the before-mentioned Duties paid upon the Importation of such Tobacco by virtue of this Act; which Drawback or Allowance shall be made in such Manner, and under such Rules, Regulations, Penalties, and Forfeitures, in all Respects, as any former Drawback or Allowance, payable out of the Duties of Customs upon the Exportation of such Tobacco, was, could, or might be made before the passing of this Act.

Continuance of this Act.

VIII. And be it further enacted by the Authority aforesaid, That this Act shall continue in Force during the present Hostilities, and no longer.

## CAP. XL.

An Act to repeal so much of an Act, made in the fifteenth Year of his Majesty's Reign, (*for settling* Buckingham House *upon the Queen, in lieu of* Somerset House; *and for other Purposes*), as enables the Commissioners of his Majesty's Treasury to apply the Sums necessary for completing *Somerset House*, out of the Aids granted for Naval Services, or out of any of the Revenues arising from the Receipt of the several Offices to be erected and established by virtue of the said Act.

Preamble.

Recital of 15 Geo. III. Cap. 33.

'WHEREAS by an Act, made in the fifteenth Year of the Reign of his present Majesty, intituled, '*An Act for settling* Buckingham House *with the Appurtenances upon the Queen, in case she shall survive* 'his Majesty, *in lieu of his Majesty's Palace of* Somerset House; *for enabling the Lords Commissioners of his* 'Majesty's Treasury *to sell and dispose of* Ely House *in* Holborn; *and for applying the Money to arise by Sale* 'thereof, *together with other Monies, in erecting and establishing Public Offices in* Somerset House, *and for em-* 'banking certain Parts of the River Thames *lying within the Bounds of the Manor of the* Savoy; *and for* 'other Purposes therein mentioned; it was, amongst other Things, enacted, That in case the Money arising 'by the Sale or Sales, Demises or Surrenders of *Ely House*, and other the Premises vested in the Commis- 'sioners of his Majesty's Treasury to be sold or demised, should not be sufficient to answer the Purposes 'for which the same was appropriated, it should and might be lawful for the Commissioners of his Ma- 'jesty's Treasury, or any three of them, or the Lord High Treasurer for the Time being, out of all or 'any of the Aids or Supplies granted or to be granted by Parliament, for or towards all or any of the 'Naval Services, or out of all or any of the Revenues arising or to arise to his Majesty, within the Re- 'ceipt, Management, or Government, of all or any of the several Offices erected and established, or to 'be erected and established, by virtue of the said Act, to order and direct, from Time to Time, such Sum 'and Sums of Money as he or they should judge necessary for answering the Purposes, and carrying the 'Intentions of the said Act into effectual Execution: And whereas large Sums of Money have already 'been expended on the Buildings at *Somerset House* more than have arisen from the Sale of *Ely House*, and 'the other Premises mentioned in the said Act; and further large Sums of Money will be necessary to 'complete the said Buildings: And whereas the Method prescribed for issuing the Money under the said

'Act is contrary to the Usage of Parliament, with respect to Grants for other Public Services, which is 'by Sums voted annually founded upon proper Estimates: May it therefore please your Majesty that it 'may be enacted;' and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the said recited Act as prescribes the Method of issuing Monies for the Purposes therein mentioned, shall be and is hereby repealed.

Part of the recited Act repealed.

## CAP. XLI.

An Act to continue an Act, made in the twelfth Year of the Reign of his present Majesty, intituled, *An Act for rendering the Payment of the Creditors of Insolvent Debtors more equal and expeditious, and for regulating the Diligence of the Law by Arrestment and Poinding, and for extending the Privilege of Bills to Promissory Notes, and for limiting Actions upon Bills and Promissory Notes, in that Part of* Great Britain *called* Scotland. [Further continued till *May* 15, 1782.]

## CAP. XLII.

An Act for granting to his Majesty several additional Duties upon certain Goods imported into the *Isle of Man*; and for better regulating the Trade and securing the Revenues of the said Island.

'Most Gracious Sovereign,

'WE, your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain*, in Parliament 'assembled, for further Provision towards defraying the Expences of Government of the *Isle of* 'Man, and better raising and securing a Revenue for that Purpose, have resolved to give and grant to your 'Majesty the several additional Rates and Duties herein-after mentioned; and do therefore most humbly 'beseech your Majesty that it may be enacted;' and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, from and after the fifth Day of *July*, one thousand seven hundred and eighty, there shall be raised, levied, collected, and paid unto his Majesty, his Heirs and Successors, the following Duties for and upon the Goods and Merchandises herein-after mentioned, which shall be brought or imported into the *Isle of Man*; that is to say,

Preamble.

After July 5, 1780, the following additional Duties to be paid on Importation into the Isle of Man; viz.

For every Gallon of Rum, the Produce of the *British* Plantations, imported from that Part of *Great Britain* called *England*, a further additional Duty of six Pence, over and above all other Duties now charged thereon:

For every Gallon of Rum the Produce of British Plantations, imported from England, 6d.

For every Pound Weight of Tobacco imported from *England*, an additional Duty of one Penny:

For every Pound of Tobacco so imported, 1d.;

For and upon all Hemp, Iron, Deal Boards, and Timber, imported from foreign Parts, an additional Duty of five Pounds *per Centum ad Valorem*:

Hemp, Iron, &c. from foreign Parts, 5 per Cent. ad valorem;

For every Ton of *French* Wine imported, an additional Duty of four Pounds:

French Wine 4l. per Ton;

For every Ton of all other Sorts of Wine imported, an additional Duty of two Pounds; and after these Rates for any greater or less Quantity of such Wine.

and all other Wine, 2l.

'II. And whereas by an Act of Parliament, made in the seventh Year of the Reign of his present Ma- 'jesty, intituled, *An Act for encouraging and regulating the Trade and Manufactures of the* Isle of Man; *and* 'for the more easy Supply of the Inhabitants there with a certain Quantity of Wheat, Barley, Oats, Meal, and 'Flour, authorised, by an Act made in this Session of Parliament, to be transported to the said Island, the Ex- 'porter from this Kingdom into the *Isle of Man* of such Goods, and in such Manner as therein mentioned, 'was thereupon intitled to receive the same Drawbacks, under the same Regulations in all Respects, as 'were then allowed and prescribed for such Goods respectively when exported from *Great Britain* to *Ire- 'land*: And whereas, since the passing of the said recited Act, the Drawback, which was at that Time 'allowed upon the Exportation of Tea from *Great Britain* to *Ireland*, has ceased and determined, and 'another Drawback upon Tea so exported has been since allowed by a subsequent Act of Parliament, 'which is now in Force;' be it therefore further enacted by the Authority aforesaid, That, from and after the said fifth Day of *July*, one thousand seven hundred and eighty, the several Duties granted and payable to his Majesty, in and by the said recited Act, for and upon every Pound Weight of Bohea Tea, Green Tea, and Coffee, imported from *England* into the said *Isle of Man*, shall cease, determine, and be no longer paid or payable; any Thing in the said Act to the contrary thereof in anywise notwithstanding: And that in Lieu of the said Duties by this Act repealed as aforesaid, there shall be raised, levied, collected, and paid unto his Majesty, his Heirs and Successors, the following Duties for and upon the Goods and Merchandises herein-after mentioned, which shall be brought or imported into the said *Isle of Man*; that is to say,

Recital of 7 Geo. III. Cap. 45.

After July 5, 1780, the Duties on Tea and Coffee imported from England, granted by the recited Act, to cease.

For

New Duties.

For every Pound Weight of Bohea Tea imported from *England*, six Pence:
For every Pound Weight of Green Tea imported from *England*, one Shilling:
For every Pound Weight of Coffee imported from *England*, four Pence.

The aforesaid Duties to be paid in ready Money without Discount; and to be collected and and recovered in like Manner as former Duties.

How to be applied.

III. And be it further enacted by the Authority aforesaid, That the several Rates and Duties hereinbefore granted, shall be paid down in ready Money without any Discount or Allowance, and shall be raised, levied, collected, paid, and recovered, under the Authority and Direction of the Commissioners of the Treasury, or the Lord High Treasurer for the Time being, in like Manner and Form, and by the same Rules, Regulations, and under such Penalties and Forfeitures, Clauses, Matters, and Things not hereby altered, as the former Duties payable upon such Goods were raised, levied, collected, and recovered, as fully and effectually, to all Intents and Purposes, as if the several Clauses, Powers, Directions, Penalties and Forfeitures, relating thereto, were particularly repeated and again enacted in the Body of this present Act; and (except the necessary Charges of raising, collecting, levying, recovering, answering, paying, and accounting for the same) the said Rates and Duties shall from Time to Time be brought and paid into the Receipt of his Majesty's Exchequer, distinctly and apart from all other Branches of the public Revenue; and such Part thereof as shall remain after the necessary Expences attending the Government of the said *Isle of Man*, and the Administration of Justice there, are from Time to Time defrayed, shall be reserved for the Disposition of Parliament.

After July 5, 1780, a Drawback to be allowed on the Exportation of Tea to the Isle of Man.

'IV. And whereas it may tend to encourage and promote the lawful Importation of Tea into the said 'Island from *Great Britain*, and also to prevent the clandestine and illicit Trade therein which hath been 'lately carried on there, if a Drawback of the Customs paid in *Great Britain* was allowed upon the Ex-'portation of Tea from thence to the said Island;' be it therefore further enacted by the Authority aforesaid, That, from and after the said fifth Day of *July*, one thousand seven hundred and eighty, there shall be drawn back and allowed for all Tea which shall be exported from this Kingdom as Merchandise to the *Isle of Man*, in such Quantity respectively limited, and under the same Regulations in all Respects as are prescribed in and by the herein-before recited Act made in the seventh Year of his Majesty's Reign, the several Duties of Customs which were paid upon the Importation of such Tea; which Drawback or Allowance shall be made to such Exporter in such Manner, and under such Rules, Regulations, Securities, Penalties, and Forfeitures, in all Respects, as are allowed and prescribed for such Goods respectively, when exported from *Great Britain* to *Ireland*.

In what Cases the said Drawback shall not be allowed.

V. Provided always, and it is hereby further enacted by the Authority aforesaid, That the Drawback allowed by this Act shall not be allowed for any Tea which shall not be exported directly from the Warehouse or Warehouses wherein the same shall be lodged, pursuant to the Directions of all or any of the several Acts now in Force for that Purpose.

After July 5, 1780, there may be exported to the Port of Douglas, from England, yearly, 50,000 Gallons of British Spirits, and 30,000 Gallons of Rum;

'VI. And whereas the Commissioners of his Majesty's Customs in *England* are authorised, in and by 'the said recited Act, to grant Licence to any of his Majesty's Subjects to export from any Port of *England* 'into the Port of *Douglas* in the said *Isle of Man*, any Quantity of Spirits, not exceeding in the Whole 'fifty thousand Gallons of *British* distilled Spirits, and thirty thousand Gallons of Rum of the Produce 'of the *British* Plantations, in one Year: And whereas only a very small Part of the said Allowance of 'fifty thousand Gallons of *British* distilled Spirits hath of late been imported into the said Island, and the 'Allowance of thirty thousand Gallons of Rum, of the Produce of the *British* Plantations, is become in-'sufficient for the Consumption of the said Island, by reason of the late Increase of Population, and of 'the Herring Fishery;' be it therefore enacted by the Authority aforesaid, That, from and after the said fifth Day of *July*, one thousand seven hundred and eighty, instead of the Quantities of Spirits and Rum in the said Act mentioned, the Commissioners of his Majesty's Customs in *Great Britain* respectively, or any three of them, shall and may grant Licence, without Fee or Reward (to continue in Force for the Term of thirty Days), to any of his Majesty's Subjects to export from any Port of *England*, into the Port of *Douglas* in the *Isle of Man*, but to no other, in *British* Ships navigated according to Law, any Quantity of *British* distilled Spirits not exceeding in the Whole forty thousand Gallons, and thirty thousand Gallons of Rum, the Produce of the *British* Plantations; and from any Port in that Part of *Great Britain* called *Scotland*, ten thousand Gallons of such Rum, in one Year, in the same Manner, and under the same Regulations in all Respects, as if the said last-mentioned Quantity had been originally limited and prescribed in and by the said Act, instead of the Quantity therein mentioned; and the Certificate directed by the said Act to be transmitted to the Commissioners of the Customs at *London*, shall, with respect to the Quantity of Rum exported from *Scotland*, be transmitted in like Manner to the Commissioners of his Majesty's Customs at *Edinburgh*, any Thing in the said Act contained to the contrary thereof in anywise notwithstanding.

and 10,000 Gallons of Rum from Scotland.

No Licences for exporting Goods to be granted by virtue of the recited Act, until Entry has been made of all such Goods, expressing the Quantity and Quality, the Name of the Ship, &c.

'VII. And, for the better Prevention of Abuses, under Colour of the Licences granted by virtue of 'the said recited Act to export the Goods therein mentioned from any Port of *England* into the Port of '*Douglas* in the *Isle of Man*,' be it further enacted by the Authority aforesaid, That, from and after the said fifth Day of *July*, one thousand seven hundred and eighty, no such Licence shall be granted to any Person or Persons whatsoever, to export any of the Goods therein mentioned to the said *Isle of Man*, and no such Licence shall be granted to any Person or Persons to export such Rum from any Port in that Part of *Great Britain* called *Scotland*, in pursuance of this Act, before such Person or Persons shall have made a true Entry of all such Goods in Writing with the Collector and Comptroller of the Port from whence such Goods are intended to be exported, expressing the Quantity and Quality thereof, with the Times of the paying or securing his Majesty's Duties inwards for the same, and also of the Name of the Ship or Vessel, and of the Master or Person having Charge of such Ship or Vessel, in which the said Goods are intended to be exported; of which Entry a Copy, attested by the said Collector and Comptroller, being

produced to the Commissioners of his Majesty's Customs in *England* or *Scotland* respectively, then, and not before, they, or any three of them respectively, shall and may grant such Licence for the Exportation thereof, as in the said recited Act mentioned, which said Licence shall continue in Force for the Term of thirty Days only from the Date thereof, and no longer; and in case no Exportation shall be made pursuant to such Licence, the same shall be null and void to all Intents and Purposes; any Thing in the said recited Act to the contrary thereof in anywise notwithstanding.

Licence to continue in Force for 30 Days only.

'VIII. And whereas by an Act made in the fifth Year of the Reign of his present Majesty, intituled, '*An Act for more effectually preventing the Mischiefs arising to the Revenue and Commerce of* Great Britain *and* Ireland, *from the illicit and clandestine Trade to and from the* Isle of Man, it is (amongst other Things) 'enacted, That no Wine should be imported into the said Island in any Ship or Vessel of less Burthen than 'one hundred Tons, upon Forfeiture of all such Goods, together with the Ship or Vessel, and all her 'Tackle, Furniture, and Apparel, to be seized and prosecuted as therein-after is directed: And whereas 'great Hardship is thereby laid on Vessels of a less Burthen, trading in Herrings to *Madeira* and the *Mediterranean*, where they are frequently unable to make Returns otherwise than in the Wine or Produce 'of the Country;' be it therefore enacted by the Authority aforesaid, That, from and after the said fifth Day of *July*, one thousand seven hundred and eighty, it shall and may be lawful for such Ships or Vessels as aforesaid, not being of less Burthen than seventy Tons, to import into the said Island any Wine (*French* Wine or any Wine from *France* excepted); and in case any Wine shall be imported into the said Island in any Ship or Vessel of less Burthen than as aforesaid, or in any Vessel or Cask that shall contain less than twenty-five Gallons, or in any other Manner contrary to the said recited Act, except as altered by this present Act, the several Penalties and Forfeitures therein inflicted shall and may be recovered, levied, seized, and prosecuted, in such Manner as the same could or might have been by virtue of the said Act; any Thing therein contained to the contrary notwithstanding.

Recital of an Act 5 Geo. III.

After July 5, 1780, Herring Vessels trading to Madeira, &c. of 70 Tons Burthen, may import any Wine (except French) into the Isle of Man.

'IX. And, for the more effectually preventing irregular, clandestine, and fraudulent Exportation from 'the said *Isle of Man*,' be it further enacted by the Authority aforesaid, That, from and after the said fifth Day of *July*, one thousand seven hundred and eighty, no Goods, Wares, or Merchandises whatsoever (fresh or unsalted Fish excepted) shall be shipped or laden on Board any Ship or Vessel, in order to be exported from the said *Isle of Man*, to any Place whatsoever, before a Warrant is granted for that Purpose by the Collector or other principal Officer of the Port where the said Goods are shipped or laden, or before such Security is given as by Law is or may be required, on Forfeiture of all such Goods, or the Value thereof; and all Masters, or other Persons having Command or Charge of any Ship or Vessel, wherein any Goods shall be shipped in order to be exported, shall conform to such Rules and Regulations, and be subject to such Forfeitures and Penalties, in all Respects, as are prescribed and inflicted by any Act of Parliament now in Force with respect to the Exportation of Goods from *Great Britain*.

No Goods to be shipped for Exportation from the Isle of Man without a proper Warrant, &c. on Forfeiture of all such Goods.

'X. And whereas by an Act, made in the fifth Year of the Reign of his present Majesty, intituled, *An* 'Act *for the better securing, and further Improvement, of the Revenues of Customs, Excise, Inland and Salt* 'Duties; *and for encouraging the Linen Manufacture of the* Isle of Man; *and for allowing the Importation* 'of *several Goods, the Produce and Manufacture of the said Island, under certain Restrictions and Regulations*, 'it is (amongst other Things) enacted, That the Inhabitants of the *Isle of Man* shall and may import 'directly from thence into any lawful Port of *Great Britain*, Bestials, or any Goods, Wares, and Merchandises, of the Growth, Produce, and Manufacture of the said *Isle of Man* (except such as are pro'hibited to be imported into this Kingdom), without paying any Customs, Subsidies, or Duties, for or 'in respect thereof (except such Excise or other Duty as was then or should thereafter become due and 'payable for the like Goods, Wares, and Merchandises, of the Growth, Produce, and Manufacture of '*Great Britain*), provided the Master, or other Person having the Charge of the Ship or Vessel so import'ing the same, shall bring with him a Certificate or Certificates from the Governor, Lieutenant-governor, 'Commander in Chief, or Chief Magistrates for the Time being, that Oath hath been made before him 'or them, in the Presence of the Officers of the Customs for the Port or Place where such Bestials or 'Goods shall be put on Board, that the same are the Growth, Produce, or Manufacture of the said *Isle* 'of *Man*; which Certificate or Certificates shall also be attested by the said Officer of the Customs, and 'shall express the Number and Tale of such Bestials, with the Marks and Weight of the Species of 'Goods in each Bale or Parcel mentioned in the Bill or Bills of Lading, with the Name or Names, Place 'or Places of Abode, of the Exporter or Exporters from the *Isle of Man*, and the Name or Names, Place 'or Places of Abode, of such Person or Persons as shall have sworn the Bestials, or Goods therein men'tioned, to be of the Growth, Produce, and Manufacture of the said *Isle of Man*, and where and to 'whom consigned in *Great Britain*: And whereas such Bestials or other Goods are exported from the said '*Isle of Man* to *Great Britain* from Parts of the said Island so distant and remote from the Place of Resi'dence of the Governor, Lieutenant-governor, Commander in Chief, or Chief Magistrates for the Time 'being, that the Exporters of such Goods cannot, without great Inconvenience and Expence, make the 'Proof and obtain the Certificate required by the said recited Act; now, for Remedy thereof,' be it further enacted by the Authority aforesaid, That, from and after the said fifth Day of *July*, one thousand seven hundred and eighty, the said Oath required by the said recited Act to be taken before the Governor, Lieutenant-governor, Commander in Chief, or Chief Magistrates for the Time being, shall and may be administered by the Collector, Comptroller, or other Chief Officer of the Revenue at the Port or Place in the said *Isle of Man*, where such Bestials or other Goods shall be shipped or loaden, who is and are hereby respectively authorised and required to administer the same, and to grant a Certificate thereof, in the Form and to the Effect required by the said recited Act, under his Hand and Seal of Office; any Thing in the said recited Act to the contrary thereof notwithstanding.

Recital of 5 Geo. III. Cap. 43.

After July 5, 1780, the Oath mentioned in the recited Act may be administered by the Collector, &c. at the Port of Exportation.

XI. Provided always, and it is hereby further enacted by the Authority aforesaid, That in case any Collector, Comptroller, or other Officer of the Revenue, shall make or grant a false Certificate or other Dispatch,

Penalty on Officer granting a false Certificate.

patch, contrary to the true Intent of this Act, every such Offender shall forfeit the Sum of fifty Pounds, to be recovered by Action of Debt, Bill, or Plaint, in any of his Majesty's Courts of Record at *Westminster*; one Moiety to his Majesty, his Heirs and Successors, and the other Moiety to such Officer or Officers of his Majesty's Revenue as shall sue or inform for the same; and the Officer granting such false Certificate or other Dispatch shall also be rendered incapable of serving his Majesty in any Branch of the public Revenue; and any Person who shall counterfeit, raze, or falsify, any such Certificate, or knowingly or willingly make use of any such Certificate so counterfeited, razed, altered or falsified, shall forfeit the Sum of one hundred Pounds, to be recovered and applied in Manner aforesaid.

Persons counterfeiting Certificate, &c. to forfeit 100*l.*

'XII. And, for the further Encouragement to the Inhabitants of the *Isle of Man*, to carry on the 'Herring Fishery on the Coasts thereof,' be it further enacted by the Authority aforesaid, That, from and after the said fifth Day of *July*, one thousand seven hundred and eighty, there shall be drawn back and allowed for any White or Red Herrings, caught upon the Coasts of the said Island and cured there, and imported into any Port of *Great Britain*, and exported from thence as Merchandise to foreign Parts, the whole Duties paid or payable upon the Importation of such Herrings; which Drawback or Allowance shall be made by the Officer appointed to collect the Duties upon Salt, in the Port from whence any such Herrings shall be exported, within thirty Days after Demand thereof, upon a Debenture, to be prepared by the Collector of the Customs where such Herrings shall be entered out for Exportation, and verified by the Person executing the Office of Searcher in such Port, as to the Quantity of Herrings actually shipped, and that the same were good and merchantable; and the White Herrings in Barrels containing thirty-two Gallons each, or in Half Barrels of sixteen Gallons each, and full packed; and the Red Herrings in Casks, on which shall be marked the Number of Herrings in each Cask, for the better ascertaining of the Quantity exported; and that the Oath of the Exporter or Agent be first taken before the principal Officers of the said Port before the Debenture be allowed (who are hereby required and impowered to administer the same), that the Herrings in such Debenture mentioned were really caught on the Coasts of the *Isle of Man*, and cured there, and that the Duty of the same was actually paid upon the Importation thereof, specifying the Vessel and Master's Name in which the Herrings were imported, and at what Port, and that they are really and truly exported to or for Parts beyond the Seas, and not relanded or intended to be relanded in *Great Britain*; and in case the Officer hereby directed to pay such Debenture shall not have sufficient Money in his Hands to pay the same, then, upon Certificate thereof by him made (which Certificate he is hereby required to give the Party *gratis*), the principal Commissioners for managing his Majesty's Revenues of Excise upon Salt for the Time being shall be chargeable with the said Payment, to be made in Course out of the first Money in their Hands arising out of the Duties upon Salt either in *England* or *Scotland*, as the Case may happen; and that it shall and may be lawful for the Officers for the said Duties on Salt, in the several and respective Ports of the Kingdom of *Great Britain*, upon the Exportation of any such Herrings, and before the same shall be laid on Board for Exportation, to mark the Barrel wherein such Herrings shall be exported, to the Intent it may be known that such Herrings have been exported, and Allowances obtained upon Exportation thereof, in case the same, or any Part thereof, shall be relanded or reimported; and that in case any such Herrings shall (after the same shall be exported) be fraudulently relanded or reimported into *Great Britain*, all the said Herrings so relanded or reimported shall be forfeited and lost, and Double the Value thereof to be recovered of the Importer, Proprietor, or Master of the Vessel in which they shall be reimported; and that no Allowance shall be paid out of the said Duties on Salt for or on Account of the Exportation of any White or Red Herrings that shall not be well cured, or shall be unmerchantable; nor shall any Drawback or Allowance be made for any such White Herrings shipped to be exported, that shall not have been imported from the *Isle of Man* in Barrels containing thirty-two Gallons, or Half Barrels containing sixteen Gallons each.

After July 5, 1780, for Herrings caught on the Coasts of the Isle of Man, and cured there, and imported into Great Britain, and from thence exported to foreign Parts, there shall be allowed a Drawback of all the Import Duties.

Oath to be taken by the Exporter, &c.

Officers of the Salt Duties to mark the Barrels wherein the Herrings shall be exported.

Herrings fraudulently relanded to be forfeited, and Double the Value.

## CAP. XLIII.

An Act for raising a certain Sum of Money by Loans or Exchequer Bills, for the Service of the Year one thousand seven hundred and eighty. 1,500,000*l.*

## CAP. XLIV.

An Act to explain an Act of the last Session of Parliament, intituled, *An Act for augmenting the Militia*; and to declare valid and effectual the Swearing in and Inrolment of Militia Men, Substitutes, and Volunteers, in Cases where all the Provisions of the several Acts now in being, relative thereto, have not been observed; and to indemnify Deputy Lieutenants, Chief Magistrates, and Justices of the Peace, for their Proceedings therein respectively; to declare valid and effectual the Commissions granted by Deputy Lieutenants, in the Absence of the Lieutenant of any County out of the Kingdom, to Officers commanding Volunteer Companies; and to indemnify Deputy Lieutenants and Officers who have granted, or acted under, such Commissions; and to enlarge the Powers of Deputy Lieutenants in certain Cases.

Preamble.

'WHEREAS, in pursuance of an Act of the last Session of Parliament, intituled, *An Act for augmenting the Militia*, Volunteer Companies have been raised and annexed to the Militia of several Counties within this Kingdom: And whereas the Periods of Service intended for such Companies were not sufficiently ascertained in the said Act, in Consequence whereof, the Men enlisted in several of 'the

'the said Companies have been enlisted for different Periods of Service than were intended by such Act; 'for better Security to Persons who have enlisted themselves therein, and for greater Certainty for the 'future,' be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all Persons who have enlisted themselves in any Volunteer Company raised in pursuance of the said Act, for the Term of three Years unless sooner discharged, or for the Term of three Years, or as Private Soldiers therein without any Time expressed, shall be entitled to their Discharge at the Expiration of three Years from the Time of their Inrolment, or at such Time within the said three Years as the Militia shall be disembodied, or at such earlier Period as his Majesty shall think fit to reduce the Volunteer Companies.

When Militia Men, in the Volunteer Companies, shall be entitled to their Discharge.

II. And be it further enacted, That such Persons as shall have enlisted themselves in any Volunteer Company of Militia, raised in pursuance of the said Act, to serve in the same for three Years, or during the War, or to serve during the present War, or to serve according to the Provisions of the said Act of the last Session of Parliament, shall not be entitled to their Discharge till the Militia shall be disembodied, or till such earlier Period as his Majesty shall think fit to reduce the Volunteer Companies.

Militia Men enlisted to serve during the War, &c. not entitled to their Discharge till the Militia shall be disembodied, &c.

III. And be it further enacted and declared, That all Persons that shall, after the first Day of *July*, one thousand seven hundred and eighty, enlist themselves in Companies raised or to be raised in pursuance of the said Act, shall be enlisted to serve till such Time as the Militia shall be disembodied, or till such earlier Period as his Majesty shall think fit to reduce the Volunteer Companies, and for no other Period whatsoever.

Limitation of the Time of Service of all Militia Men in Volunteer Companies, who shall be enlisted after July 1, 1780.

'IV. And whereas several Persons have been engaged to serve as Militia Men, Substitutes, and Volunteers, in several Militia Regiments, Battalions, and Independent Companies, out of the Counties to 'which such Regiments, Battalions, or Independent Companies, respectively belong, and not being Natives of the same, and have been sworn in and inrolled by Deputy Lieutenants acting out of their respective Counties, or by the Chief Magistrate or Justices of the Peace not of such Counties to which 'such Corps of Militia belong: And whereas the several Provisions of the Militia Laws respecting the 'engaging, swearing in, and inrolling, Militia Men, Substitutes, and Volunteers, have not in such Cases 'been observed;' be it enacted by the Authority aforesaid, That the engaging, swearing in, and inrolling of all such Militia Men, Substitutes, and Volunteers, previous to the fifteenth Day of *May*, one thousand seven hundred and eighty, shall be valid and effectual, as if the several Provisions relating thereto had been observed; and that all such Militia Men, Substitutes, and Volunteers, shall be deemed Militia Men, Substitutes, and Volunteers, to all Intents and Purposes whatsoever; and that the said Deputy Lieutenants, Chief Magistrates, and Justices of the Peace, Officers, and Non-commissioned Officers of Militia, shall be, and they are hereby indemnified for such their Proceedings therein respectively.

Preamble; reciting that Deputy Lieutenants, &c. have sworn in and inrolled several Militia Men contrary to some Provisions of Militia Laws: All such swearing in and inrolling previous to May 15, 1780, deemed valid: and the said Deputy Lieutenants, &c. indemnified.

'V. And whereas by an Act passed in the second Year of his present Majesty's Reign, intituled, *An 'Act to explain, amend, and reduce into one Act of Parliament, the several Laws now in being relating to the 'raising and training the Militia, within that Part of* Great Britain *called* England; certain Powers are 'given to Deputy Lieutenants in the Absence of the Lieutenant of any County out of the Kingdom, 'which Powers in certain Cases have been found to be insufficient;' be it further enacted, That the several Powers granted to Lieutenants of Counties by an Act, passed in the eighteenth Year of the Reign of King *George* the Third, intituled, *An Act to amend and render more effectual the Laws relating to the raising and training the Militia within that Part of* Great Britain *called* England; *and to establish certain Regulations with respect to Officers serving in the Corps of Fencible Men directed to be raised in that Part of* Great Britain *called* Scotland, *and certain other Corps therein mentioned*; so far as relates to the appointing Officers to command certain Volunteer Companies authorised by the said Act, and also the several Powers granted to, and the several Acts required from, Lieutenants of Counties, by an Act passed in the nineteenth Year of the Reign of King *George* the Third, intituled, *An Act to explain, amend, and render more effectual, the several Laws now in being relating to the Militia Forces of this Kingdom*; *and for making certain Provisions relative to the Fencible Men in that Part of* Great Britain *called* Scotland; so far as respect the Qualifications, Removal, or Appointment of Officers in certain Cases therein mentioned; and also the several Powers granted to Lieutenants of Counties, by an Act passed in the nineteenth Year of the Reign of King *George* the Third, intituled, *An Act for augmenting the Militia*, shall, during the Absence of the Lieutenants of any County out of this Kingdom, be executed by, and are hereby required from, such Deputy Lieutenants as now are, or hereafter shall be, appointed in pursuance of the Act first abovementioned.

Several Powers granted to Lieutenants of Counties by the following Acts,

18 Geo. III. Cap. 59;

19 Geo. III. Cap. 72. and 19 Geo. III. Cap. 76; shall, during the Absence of such Lieutenants out of the Kingdom, be executed by Deputy Lieutenants.

'VI. And whereas Commissions have been granted, by Deputy Lieutenants so appointed, to Officers 'to command Volunteer Companies, and Doubts may arise whether the Powers of such Deputy Lieu'tenants extend thereto;' be it further enacted, That such Commissions, granted to Officers properly qualified according to the Militia Laws, shal lbe, and they are hereby declared to be, valid and effectual; and the said Deputy Lieutenants and Officers are hereby respectively indemnified for issuing or acting under such Commissions.

Commissions granted by Deputy Lieutenants deemed valid; and such Deputy Lieutenants and Officers indemnified.

## CAP. XLV.

An Act to permit Goods, the Product or Manufacture of certain Places within the *Levant* or *Mediterranean* Seas, to be imported into *Great Britain* or *Ireland* in *British* or Foreign Vessels from any Place whatsoever; and for laying a Duty on Cotton and Cotton Wool imported into this Kingdom in Foreign Ships or Vessels, for a limited Time.

Preamble.

Recital of the Navigation Act 12 Car. II.

'WHEREAS by an Act of Parliament, made in the twelfth Year of the Reign of King *Charles* 'the Second, intituled, *An Act for the encouraging and increasing of Shipping and Navigation*, all 'Goods or Commodities of the Growth, Production, or Manufacture, of *Africa*, *Asia*, or *America*, or 'any Part thereof, are to be imported and brought into the Kingdom of *England*, *Ireland*, or *Wales*, the 'Islands of *Guerney* and *Jersey*, or Town of *Berwick upon Tweed*, in *English*-built Shipping, or other 'Shipping belonging to some of the aforesaid Places, whereof the Master, and three-fourths of the Ma'riners at least, are *English*, and are not to be shipped and brought from any other Place or Places, 'Country or Countries, but only from those of the said Growth, Production, or Manufacture, or from 'those Ports where the said Goods and Commodities can only, or are, or usually have been shipped for 'Transportation, and from none other Places or Countries, under the Penalty and Forfeiture of the Ship 'and Goods, excepting in some particular Cases provided by the said Act: And whereas, by the said in 'Part recited Act, it is also enacted, That no Goods or Commodities of the Growth, Production, or Ma'nufacture of *Muscovy*, or of any of the Countries, Dominions, or Territories, to the Great Duke or 'Emperor of *Muscovy* or *Russia* belonging; as also that no Sorts of Masts, Timber, or Boards; no foreign 'Salt, Pitch, Tar, Rosin, Hemp, or Flax, Raisins, Figs, Prunes, Olive Oils; no Sort of Corn or Grain, 'Sugar, Pot-ashes, Wines, Vinegar, or Spirits called *Aqua Vitæ*, or *Brandy Wine*, shall be imported 'into *England*, *Ireland*, *Wales*, or Town of *Berwick upon Tweed*, in any Ship or Ships, Vessel or Vessels, 'but in such as do truly, and without Fraud, belong to the People thereof, or some of them, as the true 'Owners and Proprietors thereof, and whereof the Master, and three-fourths of the Mariners at least, 'are *English*; and that no Currants, or Commodities of the Growth, Product, or Manufacture, of any 'of the Countries, Islands, Dominions, or Territories, to the *Ottoman* or *Turkish* Empire belonging, shall 'be imported into any of the fore-mentioned Places, in any Ship or Vessel but which is of *English*-built, 'and navigated as aforesaid, and in no other, except only such foreign Ships and Vessels as are of the 'Built of that Country or Place of which the said Goods are the Growth, Production, or Manufacture 'respectively, or of such Port where the said Goods can only be, or most usually are, first shipped for 'Transportation, and whereof the Master, and three-fourths of the Mariners at least, are of the said 'Country or Place, under the Penalty and Forfeiture of Ship and Goods: And whereas several of the 'Articles in the said Act, and herein-before particularly enumerated, being the Growth or Production of 'some of the Places or Countries within the *Levant* or *Mediterranean* Seas, cannot be now imported 'directly from thence in *British* Vessels without great Hazard of Capture by the Enemies, and much Ex'pence of Insurance to the Merchants trading to this Kingdom; and it has been found necessary, during 'the present Hostilities with *France* and *Spain*, by temporary Laws which are now in Force, to suspend, 'in some Degree, the strict Regulations prescribed by the said recited Act; and it is further expedient, 'for the Encouragement of Trade and the Increase of the public Revenue, to permit, for a limited 'Time, under certain Restrictions, various Articles of the Growth, Production, or Manufacture, of '*Turkey* or *Egypt*, and other Goods and Commodities which are enumerated in the before recited Act, 'which are of the Growth, Product, or Manufacture, of Places or Countries within the *Streights* or '*Levant* Seas, to be imported into this Kingdom, or the Kingdom of *Ireland*, in foreign Vessels, although 'such Goods are not shipped and brought directly from the Place or Country of their Growth, Produc'tion, or Manufacture, or from the Ports or Places from whence such Goods are, or usually have been, 'first shipped for Transportation: May it therefore please your Majesty that it may be enacted;' and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, from and after the first Day of *January*, one thousand seven hundred and eighty, it shall and may be lawful for any Person or Persons admitted into, and made free of, the Company of Merchants of *England* trading into the *Levant* Seas, commonly called or known by the Name of *The Turkey Company*, to import into *Great Britain* or *Ireland* any Goods or Commodities which have heretofore usually been imported from *Turkey* or *Egypt*, or from any Place within the Dominions of the Grand Seignior within the *Levant* Seas, in any Ship or Vessel built in, or belonging to, *Great Britain* or *Ireland*, navigated according to Law; or in any Ship or Vessel belonging to any Kingdom or State in Amity with his Majesty, his Heirs or Successors, navigated by foreign Seamen, from any Port or Place whatsoever, upon Payment of the same Duties, if imported into *Great Britain*, as the like Goods would be subject and liable to if imported in *British* Ships directly from the Place of their Growth, Production, or Manufacture; but if such Goods shall be imported in any foreign-built Ship or Vessel, then, and in such Case, the Goods so imported shall be subject to the Aliens Duties, if such Goods would have been subject and liable thereto if this Act had not been made; any Thing in the said recited Act, or any other Act or Acts of Parliament, to the contrary notwithstanding.

After Jan. 1, 1780, any Person free of the Turkey Company may import into Great Britain or Ireland any Goods usually imported from Turkey, &c. either in British Ships, or Ships belonging to any State in Amity with his Majesty.

What Duties shall be paid for Goods so imported.

No Entry to pass for any Goods the Growth of Turkey, &c. until the Im-

II. Provided always, and it is hereby further enacted by the Authority aforesaid, That no Entry shall be suffered to pass at the Custom-house for any such Goods of the Growth, Production, or Manufacture of *Turkey* or *Egypt*, or of any of the Dominions of the Grand Seignior, as before the passing of this Act

might be imported only from such Ports or Places in the *Streights* or *Levant* Seas as are within the Dominions of the Grand Seignior, and which, by the Authority of this Act, are permitted to be imported in Manner aforesaid, until the Person importing or entering the same shall produce to the Collector or other proper Officer of his Majesty's Customs, at the Port of Importation, a Certificate, under the Hand of the Collector of the Duties for the said *Turkey* Company, certifying such Person is free of the said Company, and that he has paid the Duties imposed on such Goods by the said Company, and has conformed in all Respects to the Rules and Regulations of the said Company relative thereto.

porter shall produce a Certificate of his being free of the Turkey Company, &c.

III. And it is hereby further enacted by the Authority aforesaid, That, from and after the first Day of *January*, one thousand seven hundred and eighty, any Goods or Commodities which have been heretofore usually imported from any Port or Place in *Europe*, within the Streights of *Gibraltar*, except such Goods or Commodities as might heretofore be imported only from such Ports or Places as are within the Dominions of the Grand Seignior, shall and may, during the Continuance of this Act, be imported and brought, by any Person or Persons whatsoever, into *Great Britain* or *Ireland* from any Port or Place whatsoever, in any Ship or Vessel built in or belonging to *Great Britain* or *Ireland*, navigated according to Law, or in any Ship or Vessel belonging to any Kingdom or State in Amity with his Majesty, his Heirs or Successors, navigated with foreign Mariners; upon Payment of the same Duties, if imported into *Great Britain*, as the like Goods would be subject and liable to if imported directly from the Place of their Growth, Production, or Manufacture, except Drugs, which, if imported by any Person or Persons not free of the *Turkey* Company, shall be liable to the like Duties as they would have been liable to, if not imported directly from the Place of their Growth and Production, if this Act had not been made; and if any such Goods shall be imported in any foreign-built Ship or Vessel, then and in such Case the Goods so imported shall be subject to the Aliens Duties, if such Goods would have been subject and liable thereto by Law if this Act had not been made; any Thing in the said recited Act, or any other Act or Acts, to the contrary notwithstanding.

After Jan. 1, 1780, Goods usually imported from the Mediterranean may be imported in British Ships, or Ships belonging to any State in Amity with his Majesty.

What Duties shall be paid for such Goods.

IV. Provided nevertheless, and it is hereby further enacted by the Authority aforesaid, That for and upon all Cotton and Cotton Wool, which shall be imported into this Kingdom in pursuance of this Act, in any foreign Ship or Vessel, or which hath been so imported since the first Day of *January*, one thousand seven hundred and eighty, and is now remaining in any Warehouse in this Kingdom under the King's Locks, there shall be raised, levied, collected, and paid unto his Majesty, his Heirs and Successors, a Duty of one Penny Farthing for every Pound Weight of such Cotton or Cotton Wool, which shall be paid down in ready Money, without any Discount or Deduction whatsoever; and shall be also subject and liable to an additional Impost or Duty of five Pounds *per Centum*, in the same Manner as the additional Duty of five Pounds *per Centum* is granted to his Majesty by an Act made in the last Session of Parliament, intituled, *An Act for granting to his Majesty additional Duties upon the Produce of the several Duties under the Management of the respective Commissioners of the Customs and Excise in* Great Britain.

All Cotton and Cotton Wool imported after Jan. 1, 1780, in foreign Vessels, to pay a Duty of 1 d. 1 q. per Pound; and also the additional Duty of 5 per Cent. agreeable to Cap. 25, of last Session.

V. And it is hereby further enacted by the Authority aforesaid, That no Part of the said Duties hereinbefore granted shall be repaid or drawn back upon the Re-exportation of the said Cotton or Cotton Wool; and the said Duties shall be raised, levied, collected, recovered, and paid, in such Manner and Form, and by such Ways and Means, and under the like Penalties and Forfeitures, as the Duty of Customs, commonly called *The Old Subsidy*, is raised, levied, collected, recovered, paid, and applied, and is subject or liable to by any Act or Acts of Parliament now in Force (except where any Alteration is made by this Act), as fully and effectually, to all Intents and Purposes, as if the several Clauses, Powers, and Provisions in such Acts had been repeated and enacted in the Body of this present Act; and the said Duties herein-before granted shall from Time to Time be paid into the Receipt of his Majesty's Exchequer, distinctly and apart from all other Branches of the public Revenue, and shall be so kept apart in the said Receipt of Exchequer as a Fund for the Encouragement of the Growth of Cotton in his Majesty's *Leeward* Islands, and for encouraging the Importation thereof into *Great Britain*, in such Way and Manner as Parliament shall hereafter direct.

No Drawback to be allowed on the Re-exportation of Cotton or Cotton Wool.

Duties to be paid into the Exchequer, &c.

How to be applied.

VI. And it is hereby further enacted by the Authority aforesaid, That this Act shall continue and remain in full Force until the first Day of *June*, one thousand seven hundred and eighty-one.

Continuance of this Act.

## CAP. XLVI.

An Act to allow the Exportation of Provisions, Goods, Wares, and Merchandise, from *Great Britain*, to certain Towns, Ports or Places, in *North America*, which are or may be under the Protection of his Majesty's Arms; and from such Towns, Ports or Places, to *Great Britain*, and other Parts of his Majesty's Dominions.

Preamble.

16 Geo. III. Cap. 5, recited.

'WHEREAS by an Act of Parliament, made in the sixteenth Year of the Reign of his present 'Majesty, intituled, *An Act to prohibit all Trade and Intercourse with the Colonies of* New Hamp-'shire, Massachuset's Bay, Rhode Island, Connecticut, New York, New Jersey, Pensylvania, *the Three* 'Lower Counties on Delaware, Maryland, Virginia, North Carolina, South Carolina, *and* Georgia, *during* 'the Continuance of the present Rebellion within the said Colonies respectively; *for repealing an Act made in the* 'fourteenth Year of the Reign of his present Majesty, "to discontinue the landing and discharging, lading or "shipping of Goods, Wares, and Merchandise, at the Town and within the Harbour of Boston, in the Pro-"vince of Massachuset's Bay;" and also Two Acts, made in the last Session of Parliament, for restraining the 'Trade and Commerce of the Colonies in the said Acts respectively mentioned; and to enable any Person or Persons, 'appointed and authorised by his Majesty to grant Pardons, to issue Proclamations, in the Cases and for the Pur-'poses therein mentioned; it was, among other Things, declared and enacted, That all Manner of Trade

'and

'and Commerce was and should be prohibited with the said Colonies; and that all Ships or Vessels of or 'belonging to the said Colonies, together with their Cargo, Apparel, and Furniture, and all other Ships 'or Vessels whatsoever, together with their Cargoes, Apparel, and Furniture, which should be found 'trading in any Port or Place of the said Colonies, or going to trade, or coming from trading, in any 'such Port or Place, should become forfeited to his Majesty, as if the same were the Ships and Effects of 'open Enemies, and should be so adjudged, deemed, and taken, in all Courts of Admiralty, and in all 'other Courts whatsoever: And whereas it may be expedient for the present to allow the Exportation of 'Provisions, Goods, Wares, and Merchandise, from *Great Britain* and *Ireland*, to certain Towns, Ports 'and Places, within the said Colonies, being under the Protection of his Majesty's Arms, and from those 'Towns, Ports or Places, to *Great Britain*, *Ireland*, and other Parts of his Majesty's Dominions, under 'such Limitations, Restrictions, and Regulations, as to the Commander in Chief of his Majesty's Forces, 'or other Commanding Officer in such Ports, Towns, or Places respectively, shall seem necessary: May 'it therefore please your Majesty that it may be enacted;' and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, from and after the fifteenth Day of *April*, in the Year of our Lord one thousand seven hundred and eighty, it shall have been and shall be lawful to carry from *Great Britain* or *Ireland*, to any Town, Port or Place, within the said Colonies, which one of his Majesty's Principal Secretaries of State shall certify to the Commissioners of the Customs in *Great Britain*, and to the Commissioners of the Revenue in *Ireland* respectively, to have been, on the said fifteenth Day of *April*, or in future to be under the Protection of his Majesty's Arms, Provisions, and other Goods, Wares, or Merchandise, in any Ship or Vessel which, before the passing of the Act above recited, might lawfully have traded to his Majesty's Plantations, the same having been or being duly cleared out for that Purpose, and the Quantity and Quality of the Provisions, Goods, Wares, and Merchandises, on Board the same, having been or being particularly specified in such Clearances, and a Bond having been or being first given by the Master of such Ship or Vessel, with two sufficient Sureties, in two thousand five hundred Pounds, if the said Vessel be under one hundred Tons, or five thousand Pounds if above, to the Collector or Principal Officer of the Customs in the Port from which such Ship or Vessel shall have departed or shall depart, for their proceeding directly to, and delivering such Provisions, Goods, Wares, and Merchandises, at such Port, Town, or Place of Destination, for which such Cargo shall have been entered and declared at the Time of the Clearance thereof, and for producing such Certificate of the Delivery of the said Cargo as is herein-after mentioned, within eighteen Months, to the said Collector or Principal Officer to whom such Bond shall have been given, the said Ship or Vessel also carrying a Certificate, under the Hand and Seal of the said Officer, of such Bond having been given, which Certificate such Officer is hereby required to sign and seal accordingly; and no such Ship or Vessel, or the Cargo, Apparel, or Furniture thereof, shall become forfeited to his Majesty, or shall be so deemed, adjudged, or taken, in any Court of Admiralty, or other Court whatsoever; any Thing in the said recited Act to the contrary notwithstanding.

After April 15, 1780, Goods may be exported from Great Britain or Ireland to any Town in America, which one of the Secretaries of State shall certify to be under the Protection of his Majesty's Arms.

Bond to be given by the Master of the Vessel exporting the same.

II. And be it further enacted, That the Naval Officer or other Officer, appointed or to be appointed for that Purpose, by the Commander in Chief of his Majesty's Forces in *America*, or in his Absence by the Commanding Officer of his Majesty's Troops at the Port, Town, or Place, which shall have been certified, in Manner aforesaid, to be under the Protection of his Majesty's Arms, shall, forthwith after the landing of the said Provisions, Goods, Wares, or Merchandise, at the Port, Town, or Place, for which the same shall have been declared at the Time of the Clearance, give and deliver a Certificate or Certificates, under his Hand and Seal, to the Owner or to the Master or Commander of every such Vessel, of such Goods being landed accordingly.

The Naval Officer or other Officer, appointed by the Commander of his Majesty's Forces in America, &c. shall, on the landing any Goods there, deliver a Certificate thereof.

III. And be it further enacted, That it shall and may be lawful, from and after the passing of this Act, to carry Provisions, Goods, Wares, or Merchandise, being the Produce or Manufacture of *America*, or Prize Goods, from such Town, Port, or Place, within any of the said Colonies, which shall have been certified as aforesaid to be under the Protection of his Majesty's Arms, to any Port or Place in *Great Britain*, *Ireland*, *Newfoundland*, *Halifax*, *Quebec*, *East Florida*, *West Florida*, *Georgia*, or the *British West India* Islands, in any such Ship or Vessel as aforesaid, being duly entered, declared, and cleared out, with such Naval Officer or other Officer as aforesaid; and the Quantity and Quality of the Provisions, Goods, Wares, Merchandises, and Prize Goods, on Board the same, being particularly specified in such Clearances, and a Bond being first given, to the Naval Officer or other Officer as aforesaid, by the Master of such Ship or Vessel, with one sufficient Surety, in one thousand Pounds if the said Vessel be under one hundred Tons, or two thousand Pounds if above, for such Ship or Vessel proceeding directly to, and delivering such Provisions, Goods, Wares, Merchandise, and Prize Goods, at the Place of Destination for which the same shall have been declared at the Time of the Clearance; the said Ship or Vessel also carrying on Board a Certificate, under the Hand and Seal of such Officer, of such Bond having been given, which Certificate such Officer is hereby required to sign and seal; and no such Ship or Vessel, or the Cargo, Apparel, or Furniture thereof, shall become forfeited to his Majesty, or shall be so deemed, adjudged or taken, in any Court of Admiralty or other Court whatsoever; any Thing in the said recited Act to the contrary notwithstanding.

Goods the Produce of America, or Prize Goods, may be exported from any such Town certified as aforesaid, to Great Britain, Ireland, Newfoundland, &c.

Bond to be given by the Master of the Vessel exporting the same.

IV. And be it further enacted by the Authority aforesaid, That the Commander in Chief of his Majesty's Forces in *America*, or the Commanding Officer of the Troops at such Town, Port, or Place, as aforesaid, is hereby authorised and required to appoint such Naval or other Officer as aforesaid, for the Purposes before mentioned.

Commander in Chief in America, &c. required to appoint such Officers as aforesaid.

V. And be it further enacted, That the said Naval Officer or other Officer, appointed or to be appointed as aforesaid, shall have full Power and Authority, and he is hereby required to take such further Bonds, and upon Demand to grant such Registers and Clearances and Certificates to the Owner, or to

Powers vested in such Officers.

the Master or Commander of every such Vessel, as by any Law now in being may be requisite to such Vessel or Cargo, which shall be as valid and effectual as those taken or granted in the like Cases by his Majesty's Governors, and by the Officers of his Majesty's Customs in *America*.

The Importation and Exportation of Goods as aforesaid shall be subject to the Regulations of the Commander in Chief, &c.

VI. Provided always, and be it further enacted by the Authority aforesaid, That such Importation and Exportation as aforesaid of the above-mentioned Provisions, Goods, Wares, Merchandises, and Prize Goods, into or out of any such Town, Port, or Place, shall be subject to such Limitations, Restrictions, and Regulations, as may have been, or shall be established by the Commander in Chief of his Majesty's Forces in *America*, or by the Commanding Officer of his Majesty's Troops in such Port, Town, or Place.

The recited Act 16 Geo. III. to continue in Force, except as hereby altered.

VII. Provided also, and it is hereby further enacted, That the said recited Act, made in the sixteenth Year of his Majesty's Reign, shall continue in full Force and Effect to all Intents, and in all Respects, except so far as the same is hereby varied in favour of Ships or Vessels, and their Cargoes, proceeding according to the Terms of this Act.

Continuance of this Act.

VIII. And be it further enacted, That this present Act shall continue in Force to the first Day of *June*, which shall be in the Year of our Lord one thousand seven hundred and eighty-one, and no longer.

This Act to cease in any Province, &c. where the Civil Government shall be restored.

IX. Provided always, and be it enacted, That whenever and wherever the Civil Government shall be restored, by putting any Province, Colony, or Plantation, or any Port or Place, County, Town, or District, at the King's Peace, this Act shall cease and determine in such Province, Colony, or Plantation, Port or Place, County, Town, or District.

Commanders in Chief in America, and all Persons acting under them, indemnified for all Acts done by them in suppressing the Rebellion there.

'X. And whereas, before the passing of this Act, divers Persons, Vessels, Cargoes, and other Effects, 'may have been seized, detained, damaged, or destroyed, in pursuance of Orders, Regulations, Restric-'tions, and Limitations heretofore issued and established by the Commanders in Chief of his Majesty's 'Forces in *North America*, or by Persons acting under their Authority, for the public Service, and for sup-'pressing the Rebellion in *North America*;' be it further enacted by the Authority aforesaid, That all such Acts, Matters, and Things, shall be deemed, and are hereby declared to be legal, to all Intents, Constructions, and Purposes whatsoever; and that all Actions and Suits, Indictments, and Informations, which have been, or shall be commenced or prosecuted, and all Molestations, Prosecutions, and Proceedings whatsoever, and Judgments thereupon, if any be, for or by reason of any Act, Matter, or Thing, advised, commanded, appointed, or done, with respect to such Orders and Regulations, by the said Commanders in Chief, or by any Person acting under their Authority, shall be discharged and made void; and that every Person, by whom any such Act, Matter, or Thing, shall have been so advised, commanded, appointed, or done, for the Purposes aforesaid, or any of them, shall be freed, acquitted, and indemnified, as well against the King's Majesty, his Heirs and Successors, as against all and every other Person and Persons; and the Court, in which any such Action, Suit, or Proceeding, shall or may be commenced or prosecuted, shall allow to the Defendant or Defendants the Benefit of the Discharge and Indemnity above provided, in a summary Way, upon Application to the said Court, and shall make such Order between the Parties, with respect to the Costs of the Suit or Proceeding, as to the said Court shall seem just.

## CAP. XLVII.

An Act to indemnify such Persons as have omitted to qualify themselves for Offices and Employments; and to indemnify Justices of the Peace, or others, who have omitted to register or deliver in their Qualifications within the Time limited by Law, and for giving further Time for those Purposes; and to indemnify Members and Officers, in Cities, Corporations, and Borough Towns, whose Admissions have been omitted to be stamped according to Law, or, having been stamped, have been lost or mislaid; and for allowing them Time to provide Admissions duly stamped; and to give further Time to such Persons as have omitted to make and file Affidavits of the Execution of Indentures of Clerks to Attornies and Solicitors.

" Preamble. Persons who have omitted to qualify themselves agreeable to Act 1 *Geo.* I, Act 13 *Car.* II, " Act 25 *Car.* II, Act 30 *Car.* II, Act 8 *Geo.* I, Act 9 *Geo.* II, Act 18 Geo. II, and Act 6 *Geo.* III, before " the passing of this Act; and who shall, on or before *Dec.* 25, 1780, qualify themselves, shall be indem-" nified against Forfeitures. Not to indemnify any Person for any Penalty incurred by neglecting to " qualify himself. Persons producing Appointments and Admissions before *Dec.* 25, 1780, shall be con-" firmed, and qualified to act as Clerk, Officer, or Member of Corporations, *&c.* may enjoy all Offices " into which they have been elected; and shall be indemnified from all Penalties and Damages incurred " by reason of Omissions. Not to extend to restore Persons to any Office avoided by Judgment. Per-" sons who shall cause Affidavits to be filed before *Michaelmas* Term 1780, are indemnified and dis-" charged from Penalties. Persons prosecuted, and hereby meant to be indemnified, may plead the Ge-" neral Issue."

## CAP. XLVIII.

An Act for repairing, lighting, watching, and cleansing, the High Street or Road, called *Goswell-street*, leading from *Aldersgate-bars*, without *Aldersgate*, *London*, to the House of *Woodhouse Coker* Gentleman, near the Turnpike at the End of the said Street or Road, in the County of *Middlesex*; and also *Bull-yard*, *Glasshouse-yard*, the North Side of *Fan's-alley*, *Mount-mill*, and *Willow-court*, contiguous to the said Street or Road, on the East and West Sides thereof; and for removing Nuisances therefrom, and preventing the like for the future.

CAP.

## CAP. XLIX.

An Act to vest certain Messuages, Lands, Tenements, and Hereditaments, in Trustees, for the better securing his Majesty's Dock, Ships, and Stores, at *Chatham*.

Preamble.

'WHEREAS, by reason of the hostile Intentions of the Courts of *France* and *Spain* to invade these 'Realms, and of the great Preparations made in the said Kingdoms for that Purpose, it is become 'absolutely necessary, for the present and future Protection and Security, as well of his Majesty's Dock, 'Ships of War, and Stores, at *Chatham*, as of the Town of *Chatham*, to erect and raise additional Forti- 'fications and Intrenchments: And whereas the Lands herein-after mentioned, lying near the said Dock 'and Town of *Chatham*, are wanted for the Purpose of being made use of to erect and raise such For- 'tifications and Intrenchments: And whereas many of the Owners and Proprietors of the Lands, Te- 'nements, and Hereditaments, necessary to be purchased, may insist on large and extravagant Demands 'for the Purchase of such Lands, Tenements, and Hereditaments, or for the Damage and Injury they 'may pretend that they shall sustain by reason of such Fortifications and Intrenchments: And whereas 'many Persons may pretend to claim or have Title to the same Lands, Tenements, or Hereditaments, 'so that it may be doubtful to whom a Compensation ought to be made, which cannot be determined 'without the Aid of Parliament: To the End therefore that the true and real Value of such Lands, 'Tenements, and Hereditaments, may be ascertained, and the actual and real Owners and Proprietors 'may have a just and reasonable Satisfaction for such Lands, Tenements, and Hereditaments, or for any 'Claim or Right thereto; may it please your Majesty that it may be enacted;' and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

Certain Pieces of Land, and Tenements thereunto belonging, in the Parishes of Saint Margaret's and Chatham, in Kent,

That all those Pieces, Parts of Pieces, or Parcels of Land, containing in the Whole by Estimation six Acres, or thereabouts, be the same more or less, situate, lying, and being in the Parishes of *Saint Margaret's* and *Chatham*, in the County of *Kent*, or one of them, extending from a Place called *Star-lane* to the Foot of *Chatham-hill*, and all Tenements and Hereditaments to the same belonging or appertaining, which said several Pieces or Parcels of Land now or late were the Property of, or in the Tenure or Occupation of, *Stevens*, *Sharp*, *Tomlyn*, *Francis Bond*, the Brethren of *Saint Bartholomew's* Hospital, *George Glover*, *Kentish*, *Joseph Langley*, *James Best*, and *Whitacre*; and also all those Pieces or Parcels of Land, containing by Estimation forty-five Acres, or thereabouts, be the same more or less, being the Property of *Francis Wadman* Esquire, and all Tenements and Hereditaments to the same belonging or appertaining, situate, lying, and being in the said Parishes of *Saint Margaret's* and *Chatham*, or in one of them; abutting North on certain Lands belonging to Miss *Buck* and Mr. *Thomas Baker*, West on a certain Road leading from *Star-lane* to *Horsted*, and East on certain Lands belonging to Miss *Boghurst*; and also all that Piece or Parcel of waste Ground, abutting East on the Lands of the said *Francis Wadman* herein-before described, and Miss *Buck*, and West on a certain Lane leading from *Star-lane* to *Snorditch-bottom*, and all Tenements and Hereditaments to the same belonging or appertaining; and also all that Piece or Parcel of Ground, containing by Estimation four Acres and an Half, or thereabouts, be the same more or less, being the Property of the said Miss *Buck*, and all Tenements and Hereditaments thereto belonging or appertaining, abutting North on the present Turnpike Road leading from *Star-lane* to *Chatham-hill*, West on the said Lane leading to *Snorditch-bottom*, South on Land of the said *Francis Wadman*, and East on Land of the said *Thomas Baker*; and also all those several Pieces or Parcels of Land, containing by Estimation nine Acres, or thereabouts, be the same more or less, being the Property of the said *Thomas Baker*, situate, lying, and being in the said Parishes of *Saint Margaret's* and *Chatham*, or one of them, abutting South partly on the said Turnpike Road from *Star-lane* to *Chatham-hill*, and partly on the Lands of *Francis Wadman* Esquire, herein-before described, East on *Chatham Chest* Land, and North on Lands belonging to the Brethren of *Saint Bartholomew's* Hospital, Master *Francis Bond*, and others, and all Tenements and Hereditaments to the same belonging or appertaining; and also all those Pieces or Parcels of Land, containing by Estimation fourteen Acres and an Half, or thereabouts, be the same more or less, being the Property of Miss *Boghurst*, and all Tenements and Hereditaments to the same belonging, abutting North partly on *Chatham Chest* Land, and partly on the said Turnpike Road from *Star-lane* to *Chatham-hil*, West partly on the said *Chatham Chest* Land, and partly on the Lands of *Francis Wadman* Esquire, herein-before described, and East on another Parcel of the said *Chatham Chest* Land; and also one small Piece or Parcel of Land, being also the Property of the said Miss *Boghurst*, and all Tenements and Hereditaments thereto belonging or appertaining, situate, lying, and being on the North Side of the said Turnpike Road from *Star-lane* to *Chatham-hill*, and abutting South on the said Turnpike Road, and North-west and East upon Part of the said *Chatham Chest* Land; and also all those Pieces or Parcels of Land, containing by Estimation seventeen Acres, or thereabouts, be the same more or less, belonging to the Chest at *Chatham*, and all Tenements and Hereditaments to the same belonging or appertaining, situate, lying, and being to the North and South of the said Turnpike Road from *Star-lane* to *Chatham-hill*, and abutting partly on the said Road, and partly on the Lands of the said Miss *Boghurst*, and Master *Thomas Baker*, herein-before described; and also all that Piece or Parcel of Land, containing by Estimation three Acres, belonging to the Brethren of *Saint Bartholomew's* Hospital, and all Tenements and Hereditaments thereto belonging or appertaining, abutting West partly on other Ground belonging to the said Brethren, and partly on the Lands of the said *Thomas Baker* herein-before described, and on the Town Gardens, South on Lands of the said *Thomas Baker* before described, East on Part of the *Chatham Chest* Land herein-before described, and North on other Town Gardens; and also all those Pieces or Parcels of Land, containing by Estimation eight Acres, or thereabouts,

abouts, be the same more or less, being City Land, and all Tenements and Hereditaments to the same belonging or appertaining, one Parcel thereof abutting North on the Turnpike Road from *Star-lane* to *Chatham* aforesaid, East on the Lands of *Whitacre* Esquire, and West on other City Lands; and other Parcel thereof abutting South on the said Turnpike Road, North on a certain Lane parting the same from the Lands of *James Best* Esquire, East on the Lands of *Dash Rhodes* Esquire, and West on Part of *Chatham Chest* Land herein-before described; and also all those Pieces or Parcels of Land, containing by Estimation twenty Acres, or thereabouts, be the same more or less, belonging to the said *Whitacre*, and all Tenements and Hereditaments to the same belonging or appertaining, one Parcel thereof abutting North and West on Part of the City Lands herein before described, and East on a certain Road leading from the said Turnpike Road to *Maidstone*, and other Parcel thereof abutting North on the said Turnpike Road, East on Lands belonging to *Bryant*, and West on the said Road leading to *Maidstone*; and also all that Piece or Parcel of Land, containing by Estimation Half an Acre, or thereabouts, belonging to the said *Dash Rhodes*, and all Tenements and Hereditaments to the same belonging or appertaining, abutting South on the said Turnpike Road from *Star-lane* to *Chatham-hill*, West on City Lands herein-before described, and East and North on a certain Lane parting the same from the Lands of *James Best* Esquire; and also all that Piece or Parcel of Land, containing by Estimation eight Acres and an Half, or thereabouts, be the same more or less, now or late the Property of the said *James Best*, and all Tenements and Hereditaments thereto belonging or appertaining, abutting South on a certain Lane parting the same from the City Land and Land of the said *Dash Rhodes* before described, West on Parcel of the said *Chatham Chest* Land, North on other Lands of the said *James Best*, and East on a certain Lane called *Room Lane*; and also a Piece, Part of a Piece or Parcel of Land, containing by Estimation Half an Acre, or thereabouts, be the same more or less, extending from South to North through a certain Piece of City Land which abuts South on the said Turnpike Road, West on *Room Lane*, and North and East on a Lane dividing the same from the Lands of the said *James Best*, and all Tenements and Hereditaments to the said Piece, Part, or Parcel of Land belonging or appertaining; and also all those Tenements, Messuages, and Buildings, belonging to the *Three Horseshoes*, and all Ways, Paths, and Passages, Advantages and Appurtenances, to all and every the said several Pieces or Parcels of Ground, herein-before mentioned and described, belonging, or in any wise appertaining, or heretofore held, used, occupied, or enjoyed therewith, or with any Part thereof, shall be, and they are hereby vested and settled, and declared and taken to be in the actual and real Possession and Seisin of the Right Honourable Sir *Fletcher Norton* Speaker of the House of Commons, the Honourable *Charles Marsham*, and *Thomas Knight* junior Esquire, their Heirs and Assigns for ever, in Trust nevertheless for such Person or Persons, Bodies Politic or Corporate, Ecclesiastical or Civil, as, at or immediately before the Time of making this Act, were the several and respective Owners and Proprietors thereof, according to their several Estates and Interests therein, at the same Time, in Possession, Reversion, Remainder, or otherwise, until such Estates and Interests shall be respectively adjudged and determined, or Possession thereof taken by the Principal Officers of his Majesty's Ordnance or Engineers, or other Officers acting under their Authority, which they are hereby impowered to do whenever it shall be found necessary for his Majesty's Service; and the several Sum or Sums of Money, and Interest for the same, after the Rate of five Pounds *per Centum* for one Year, for the gross Sum that shall be assessed for the true and real Value thereof, in Manner and Form as is hereinafter mentioned and expressed, shall be paid.

vested in Trustees.

II. And be it further enacted by the Authority aforesaid, That reasonable and just Compensation and Satisfaction shall be made out of the next Aids to be granted in Parliament, for and in respect of the said Lands, Tenements, and Hereditaments, before mentioned, to all and every Person and Persons, Bodies Politic and Corporate, Ecclesiastical and Civil.

Reasonable Compensation to be made to the Proprietors out of the next Parliamentary Aids.

III. And be it further enacted by the Authority aforesaid, That, for the better ascertaining the several Owners and Proprietors of the said Lands, Tenements, and Hereditaments, and their respective Titles and Claims thereto, it shall and may be lawful to and for his Majesty, by one or more Commission or Commissions by Letters Patent under the Great Seal of *Great Britain*, to authorise and appoint any Number of Persons to be Commissioners to hear and determine all Titles and Claims that shall or may be made to the said Lands, Tenements, or Hereditaments, or to any Part or Parcel thereof; which Commissioners so to be appointed, or any five or more of them, are hereby authorised and required, and shall and may in a summary Manner proceed, act, and determine, by and upon the Testimony of Witnesses upon Oath (which Oath they, or any five or more of them, are hereby impowered to administer), Inspection, and Examination of Deeds, Writings, and Records; or, if requested by the Parties interested, by the Inquest of twelve good and lawful Men, to be impannelled and sworn in Manner herein-after mentioned and directed, or by all or any of the said Ways, or otherwise, according to their Discretion, all and all Manner of Rights, Estates, and Interests, and all Controversies, Debates, and Questions, which shall happen and arise between any Person or Persons whomsoever, or any other Matter or Thing relating to any of the Premises, or any Part thereof; and shall have Power to send for any Person or Persons, and oblige them to produce their Deeds or Writings upon Oath relating to any of the same Premises, and shall and may, by Agreement with the respective Person or Persons that shall be determined to be the Owners and Proprietors of the said Lands, Tenements, or Hereditaments, or by the Inquest of the said twelve good and lawful Men to be impannelled and sworn, inquire, proceed, act, and determine, touching and concerning the true and real Value of the said Premises, or any Part or Parcel thereof; and the said Commissioners, or any five or more of them, are hereby required to cause all their Judgments and Decrees to be entered fairly in Books, which Judgments and Decrees shall expressly mention and specify the respective House or Houses, or other Messuages or Tenements, Number of Acres or Parcels of Land, with their several Abuttals and Boundaries, together with the Name or Names of every Person or Persons interested respectively in the same, and the respective Sum or Sums that shall be so agreed for or assessed by

His Majesty impowered, by Letters Patent under the Great Seal, to appoint Commissioners to determine Claims to the said Lands, &c.

How they are to proceed.

Judgments and Decrees of Commissioners to be entered in Books, &c.

the said Jury to be paid for the same respectively; which Judgments and Decrees shall likewise be fairly ingrossed on Parchment, and certified to the Clerk of the Crown in Chancery, and to the King's Remembrancer in his Majesty's Court of Exchequer; and such Judgments and Decrees made as aforesaid shall be final, and shall conclude all and every Person and Persons, Bodies Politic and Corporate, Ecclesiastical and Civil, their Heirs, Successors, Executors, Administrators, and Assigns respectively, notwithstanding any Disability or Incapacity whatsoever, any Law, Statute, or Custom, or other Matter or Thing whatsoever, to the contrary notwithstanding; Copies of which said Judgments and Decrees shall be laid forthwith before both Houses of Parliament, that a just and reasonable Compensation and Satisfaction may be made to the several Owners and Proprietors of the said Lands, Tenements, and Hereditaments.

Copies thereof to be laid before both Houses of Parliament.

IV. And be it further enacted by the Authority aforesaid, That, for the better carrying the said Commission or Commissions into Execution, the said Commissioners, to be appointed in and by the said Commission or Commissions, or any five or more of them, shall and lawfully may, and are hereby authorised and required to issue forth their Warrant or Warrants, under their Hands and Seals, to be directed to the Sheriff of the County of *Kent*, thereby commanding him to impannel, summon, and return, before the said Commissioners, at such Times and Places as shall be appointed in such Warrant or Warrants, a good and sufficient Jury of twenty-four good and lawful Men, qualified to serve upon Juries, at the Assizes for the said County, who, upon their Oaths (which Oaths the said Commissioners, or any five or more of them, shall have Power to administer), shall inquire into the true and real Value of the said Lands, Tenements, and Hereditaments, and every Part or Parcel thereof, and who respectively are the Owners and Proprietors thereof, and their respective Estates and Interests therein: And the better to enable the said Jurors to make such Inquiry, the said Commissioners shall and lawfully may direct, in such their Warrant or Warrants to the said Sheriff, a View to be taken, by six or more of the said Jurors, of the several Lands, Tenements, and Hereditaments, in the said County, at some Time previous to the Meeting of the said Commissioners: And the Sheriff of the said County of *Kent*, upon the Receipt of such Warrant or Warrants from the said Commissioners as aforesaid, is hereby required to impannel, summon, and return twenty-four good and lawful Men, qualified to serve upon Juries at the Assizes for the said County; and in the mean Time to have six or more of the said Jurors, so impannelled and sworn, to view the said Lands, Tenements, and Hereditaments; and, at the Return of such Warrant or Warrants, to attend the said Commissioners, with his Bailiffs or Officers, to prove, if necessary, the Summons of the Jurors so to be impannelled and returned respectively, upon Oath (which Oath the said Commissioners, or five or more of them, shall have Power to administer to the said Sheriff, and his Bailiffs and Officers, or any or either of them): And in case the said Sheriff, and his Bailiffs and Officers, or any or either of them, shall neglect or refuse (being duly served with such Warrant or Warrants of the said Commissioners fourteen Days before the Return thereof) to impannel, summon, and return, such Jury of good and lawful Men as aforesaid, or otherwise refuse to execute such Warrant or Warrants, or shall not attend the said Commissioners with his Bailiffs and Officers, who shall summon the said Jurors, at the Return of such Warrant or Warrants as aforesaid; then, and in either of the said Cases, the said Commissioners, or any five or more of them, are hereby authorised and required to impose a Fine on such Sheriff, Bailiffs, and Officers, or any or either of them, so making Default, not exceeding twenty Pounds, nor less than ten Pounds, for any one Offence; and in case the said Jurors so to be impannelled, summoned, and returned, or any or either of them, shall neglect or refuse to appear at the Return of such Warrant or Warrants, and to be sworn for the Purpose aforesaid, then and in such Case it shall and may be lawful to and for the said Commissioners then assembled and met, or any five or more of them, to impose a Fine upon each and every of the Jurors so impannelled, summoned, and returned, and (without lawful Excuse, to be allowed of by the said Commissioners then sitting, or the major Part of them) making Default, or refusing to be sworn, not exceeding the Sum of ten Pounds of lawful Money of *Great Britain*; which Fine and Fines, so to be imposed and set, the said Commissioners are hereby authorised and required to estreat into his Majesty's Court of Exchequer, to be levied to the Use of his Majesty.

Commissioners to issue their Warrants to Sheriffs to summon Juries;

who are to inquire into the Value of Lands, &c.

Penalty on Sheriffs or their Officers making Default;

and also on Jurors.

V. And be it further enacted by the Authority aforesaid, That in case a sufficient Jury shall not appear upon the Return of the said Warrant or Warrants to take the Inquest, it shall and may be lawful to and for the said Commissioners, or any five or more of them, to adjourn the said Inquest to any future Day, not exceeding fourteen Days, nor less than four Days, from the Adjournment thereof, and to issue out their Warrant or Warrants for impannelling, summoning, and returning an equal Number of Jurors to those so making Default, who, together with the Jurors before returned by the Sheriff of the said County of *Kent*, upon such second Warrant or Warrants afterwards to be issued, or upon any future Warrant or Warrants, Adjournment or Adjournments, which the said Commissioners, or any five or more of them, are hereby authorised to issue and make from Time to Time, until a sufficient Jury can be had, shall inquire as aforesaid.

In case a sufficient Jury shall not appear upon Return of the Warrant, Commissioners may adjourn the Inquest, and issue their Warrant for summoning other Jurors in Room of Defaulters.

VI. Provided always, That twelve good and lawful Men shall be sufficient to take the Inquest aforesaid; and that in case twelve or more, not exceeding twenty-three in the Whole, shall appear, and be sworn, to take such Inquest, then and in such Case the said Commissioners shall continue and sit from Day to Day, until the said Inquest shall be taken, and, after the Inquest shall be taken, may adjourn to some future Day for making their Judgments and Decrees thereon.

Commissioners, after the Inquest shall be taken, may adjourn, &c.

'VII. And, to the Intent that no Person or Persons may have any Cause or Pretence for not appearing 'to make out their Claims or Title to the said Lands, Tenements, or Hereditaments, or any Part or 'Parcel thereof,' be it further enacted by the Authority aforesaid, That five or more of the said Commissioners shall give Notice, in Writing, twenty-one Days at least before their Meeting, which Writing shall be affixed at the Gates of the Dock at *Chatham*, and on the Door of the Town-hall of *Rochester*, and shall likewise be published in the *London Gazette*; and if any Person or Persons shall neglect or refuse to appear, or, when he or they shall appear, shall wilfully refuse to shew his or their Deeds or Writings relating

Commissioners to give Notice previous to their respective Meetings.

How they are to proceed if Own-

to

to the Premises; that then the said Commissioners, or any five or more of them, and the Jurors to be impannelled and sworn upon such Inquest, shall proceed, upon the best Information they can get or have, to make such Inquest, Judgments, and Decrees, as before directed; and all such Judgments and Decrees, being entered and certified as aforesaid, shall be final and conclusive.

ers make Default in appearing, &c.

VIII. And be it further enacted by the Authority aforesaid, That immediately from and after the Time that Payment shall be made of the Sum and Sums of Money so to be agreed for or assessed by the said Jury, and decreed and adjudged by the said Commissioners, or any five or more of them, to the Owners and Proprietors of the said Lands, Tenements, and Hereditaments, herein-before mentioned, or to any or either of them, the Trustees herein-before mentioned shall be deemed and adjudged to stand seised of such Part and Parcel of the said Premises as shall be so paid for, to and for the Use of his Majesty, his Heirs and Successors, for ever, freed and discharged of and from all and all Manner of Right, Title, Claim, and Demand whatsoever, that can or may be made by any Person or Persons, Bodies Politic or Corporate, Ecclesiastical or Civil.

On Payment of the Sums assessed by Jury, &c. Trustees to be deemed seised of the Premises, for the Use of his Majesty.

'IX. And whereas that Part of the Turnpike Road called *The New Chatham Turnpike Road*, which 'extends from the East End of *Star-lane* to the Foot of *Chatham-hill*, is included within the Lands to be 'purchased for the Purposes of this Act: And whereas it may be necessary, for the public Service, to 'alter the Course of the said Turnpike Road,' be it further enacted, That it shall and may be lawful to and for the said Commissioners, and they, or any five or more of them, are hereby authorised and impowered, if they think proper, to set out, within the Lands so to be purchased, another Road of the Breadth of thirty Feet, and to make and form the same in the Manner of a Turnpike Road; and that, from and after the Time that the said new Road shall be so completed, and fourteen Days Notice thereof given to the Clerk of the Trustees of the said Turnpike Road, the said new Road shall be vested in the said Turnpike Trustees for the Purposes, and subject to the Powers and Provisions of the Act for making the said Turnpike Road, and that that Part of the said Turnpike Road which extends from the End of *Star-lane* to the Foot of *Chatham-hill*, shall no longer be subject to the Power and Controul of the said Turnpike Trustees; but the Trustees by this Act appointed shall be deemed and adjudged to stand seised of the same, to and for the Use of his Majesty, his Heirs and Successors for ever.

Commissioners impowered to make a new Turnpike Road instead of that included in the Lands to be purchased for the Purposes of this Act.

X. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners, or any five or more of them, upon the Complaint of any Owner or Owners, Occupier or Occupiers, of any other Lands, Tenements, and Hereditaments, adjoining to any Part of the Lands, Tenements, and Hereditaments, by this Act vested in the said Trustees, that he, she, or they have received any Damage by the erecting or completing of the said Fortifications and Intrenchments, or of any of the Works thereto belonging, or any other the Purposes of this Act, to examine into and hear every such Complaint, and shall make an Estimate of such Damage, and shall return such Estimate with, and in the Manner they are herein-before directed to return, the aforesaid Judgments and Decrees.

Commissioners to examine into Complaints of Owners of adjoining Lands, &c. and to make an Estimate of the Damages received.

XI. And be it further enacted by the Authority aforesaid, That no private Building or Buildings shall be made or erected upon any of the Lands vested by this Act as aforesaid; and that the whole Profits arising, or that shall hereafter arise, from the said Lands, be, and are hereby appropriated and applied for and towards the Erection and Reparation of the said Fortifications and Intrenchments, and to no other Use or Purpose whatsoever; and all and singular the Premises shall be, and are hereby enacted and declared to be, unalienable from the Crown; neither shall any Part of the said Premises be demised or demiseable, otherwise than during Pleasure only.

How the Profits of Lands vested in the Trustees shall be applied.

XII. Provided always, and be it enacted, That no Commissioner, who shall be employed in the Execution of this Act, shall be liable, for or by reason of such Execution, to any of the Penalties mentioned in an Act, made in the twenty-fifth Year of the Reign of King *Charles* the Second, intituled, *An Act for preventing Dangers which may happen from* Popish *Recusants*; or in one other Act, made in the first Year of the Reign of King *William* and Queen *Mary*, intituled, *An Act for the abrogating the Oaths of Supremacy and Allegiance, and appointing other Oaths*; or in one other Act, made in the Parliament holden in the thirteenth and fourteenth Years of the Reign of the late King *William* the Third, intituled, *An Act for the better Security of his Majesty's Person, and the Succession of the Crown in the Protestant Line; and for extinguishing the Hopes of the pretended Prince of* Wales, *and all other Pretenders, and their open and secret Abettors*; or in one other Act, made in the Parliament begun and holden in the first Year of the Reign of King *George* the First, intituled, *An Act for the better Security of his Majesty's Person and Government, and the Succession of the Crown in the Heirs of the late Princess* Sophia, *being Protestants; and for extinguishing the Hopes of the pretended Prince of* Wales, *and his open and secret Abettors.*

Commissioners not liable to the Penalties mentioned in an Act of 25 Car. II.; or in 1 Gul. & Mar. Cap. 8; 13 and 14 Gul. III. Cap. 6;

1 Geo. I. Cap. 13.

XIII. Provided also, and be it enacted, That such Commissioners as his Majesty shall nominate for the Purposes in this Act, or any of them, shall not by reason thereof in any Sort be disabled or disqualified from sitting in the House of Commons, or their Election thereby become void; any Law or Statute to the contrary thereof in anywise notwithstanding.

Commissioners not disqualified from being Members of Parliament.

XIV. Provided always, and be it enacted, That nothing in this Act contained shall in any Manner lessen, affect, abridge, prejudice, or derogate from, any Right, Privilege, or Franchise of the City of *Rochester*, in the County of *Kent*, or the Jurisdiction of the Mayor and Citizens of the said City within the Limits of the said City; but that the same shall continue in the same State and Condition as they were entitled to before the making of this Act.

This Act not to affect the Privileges of the City of Rochester.

## CAP. L.

An Act for exempting the City of *Winchester*, the County of *Southampton*, the Town of *Shrewsbury*, and the County of *Salop*, out of the Provisions of an Act made in the eighth Year of the Reign of his late Majesty King *George* the Second, intituled, *An Act for regulating the quartering of Soldiers during the Time of the Elections of Members to serve in Parliament*; so far as the same relates to the Removal of Troops during the Elections of Members to serve in Parliament, for a limited Time.

Preamble. Recital of an Act 8 Geo. II.

'WHEREAS, by an Act made in the eighth Year of the Reign of his late Majesty King *George* the Second, intituled, *An Act for regulating the quartering of Soldiers during the Time of the Elections of Members to serve in Parliament*; it is recited, That by the ancient Common Law of this Land all Elections ought to be free; and that by an Act passed in the third Year of *Edward* the First it is commanded, that no Man, by Force of Arms, or Malice or Menacing, shall disturb any to make free Election: And that forasmuch as the Freedom of Elections of Members to serve in Parliament, is of the utmost Consequence to the Preservation of the Rights and Liberties of this Kingdom, and that it has been the Usage and Practice to cause any Regiment, Troop, or Company, or any Number of Soldiers, which hath been quartered in any City, Borough, Town, or Place, where any Election of Members to serve in Parliament hath been appointed to be made, to remove and continue out of the same during the Time of such Election (except in such particular Cases as therein after specified); it is therefore enacted, That when and as often as any Election of any Member or Members to serve in Parliament shall be appointed to be made, the Secretary at War, or the Person who shall officiate in the Place of the Secretary at War, shall, at some convenient Time before the Day appointed for such Election, issue and send forth proper Orders for the Removal of all Soldiers who shall be quartered or billetted in any City, Borough, Town, or Place, where such Election shall be appointed to be made, out of every such City, Borough, Town or Place, one Day at least before the Day appointed for such Election, to the Distance of two or more Miles from such City, Borough, Town, or Place, and not to make any nearer Approach thereto, until one Day at the least after the Poll to be taken at such Election shall be ended, and the Poll Books closed, under certain Penalties and Disabilities in the said Act mentioned: And whereas, by a Provision in the said Act, it is declared, That nothing therein contained shall extend, or be construed to extend, to the City and Liberty of *Westminster*, or the Borough of *Southwark*, for and in Respect of the Guards of his Majesty, his Heirs or Successors, nor to any City, Borough, Town, or Place, where his Majesty, his Heirs or Successors, or any of the Royal Family, shall happen to be or reside at the Time of any such Election as aforesaid, for or in respect of such Number of Troops or Soldiers only as shall be attendant as Guards to his Majesty, his Heirs or Successors, or to such other Person of the Royal Family as is aforesaid, nor to any Castle, Fort, or fortified Place, where any Garrison is usually kept, for or in respect of such Number of Troops or Soldiers only whereof such Garrison is composed: And whereas in the City of *Winchester* there is a House or Palace belonging to his Majesty, which it has been found necessary to use as a Prison for confining and guarding a large Number of *French* and *Spanish* Prisoners, and that a Number of Troops have, for some Time past, been stationed in the said City for the Purpose of guarding such Prisoners: And whereas the Number of such Prisoners are so great, that they could not be removed during any Election of Members to serve in Parliament for the said City, without great Difficulty, Expence, and Hazard of Escape: And whereas the Removal of the said Troops, necessary for the Guard of such Prisoners, would be attended with manifest Danger, not only to the Inhabitants of the said City, and Persons resorting thereto, but to the Public in general: Therefore, in order to the better guarding and safe keeping of such Prisoners during the Time of any such Election;' be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That nothing in the said Act contained shall extend, or be construed to extend, to the said City, for such Time only as it shall be found necessary to detain such Prisoners of War in the said House or Palace, and so far as the same relates to such Troops or Soldiers only as are necessary for the Purpose of guarding any such Prisoners of War; provided that the Number of such Troops shall not, during the Times of such Election, exceed the Proportion of three Soldiers to every twenty Prisoners so confined; and provided that such Proportion of the said Troops as are not actually upon Guard, shall, during such Election, remain in the Barracks until it is necessary to relieve the said Guard, after which Time the former Guard shall immediately return to the said Barracks, and so alternately during the Continuance of such Election.

The recited Act not to extend to Winchester, during the Time the Prisoners of War are detained there, &c.

Recital of an Act 7 and 8 Gul. III.

'II. And whereas the said City of *Winchester* is the usual Place for holding Elections for the County of *Southampton*: And whereas by an Act, made in the seventh and eighth Years of King *William* the Third, *for the further regulating Elections of Members to serve in Parliament, and for the preventing irregular Proceedings of Sheriffs, and other Officers, in electing and returning such Members*, it is enacted, That upon every Election of any Knight of the Shire, the Sheriff shall hold his County Court at the most public and usual Place of Election, and where the same has been usually held for forty Years: And whereas the said City of *Winchester* is the Place at which the said County Court has been usually held: Wherefore, for preventing the Inconveniences which may happen from an Election of a Knight of the Shire for the said County of *Southampton* being held at the said City of *Winchester*,' be it enacted by the Authority aforesaid, That any Election for a Knight of the Shire for the said County of *Southampton*, which shall be

be holden during the Continuance of this Act, shall be begun and holden at the Town of *Alresford*, in the said County of *Southampton*, and that the County Court for the said County, at which the said Election would otherwise have been made, shall be holden at the said Town of *Alresford*, and not at *Winchester* aforesaid; any Law, Usage, or Custom, to the contrary notwithstanding; and the Sheriff of the said County, or his Deputy, are hereby authorised and required to adjourn the Poll from the said Town of *Alresford* to *Newport* in the *Isle of Wight*, in Manner directed in and by an Act, made in the seventh and eighth Years of the Reign of King *William* the Third, intituled, *An Act for the further regulating Elections of Members to serve in Parliament, and for the preventing irregular Proceedings of Sheriffs, and other Officers, in the electing and returning such Members*, in relation to adjourning the Poll from the said City of *Winchester*.

Any Election for a Member for Hampshire, during the Continuance of this Act, shall be begun at Alresford, instead of Winchester, &c.

'III. And whereas a large Building in the Neighbourhood of the Town of *Shrewsbury*, and on the opposite 'Side of the River *Severn*, has been lately fitted up for the Reception of Prisoners of War, and it may be- 'come necessary, for the better Accommodation of such Prisoners, to send a considerable Number to that Place, in which Event a certain Number of Troops will be required for the Guard of such Prisoners: 'And whereas the said Building is not distant above one Mile from the usual Place of Election of Mem- 'bers to serve in Parliament for the said Town of *Shrewsbury*, and County of *Salop*, respectively: And 'whereas the Troops necessary for the Guard of such Prisoners cannot with Safety be removed during the 'Time of such Election;' be it therefore enacted by the Authority aforesaid, That it shall not be necessary, during the Continuance of such Prisoners there, to remove from the said Building or Prison the Troops necessary for a proper Guard of such Prisoners; and that it shall be lawful for one Relief of the said Guard to come, and return from thence, once in every twenty-four Hours, for the Purpose of such Relief during any Election to be held for the said County or Town respectively; any Thing in the said Act of the eighth Year of his late Majesty King *George* the Second to the contrary notwithstanding.

Whilst Prisoners of War shall remain near Shrewsbury, a proper Number of Troops shall be permitted to guard them, notwithstanding any Election in the said Town;

IV. Provided always, and be it enacted, That not more than in the Proportion of three Soldiers to every twenty Prisoners shall be suffered to remain as a Guard at the said Building during any such Election; and that the Soldiers necessary for the Relief of the said Guard shall be quartered and remain, during such Election, in the Villages on the South-west Side of the said River *Severn*, and distant at least two Miles from the said respective Places of Election; and that none of the said Troops shall, during the Time aforesaid, come to that Side of the said River where such Elections respectively have been usually held, nor within any Part of what is known and reputed to be the Voting Liberty of the said Town.

Provided that not more than three Soldiers be allowed to every twenty Prisoners.

V. And be it further enacted, That this Act shall continue in Force until the End of the next Session of Parliament.

Continuance of this Act.

## CAP. LI.

An Act for repealing an Act, made in the nineteenth Year of the Reign of his present Majesty, intituled, *An Act for granting to his Majesty certain Duties on Licences to be taken out by all Persons letting Horses to Hire, for travelling in the Manner therein mentioned*; *and certain Duties on all Horses let to Hire for the Purposes of travelling Post, and by Time*; *and upon certain Carriages therein mentioned*; and for granting other Duties in lieu thereof.

'WHEREAS by an Act, made in the last Session of Parliament, intituled, *An Act for granting to 'his Majesty certain Duties on Licences to be taken out by all Persons letting Horses to Hire for travelling 'in the Manner therein mentioned*; *and certain Duties on all Horses let to Hire for the Purposes of travelling 'Post, and by Time*; *and upon certain Carriages therein mentioned*; it was enacted, That, from and after 'the fifth Day of *July* one thousand seven hundred and seventy-nine, there should be raised, levied, col- 'lected, and paid, throughout the Kingdom of *Great Britain*, unto and for the Use of his Majesty, his 'Heirs and Successors, the several Rates and Duties following; (that is to say), That every Postmaster, 'Innkeeper, or other Person, in *Great Britain*, who should let to Hire any Horse for the Purpose of tra- 'velling Post by the Mile, or from Stage to Stage, or, being a Person usually letting Horses to Hire, 'should let to Hire for a Day, or any less Period of Time, any Horse for drawing any Coach, Chariot, 'or Chaise, or any other Carriage used in travelling Post, should yield and pay annually unto his Majesty, 'his Heirs and Successors, the Sum of five Shillings for a Licence for that Purpose; that for and in respect 'of every Horse hired by the Mile or Stage to be used in travelling Post, in *Great Britain*, there should 'be charged a Duty of one Penny for every Mile such Horse should be hired to travel Post; and that for 'and in respect of every Horse hired for a Day, or any less Period of Time, for drawing on a Post or other 'public Road, any Coach, Chariot, or Chaise, or any other Carriage used in travelling Post, there should 'be charged, if the Distance should be then ascertained, the Sum of one Penny *per* Mile; and if the 'Distance should not then be ascertained, there should be charged the Sum of twelve Pence for and in re- 'spect of each Horse so hired; such Duty to be paid by the Person or Persons by whom such Horse should 'be hired; that every Person who should keep any Four-wheeled Chaise, or other Machine, commonly 'called *A Diligence* or *Post-coach*, or by what Name soever such Carriages then were, or thereafter should 'be called or known, for the Purpose of conveying in the Inside thereof any Number of Passengers, not 'exceeding four, for Hire, to and from Stage to Stage, or from Place to Place, should yield and pay an- 'nually unto his Majesty, his Heirs and Successors, the Sum of five Shillings for a Licence for that Pur- 'pose; that every Four-wheeled Chaise, or other Machine, commonly called *A Diligence* or *Post-coach*, or 'by what Name soever such Carriages then were, or thereafter should be called or known, for the Pur-

Preamble. Recital of 19 Geo. III. Cap. 51.

'pose

'pose of conveying in the Inside thereof any Number of Passengers, not exceeding four, for Hire, to and 'from Stage to Stage, or from Place to Place, should be charged with a Duty of one Halfpenny *per* 'Mile such Carriage shall travel, to be paid by the Owners thereof: And whereas the Payment of the 'said Rates and Duties hath been greatly evaded; we, your Majesty's most dutiful and loyal Subjects, the 'Commons of *Great Britain*, in Parliament assembled, do therefore think, that it will be for the Advan-'tage of the Public to repeal the present Rates and Duties, and to grant unto your Majesty the several 'new Rates and Duties herein-after mentioned, to be applied to the Uses and Purposes which the said 'Rates and Duties granted by the above-mentioned Act, made in the last Session of Parliament, are now 'applicable unto; and do most humbly beseech your Majesty that it may be enacted;' and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

After Aug. 1, 1780, the Duties granted by the recited Act shall be repealed:

That, from and after the first Day of *August*, one thousand seven hundred and eighty, the Rates and Duties granted by an Act, made in the last Session of Parliament, intituled, *An Act for granting to his Majesty certain Duties on Licences to be taken out by all Persons letting Horses to Hire, for travelling in the Manner therein mentioned; and certain Duties on all Horses let to Hire for the Purposes of travelling Post, and by Time; and upon certain Carriages therein mentioned*, shall cease, determine, and be no longer paid and payable; except only such Monies as shall have been received, or shall be payable, by the several Postmasters, Innkeepers, and other Persons, for and on Account of the said Rates and Duties, at any Time on or before the said first Day of *August*, and which shall be unaccounted for and unpaid by them to the several Collectors appointed by virtue of the said Act to receive the same, and the several Bonds given, and Licences granted, in pursuance of the said Act.

and instead thereof, the following Duties shall be paid to his Majesty; viz.

II. And be it further enacted by the Authority aforesaid, That, from and after the said first Day of *August*, there shall be raised, levied, collected, and paid, throughout the Kingdom of *Great Britain*, unto and for the Use of his Majesty, his Heirs and Successors, the several Rates and Duties following; (that is to say), That every Postmaster, Innkeeper, or other Person, in *Great Britain*, who shall let to Hire any Horse for the Purpose of travelling Post by the Mile, or from Stage to Stage, or, being a Person usually letting Horses to Hire, shall let to Hire for a Day, or any less Period of Time, any Horse for drawing any Coach, Berlin, Landau, Chariot, Calash with four Wheels, Chaise-marine, Chaise with four Wheels, or any Calash, Chaise, or Chair, with two Wheels, or any other Carriage used in travelling Post, or otherwise, by whatsoever Name such Carriages now are, or hereafter may be called or known, for or in respect whereof any Rate or Duty, Rates or Duties, under the Management of the Commissioners of Excise for the Time being, now is or are made payable by any Statute or Statutes heretofore made, and now in Force, shall yield and pay annually unto his Majesty, his Heirs and Successors, the Sum of five Shillings for a Licence for that Purpose; that for and in respect of every Horse hired by the Mile or Stage to be used in travelling Post, in *Great Britain*, there be charged a Duty of one Penny for every Mile such Horse shall be hired to travel Post; and that for and in respect of every Horse hired for a Day, or any less Period of Time, for drawing, on a Post or other public Road, any Coach, Berlin, Landau, Chariot, Calash with four Wheels, Chaise-marine, Chaise with four Wheels, or any Calash, Chaise, or Chair, with two Wheels, or any other Carriage used in travelling Post, or otherwise, by whatsoever Name such Carriages now are, or hereafter may be called or known, for or in respect whereof any Rate or Duty, Rates or Duties, under the Management of the Commissioners of Excise for the Time being, now is or are made payable by any Statute or Statutes heretofore made, and now in Force, there shall be charged, if the Distance shall be then ascertained, the Sum of one Penny *per* Mile, and if the Distance shall not then be ascertained, there shall be charged the Sum of one Shilling and six Pence for and in respect of each Horse so hired; such Duty to be paid by the Person or Persons by whom such Horse shall be so hired; that every Person who shall keep any Four-wheeled Chaise, or other Machine, commonly called *A Diligence* or *Post-coach*, or by what Name soever such Carriages now are, or hereafter shall be called or known, for the Purpose of conveying in the Inside thereof any Number of Passengers not exceeding four, for Hire, to and from Stage to Stage, or from Place to Place; or who shall keep any Coach, Berlin, Landau, Chariot, Calash with four Wheels, Chaise-marine, Chaise with four Wheels, or other Carriage, by what Name soever the same now is, or hereafter shall be called or known, to be employed as Public Stage-coaches or Carriages, for the Purpose of conveying Passengers for Hire to and from different Places in the Kingdom of *Great Britain*, shall yield and pay annually unto his Majesty, his Heirs and Successors, the Sum of five Shillings for a Licence for that Purpose; and that every Four-wheeled Chaise, or other Machine, commonly called *A Diligence* or *Post-coach*, or by what Name soever such Carriages now are or hereafter shall be called or known, for the Purpose of conveying in the Inside thereof any Number of Passengers, not exceeding four, for Hire, to and from Stage to Stage, or from Place to Place; and that every Coach, Berlin, Landau, Chariot, Calash with four Wheels, Chaise-marine, Chaise with four Wheels, or other Carriage, by what Name soever the same now is, or hereafter shall be called or known, to be employed as Public Stage-coaches or Carriages, for the Purpose of conveying Passengers for Hire to and from different Places in the Kingdom of *Great Britain*, shall be, and the same is hereby charged with a Duty of one Half-penny for every Mile such Carriage or Carriages as aforesaid shall travel, to be paid by the Owner or Owners thereof respectively: And for the better and more effectual raising, levying, collecting, and paying, the said Rates and Duties herein-before granted, the same shall be under the Government, Care, and Management, of the Commissioners for the Time being appointed to manage the Duties payable to his Majesty, his Heirs and Successors, and charged on stamped Vellum, Parchment, and Paper; who, or the major Part of them, are hereby required and impowered to appoint and employ such Officers under them for that Purpose, and to allow such Salaries and incident Charges, as shall be necessary; and to provide and use such Marks or Stamps as they shall think fit; and to repair, renew, or alter, the same, from Time to Time, as there shall be Occasion; and to do all other Acts, Matters, and Things,

Every Person hiring Horses to travel Post, to pay, for each Horse, 1d. per Mile; or 1s. 6d. per Day, where the Distance shall not be ascertained:

Every Person keeping a Diligence, Post-coach, or other Four-wheeled Carriage, for carrying only four Inside Passengers, for Hire, or any Stage-coach, &c shall pay annually 5s. for a Licence; and shall also pay one Half-penny for every Mile such Carriage shall travel.

The said Duties to be under the Management of the Commissioners for the Stamp duties.



necessary

necessary to be done for putting this Act in Execution, with relation to the said Rates and Duties hereby granted, in the like, and in as full and ample Manner as they, or the major Part of them, are authorised to put in Execution any of the Laws now in being concerning stamped Vellum, Parchment, and Paper.

Penalty on Persons letting out Horses to travel Post, &c. without a Licence.

III. And be it further enacted by the Authority aforesaid, That, from and after the first Day of *August*, one thousand seven hundred and eighty, no Person whatsoever, required by this Act to be licensed, shall, unless he or she be authorised and enabled in the Manner herein after prescribed, let out any Horse for Hire, either by the Mile or Stage, or to draw any Coach, Berlin, Landau, Chariot, Calash with four Wheels, Chaise-marine, Chaise with four Wheels, or any Calash, Chaise, or Chair, with two Wheels, or any other Carriage used in travelling Post, or otherwise, by whatsoever Names such Carriages now are, or hereafter may be called or known, upon which any Rate or Duty, Rates or Duties, under the Management of the Commissioners of Excise for the Time being, is or are reserved or made payable, for a Day, or any less Period of Time, upon Pain to forfeit, for every such Offence, the Sum of five Pounds, to be recovered and applied as herein-after is directed.

Any two Commissioners of the Stamp-duties, or Person authorised by them, may grant Licences for letting out Horses to Hire.

IV. And be it further enacted by the Authority aforesaid, That, from and after the passing of this Act, any two or more of his Majesty's Commissioners appointed for managing the Duties arising by Stamps on Vellum, Parchment, or Paper, or some Person duly authorised by them, shall grant Licences to such Persons who shall apply for the same, to let out Horses for Hire, in Manner aforesaid, in any City, Town, or other Place, within *Great Britain*, for the Space of one Year, to commence from the said first Day of *August*, one thousand seven hundred and eighty, upon all Licences to be granted on or before that Day, and upon Licences to be first granted to any Person or Persons after the said first Day of *August*, one thousand seven hundred and eighty, to commence from the Day of the Date of every such Licence; and all and every Person or Persons who shall take out such Licence for letting out Horses for Hire in Manner aforesaid, shall take out a fresh Licence for another Year ten Days at the least before the Expiration of that Year for which he, she, or they shall be so licensed, if he, she, or they shall continue to let out Horses for Hire in Manner aforesaid, and shall in like Manner renew such Licence from Year to Year, paying down the respective Sums due for such Licences, as long as he, she, or they shall continue to let out Horses for Hire in Manner aforesaid.

No Person to keep more than one Inn, &c. for letting Horses, by virtue of one Licence.

V. And be it further enacted by the Authority aforesaid, That no Postmaster, Innkeeper, or other Person whatsoever, licensed or to be licensed by Authority of this Act, shall, by virtue of one Licence, keep more than one Inn, House, or other Place, for letting Horses for the Purposes aforesaid; but for each and every Inn, House, or other Place, which any Postmaster, Innkeeper, or other Person, shall keep for the Purposes aforesaid, a separate and distinct Licence shall be taken out and paid for by such Postmaster, Innkeper, or other Person.

Licensed Innkeepers, &c. to cause certain Words to be painted on the Fronts of their Houses, &c. before they let Horses for Hire; on Penalty of 5*l*.

VI. And be it further enacted by the Authority aforesaid, That every Postmaster, Innkeeper, or other Person, so licensed to let Horses as herein-before mentioned, shall cause the Words *(Licensed to let Post-horses)* to be painted or written, in legible Characters, either on a Sign hung out, or in some visible Place in the Front of his, her, or their House, Stables, or Out-offices, at the respective Places at which he, she, or they let out Horses to Hire as aforesaid, to denote that such Postmaster, Innkeeper, or other Person, is a Letter or Furnisher of Horses, and authorised to furnish Travellers with the same, pursuant to Law; and if any Postmaster, Innkeeper, or other Person, so licensed as aforesaid, shall presume to let out Horses for Hire, as herein-before mentioned, without fixing or hanging out such Token as aforesaid, every Postmaster, Innkeeper, or other Person, so offending, shall, for every such Offence, forfeit and pay the Sum of five Pounds, to be recovered and distributed as herein-after is directed.

Innkeepers, &c. who furnish Carriages to travel Post, shall affix their Names, and their Place of Abode, on some conspicuous Part thereof; on Penalty of 5*l*.

VII. And be it further enacted by the Authority aforesaid, That every Postmaster, Innkeeper, or other Person, so licensed as aforesaid, shall, if he, she, or they, furnish his, her, or their own Chaises, or other Carriages, at the same Time with such Horses let to Hire to travel Post as aforesaid, mark or paint, or cause to be marked or painted, on the outside Pannel of the Door, or on some conspicuous Part of the Chaise or other Carriage so furnished, his, her, or their Christian and Surname, and the Name of the City, Town, or Place, of his, her, or their Abode, in large and legible Characters, and continue the same thereupon so long as such Chaise or Carriage shall be so used; and if any Person or Persons shall neglect the same, or mark or paint, or cause to be marked or painted, any false or fictitious Name, or Place of Abode, on such Chaise or other Carriage, he or she shall forfeit, for every such Offence, the Sum of five Pounds.

Innkeepers, &c. who furnish Carriages to travel for a Day, or less Period of Time, shall affix upon some conspicuous Part thereof, a Brass or Tin Plate, containing their Names and Places of Abode.

VIII. And be it further enacted by the Authority aforesaid, That every Postmaster, Innkeeper, or other Person so licensed as aforesaid, if he, she, or they furnish his, her, or their own Coaches, Berlins, Landaus, Chariots, Calashes with four Wheels, Chaise-marine, Chaise with four Wheels, or any Calash, Chaise, or Chair, with two Wheels, or other Carriage as aforesaid, at the same Time with such Horses let to Hire, for a Day or less Period of Time, for drawing on a Post or other public Road, where such Carriages shall have a Box or other outside Seat for the Driver thereof, shall affix upon some conspicuous Part of the Foot-board, or other Part of such Box or Seat, a Brass or Tin Plate, upon which there shall be marked or engraved the Christian and Surname of every such Owner or Owners, and the Name of the City, Town, or Place, of his, her, or their Abode, in large and legible Characters, and continue the same thereon, and replace the same as often as Occasion shall require, during the Time such Coach or other Carriage as aforesaid shall be so used; and where such Carriages so furnished as aforesaid shall not have a Box or other outside Seat for the Driver thereof, shall affix upon a conspicuous Part of the Pole, Shaft, or Splinter-bar of every such Chaise or other Carriage as aforesaid, a Brass or Tin Plate, upon which there shall be marked or engraved the Christian and Surname of every such Owner and Owners, together with the Name of the City, Town, or Place, of his, her, or their Abode, in large and legible Characters, and continue the same thereon, and replace the same as often as Occasion shall require, during

Penalty on Neglect, &c.

during the Time any such Chaise or other Carriage as aforesaid shall be so used: And if any Person or Persons shall omit or neglect so to do, or mark or engrave, or cause to be marked or engraved, any false or fictitious Name or Place of Abode, on any such Plate so to be affixed on any such Coach, Berlin, Landau, Chariot, Chaise, or other Carriage as aforesaid, he, she, or they shall forfeit, for every such Offence, the Sum of five Pounds.

Commissioners of the Stamp-duties are to deliver, to every Person taking out a Licence, printed or written Papers:

IX. And be it further enacted by the Authority aforesaid, That the said Commissioners appointed for managing the Duties arising by Stamps on Vellum, Parchment, and Paper, shall, at the Time of issuing such Licence as aforesaid, deliver, or cause to be delivered, to every Postmaster, Innkeeper, or other Person, so to be licensed, printed or written Papers (intituled *Stamp-Office Weekly Account*); in which shall be inserted the Day of the Week, and Blanks left for the Number of Horses and Miles, and for the Day of the Month, and the Names of the Postillions or Drivers employed, to be filled up as herein-after directed, according to the following Form, or such other Form as the said Commissioners shall judge convenient keeping such Accounts:

The Form thereof.

Stamp-office Weekly Account.

*A. B.* of *C.*

| Month and Day. | Week and Day. | Names of Postillions or Drivers. | | | | | | | | | | | | Duty. | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | *A. B.* | | *C. D.* | | *E. F.* | | *G. H.* | | *I. K.* | | *L. M* | | | | |
| | | N° of | | N° of | | N° of | | N° of | | N° of | | N° of | | | | |
| | | Horses. | Miles. | Horses. | Miles. | Horses. | Miles. | Horses. | Miles. | Horses. | Miles. | Horses. | Miles. | | | |
| | *Sunday* | | | | | | | | | | | | | | | |
| | *Monday* | | | | | | | | | | | | | | | |
| | *Tuesday* | | | | | | | | | | | | | | | |
| | *Wednesday* | | | | | | | | | | | | | | | |
| | *Thursday* | | | | | | | | | | | | | | | |
| | *Friday* | | | | | | | | | | | | | | | |
| | *Saturday* | | | | | | | | | | | | | | | |

And also certain Tickets.

And shall also deliver, or cause to be delivered, a Number of Tickets, on which shall be printed or written the Words *(Stamp Office)*, and also the Word *(Horses)*, and 1, 2, 3, 4, 5, or 6, in Figures, as the Tickets may be intended to denote the Numbers; and likewise the Word *(Miles)*, except where the Horses are hired for a Day, or any less Period of Time, and then, instead of the Word *(Miles)*, the Words *(For a Day)* shall be inserted, and also the Amount of the Duty, at and after the Rate of one Shilling and six Pence for each Horse, according to the Number of Horses expressed by Figures on such Ticket, and shall take especial Care that all Persons so licensed shall be sufficiently furnished with such Account and Tickets; and in case any Officer employed in the Execution of this Act, in relation to the said Rates and Duties, shall refuse or neglect to do or perform any Matter or Thing by this Act required or directed to be done or performed by him, whereby any of his Majesty's Subjects shall or may sustain any Damage whatsoever, such Officer so offending shall be liable, in any Action to be founded on this Statute, to answer to the Party grieved all such Damages, with Treble Costs of Suit.

Penalty on Officers making Default.

Postmasters, &c. on receiving their first Licence, to give Security for the Redelivery of Tickets unaccounted for, &c.

X. And it is hereby further enacted by the Authority aforesaid, That each and every Postmaster, Innkeeper, or other Person, so licensed to let Horses for the Purposes aforesaid, shall, at the Time of receiving his, her, or their first Licence, give Security, by Bond, to his Majesty, his Heirs and Successors, in the Sum of fifty Pounds, with a Condition that he, she, or they will, whenever thereunto required, redeliver, or cause to be redelivered, the Stamp-office Tickets which he, she, or they may have received, and that may remain unaccounted for by him, her, or them; and that he, she, or they will also deliver to the Person or Persons properly authorised, by the Commissioners appointed for managing the Duties arising by Stamps on Vellum, Parchment, and Paper, to inspect the same (and to receive the Money due thereon), the Stamp-office Account so delivered to him, her, or them, as aforesaid, faithfully made out, signed, and attested, as herein-after directed, and make Payment of all such Sum and Sums of Money as shall be due and payable to his Majesty, in pursuance of, and according to the true Intent and Meaning of this Act; and also truly and faithfully to observe and perform all the Directions, Matters, and Things herein contained, on his, her, or their Behalf, to be observed and performed; and in case of the Non-performance or Breach of such Condition, it shall and may be lawful for the said Commissioners, or the Persons so appointed by them, to cause each and every such Bond to be prosecuted according to Law; and in case

of Judgment against the Defendant, the said Commissioners may, if they shall think fit, refuse to grant to such Person, against whom such Judgment shall be obtained, any Licence to let Horses as aforesaid in future.

Postmasters, &c. letting out Horses to travel Post, shall receive, for the Use of his Majesty, of the Persons hiring the same, 1d. for every Mile each Horse is to travel; and shall deliver to them Stamp-Office Tickets properly filled up. Penalty on Neglect thereof.

XI. And be it further enacted by the Authority aforesaid, That all and every Postmaster, Innkeeper, or other Person, licensed as aforesaid, who shall let Horses to Hire by the Mile or Stage, to be used in travelling Post, shall, by themselves or Servants, previous to the using such Horse or Horses, ask, demand, and receive, for the Use of his Majesty, his Heirs and Successors, of and from the Person or Persons hiring the same, the Sum of one Penny *per* Mile, for each Mile such Horse shall be so hired to travel, at and after the Rate or Number of Miles which he, she, or they shall charge such Traveller or Travellers for the Stage or Distance such Horse may be hired to go; and shall, at the same Time he or she receives Payment of the Duty for such Horse or Horses, deliver, or cause to be delivered, to the Person or Persons hiring such Horse or Horses, one or more of the Stamp-office Tickets herein-before mentioned, as Occasion shall require, and to which such Postmaster, Innkeeper, or other Person, shall add, or cause to be added, if an Innkeeper, the Name of his Sign or House, if not an Innkeeper, his or her Name; and he shall also insert the Name of the City, Town, or Place, where such licensed Person resides; and, in Words or Figures, the Month and Day of the Month, and the Number of Miles for which such Horse or Horses are so hired: And if any Postmaster, Innkeeper, or other Person, under Pretence of there not being any Turnpike upon the Road through which he may be hired to go, or under any other Pretence whatsoever, shall neglect to ask, demand, and receive, the said Duty of one Penny *per* Mile from such Person or Persons hiring such Horse or Horses, or shall neglect or refuse to deliver the Ticket or Tickets, filled up as herein-before directed, to such Person or Persons so hiring the Horses as aforesaid, such Postmaster, Innkeeper, or other Person, shall, for every such Offence, forfeit and pay the Sum of ten Pounds; and moreover, in case of not receiving the said Rate or Duty, be chargeable therewith to his Majesty, his Heirs and Successors, in the same Manner as if he, she, or they, had actually received the same.

Travellers to deliver their Tickets at the first Turnpike they shall pass through. Penalty on Neglect.

XII. And be it further enacted by the Authority aforesaid, That all and every Traveller or Travellers, to whom the Tickets, whereon shall be expressed the Number of Miles, shall be delivered as aforesaid, if they shall pass through any Turnpike, shall, at the first Turnpike through which he, she, or they shall pass, deliver, or cause to be delivered, to the Toll-gate Keeper there, the Ticket or Tickets so given to him, her, or them, at the Place where he, she, or they hired such Horse or Horses, which the said Toll-gatherer is hereby directed to receive and file; and if any Traveller or Travellers so going Post as aforesaid, shall have neglected to take such Ticket or Tickets, or shall not deliver, or cause the same to be delivered, he, she, or they shall, before such Horses be permitted to pass through such Toll-gate, pay for every Horse hired and used by such Traveller or Travellers, the Sum of one Shilling and six Pence, which the Gate-keeper is hereby authorised to ask and demand, and not permit such Horse or Horses to pass till he, she, or they shall have paid the same, or produced such Ticket or Tickets as aforesaid.

Postmasters, &c. letting out Horses to travel by the Day, &c. shall receive, for the Use of his Majesty, of the Persons hiring them, 1d. for every Mile each Horse is to travel; or 1s. 6d. for each Horse, where the Distance shall not be ascertained; and shall deliver to them Stamp-office Tickets properly filled up. Penalty on Postmasters, &c. for Neglect.

XIII. And be it further enacted by the Authority aforesaid, That all and every Postmaster, Innkeeper, or other Person, so licensed as aforesaid, who shall let to Hire any Horse or Horses by the Day, or less Period of Time, as aforesaid, shall, by themselves or Servants, previous to such Horse or Horses being used, ask, demand, and receive, for the Use of his Majesty, his Heirs and Successors, of and from the Person or Persons hiring the same, the Sum of one Penny *per* Mile for each Mile such Horse or Horses shall be so hired to go, where the Distance shall be ascertained, and where the Distance shall not be ascertained, then the Sum of one Shilling and six Pence for each Horse so hired, previous to such Horse or Horses being used; and shall, at the same Time, deliver, or cause to be delivered, to the Person or Persons so hiring such Horse or Horses, one or more of the Stamp-office Tickets herein-before mentioned, with the Words *(For a Day)* inserted thereon, as Occasion shall require; and to which every Postmaster, Innkeeper, or other Person, shall add, or cause to be added, if an Innkeeper, the Name of his Sign or House, if not an Innkeeper, his or her Name, and he shall also insert the Name of the City, Town, or Place, where such licensed Person resides, and, in Words or Figures, the Month, and Day of the Month; and if any Postmaster, Innkeeper, or other Person, shall neglect to ask, demand, and receive the said Duty of one Penny *per* Mile, or one Shilling and six Pence for each Horse, as the Case shall happen to be, from such Person or Persons hiring the same, or shall neglect or refuse to deliver the Ticket or Tickets so filled up as aforesaid, such Postmaster, Innkeeper, or other Person, shall, for every such Offence, forfeit and pay the Sum of ten Pounds, and moreover, in case of not receiving the said Rate or Duty, be chargeable therewith to his Majesty, his Heirs and Successors, in the same Manner as if he, she, or they had actually received the same.

Day-tickets to be delivered at the first Turnpike;

in Return for which the Gate Keeper shall give an Exchange Ticket,

which shall be shewn at every Turnpike during that Day.

XIV. And be it further enacted by the Authority aforesaid, That every Person or Persons to whom such Day-ticket, as aforesaid, shall be delivered, if he, she, or they shall pass through any Turnpike in the Course of the Day for which such Ticket shall be given, shall, at the first Turnpike through which he, she, or they shall pass, deliver, or cause to be delivered, to the Toll-gate Keeper there the Day-ticket or Tickets so given to him, her, or them, at the Place where he, she, or they hired such Horse or Horses, which the said Toll-gate Keeper is hereby directed to receive and file; and in return for such Day-ticket or Tickets, every such Person or Persons shall receive, from the Toll-gate Keeper, a Ticket (called *An Exchange Ticket)*, to be supplied from the Stamp-office, which shall contain the Name of the County in which the Turnpike shall be, and the Words *(Received Day-ticket)*; and also the Number of Horses in the Figures expressed in such Day ticket, together with the Name of the City, Town, or Place, at which such Day-ticket was given, and some Mark or Number, denoting the particular Day on which such Exchange Ticket was issued, in printed or written Letters or Figures; which said Exchange Ticket the said Toll-gatherer is hereby directed to deliver to such Person or Persons *gratis*, in return for such Day-ticket so left with him as aforesaid; and which said Exchange Ticket so delivered shall be shewn by such Person or Persons at every Turnpike through which he, she, or they shall afterwards on that Day pass with

Penalty on Travellers not delivering Day-tickets, &c.

with such Horse or Horses, for which such Day-ticket shall have been given: And if any Person or Persons, to whom such Day-ticket or Tickets shall be delivered as aforesaid, shall neglect or refuse to leave the same at such first Turnpike, as aforesaid, or shall refuse to shew the Ticket, so given to him in Exchange, at every Turnpike through which he, she, or they shall on that Day pass, as aforesaid, he, she, or they shall pay, for every Horse then used by him, her, or them, the Sum of one Shilling and six Pence before such Horse or Horses shall pass through such Turnpike, and the Gate-keeper or Gate-keepers thereof is and are hereby authorised to ask, demand, and retain the same to his, her, or their own Use; and where the Name of the Owner of the Carriage shall be marked on the Foot-board or Seat, or Pole, Shaft, or Splinter-bar, as herein-before is directed to be done, where the Carriage is let out to Hire at the same Time with the Horses, then such Gate-keeper or Gate-keepers shall not permit such Horse or Horses to pass through until such Traveller shall have paid the same, or left such Day-ticket or Tickets, or shall have produced and shewn such Exchange Ticket, as aforesaid.

Penalty on taking off the before mentioned Brass or Tin Plate, in order to evade Payment of the Duty;

and on Drivers of Carriages passing through any Turnpike without such Plate.

XV. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall take off, or cause to be taken off, the Brass or Tin Plate, herein-before directed to be affixed on Carriages used as herein-before mentioned, with an Intent to evade the Payment of the Duty, or the Sum of one Shilling and six Pence for each Horse to be paid at the Turnpike, as herein-before is directed; every such Person or Persons so offending, shall forfeit and pay the Sum of five Pounds, to be recovered and applied in the same Manner as the other Penalties in this Act are directed to be recovered and applied.

XVI. And be it further enacted by the Authority aforesaid, That in case any Carriage, upon which any Brass or Tin Plate is directed to be affixed as aforesaid, shall pass through any Turnpike without having such Brass or Tin Plate then affixed thereon, in the Manner herein-before directed, the Driver or Drivers of every such Carriage shall forfeit and pay the Sum of twenty Shillings, to be recovered and applied in the Manner herein-after appointed.

Description of the Certificates to be delivered to Travellers who shall hire Horses for two Days, or more.

'XVII. And, in order to prevent any Obstruction or Inconvenience to Travellers, where Horses shall 'be let to Hire for two Days, or more,' be it enacted by the Authority aforesaid, That every Postmaster, Innkeeper, or other Person, when he shall let to Hire for two Days, or a longer Space of Time, any Horses for drawing a Carriage on any Post or public Road, shall deliver, or cause to be delivered, to the Person travelling in such Carriage, or to the Driver thereof, a Note or Certificate, to be supplied from the Stamp-office, on which shall be engraved or printed *(Hired for two or more Days)*, and to which such Postmaster, Innkeeper, or other Person, shall add the Day of the Month, and the Name and Place of his Abode; and the Driver of such Carriage shall, at every Turnpike through which he shall pass, shew to the Toll-gatherer there the Note or Certificate so given to him as aforesaid: And if any Person or Persons so hiring such Horses for the Purposes aforesaid, shall have neglected to take such Note or Certificate as above specified, or shall refuse to shew the same at the several Turnpikes through which he, she, or they shall pass, such Traveller or Travellers shall pay, for every Horse then used by him, her, or them, the Sum of one Shilling and six Pence, before such Horses be permitted to pass such Toll-gate, which the said Toll-gate Keeper is hereby authorised to ask, demand, and receive, and to retain to his own Use, and not to permit such Horses to pass till such Travellers shall have paid the same, or produced such Note or Certificate as aforesaid; and if any Postmaster, Innkeeper, or other Person, shall, in such Note or Certificate, insert any false or fictitious Name, or Place of his, her, or their Abode, or shall, in letting out such Horses for the Purposes aforesaid, by any Device or Collusion pretend to hire for a longer Space of Time, with an Intent to evade the Duty hereby imposed, such Postmaster, Innkeeper, or other Person, shall, for every such Offence, forfeit the Sum of ten Pounds; and the said Commissioners shall, if they think fit, after Conviction of such Offender, refuse to grant such Offender any Licence in future.

If Travellers neglect to take such Certificates, &c. they shall pay 1s. 6d. for each Horse, which the Gate-keeper may retain to his own Use.

Penalty on Postmasters, &c. delivering false Certificates, &c.

Horses hired for any less Time than two Days, shall be deemed to be hired for one Day.

XVIII. Provided always, and it is hereby enacted and declared, That every Horse, hired for the Purpose of drawing any Carriage as aforesaid, for any less Period of Time than two complete Days, shall be deemed, for the Purposes of this Act, to be hired for a Day, and shall be subject to all the Rules, Regulations, and Restrictions, as Horses hired for a Day, or less Period of Time, for drawing such Carriages as aforesaid, are by this Act made liable and subject to.

Penalty on Gate-keepers for Neglect of Duty.

XIX. And be it further enacted by the Authority aforesaid, That every Toll-gate Keeper who shall have received any of the Day-tickets herein-before mentioned, and shall refuse to give any Traveller or Travellers, *gratis*, the Ticket hereby directed to be given in Exchange, or who shall deliver the Exchange Ticket without having received in lieu thereof the Stamp-office Day-Ticket, as herein-before mentioned, or who shall make, or permit or suffer to be made, any Alteration in any of the Tickets hereby directed to be filed by him or her, after such Tickets shall have come to his or her Custody, or shall deliver any of the Tickets, directed to be received and filed by him or her, to any Person or Persons other than the Person or Persons duly authorised, as herein-after mentioned, to receive the same, he or she shall, for every such Offence, forfeit and pay the Sum of twenty Shillings, to be recovered as herein-after is directed.

Enumeration of Particulars to be inserted by Postmasters, &c. in the Account to be delivered them from the Stamp-office.

XX. And it is hereby further enacted by the Authority aforesaid, That every Postmaster, Innkeeper, or other Person, so licensed to let Horses as aforesaid, shall insert in the Account herein-before specified, so delivered to him, her, or them, from the Stamp-Office, the Number of Horses used in travelling Post, and the Number of Miles for which such Horses shall have been so used, also the Number of Horses let to Hire for a Day, or any less Period of Time, and the Day of the Month on which the same were used, together with the Names of the Postillions or Drivers employed; which said Account shall be signed by such Postmaster, Innkeeper, or other Person, so licensed as aforesaid, and witnessed by the Hostler or other Servant employed in preparing and getting ready such Horses, and shall be open, when required, to the Inspection of any Person or Persons duly authorised, under the Hands and Seals of the said Commissioners for managing the Duties on stamped Vellum, Parchment, and Paper, to inspect the same; and such Postmaster, Innkeeper, or other Person, so licensed as aforesaid, residing in the City of *London* or Li-

At what Times licensed Persons residing in Lon-

berty of *Westminster*, shall, the first *Tuesday* or *Wednesday* in every Month, and such other Person so licensed as aforesaid, residing within five Miles of the City of *London* or Liberty of *Westminster*, or within the Bills of Mortality, shall, the first *Thursday* or *Friday* in every Month, or at such other Times as may be appointed by the said Commissioners, on public Notice given in the *Gazette*, bring in and deliver to the Commissioners, or to the Person or Persons appointed by them for the Purpose of receiving the same, at the Head Office, the Accounts herein-before directed, for the four Weeks ending on the *Saturday* preceding such Day of Delivery, and shall, within eight Days thereafter, pay such Sum and Sums of Money which shall appear to be due thereon to the Receiver-general for the Time being of the Duties on stamped Vellum, Parchment, and Paper, or to the proper Officer for the Time being for collecting the said Duties, for the Use of his Majesty, his Heirs and Successors, at the Head Office in *Lincoln's Inn*, or wherever else the same may be held, upon Pain of forfeiting ten Pounds for every Default in not delivering in such Account, and double the Amount of the Money so due and payable, from such Postmaster, Innkeeper, or other Person, for the said Rates or Duties, for the Nonpayment thereof.

don or Westminster, or within five Miles thereof, or in the Bills of Mortality, shall deliver their Accounts at the Stamp-office, &c.

XXI. And it is hereby further enacted, That every Postmaster, Innkeeper, or other Person so licensed as aforesaid, not residing within the Cities of *London* or *Westminster*, or within five Miles of the same, or within the Bills of Mortality, shall, at such Times and Places to be appointed for that Purpose, as hereinafter mentioned, produce and deliver the Accounts herein-before directed for the Weeks ending on the *Saturday* preceding such Delivery, and then unaccounted for, to the Person or Persons duly authorised and commissioned, under the Hands and Seals of three of the said Commissioners for managing the Duties on stamped Vellum, Parchment, and Paper, to receive such Accounts, and the Money due thereon, and at the same Time pay to such Person or Persons all Sum and Sums of Money which shall appear to be due upon such Accounts, under the Penalty of ten Pounds for every Default in not delivering such Accounts, and double the Amount of the Money due and payable from such Postmaster, Innkeeper, or other Person, for the said Rates or Duties, for the Nonpayment thereof.

Where and when licensed Persons living in other Parts of the Kingdom shall deliver their Accounts, &c.

XXII. And be it further enacted by the Authority aforesaid, That every Postmaster, Innkeeper, or other Person, so licensed as aforesaid, shall enter, or cause to be entered, in his weekly Account, the Tickets so issued by him, her, or them, on the Day in which the same shall be issued; and if any Postmaster, Innkeeper, or other Person, shall date any of the Posting Tickets, or Day Tickets by him or her delivered, in any other Manner than as the same shall, at the Time of such Delivery, be entered in his or her weekly Account or Accounts, he, she, or they shall, for every such Offence, forfeit and pay the Sum of twenty Shillings; to be recovered and applied as herein-after is directed.

Postmasters, &c. to enter Tickets in their weekly Account on the Day they were issued.

XXIII. And be it further enacted by the Authority aforesaid, That all and every Ticket, delivered from the Stamp-office, that shall appear with the Number of Miles expressed therein, either in Words or Figures, shall be deemed a Ticket upon which the Duty has been received, and shall be accounted and paid for by the Postmaster, Innkeeper, or other Person, according to such Number of Horses and Miles marked thereon, at and after the Rate aforesaid.

All Tickets having the Number of Miles expressed therein, shall be accordingly paid for by the Postmaster, &c.

XXIV. And it is hereby further enacted by the Authority aforesaid, That every Postmaster, Innkeeper, or other Person, so licensed as aforesaid, who shall be guilty of any wilful Concealment, or making false Accounts, or any other fraudulent Contrivance, Device, or Pretence whatsoever, with an Intent or Design to defraud his Majesty, his Heirs or Successors, of any of the Rates or Duties imposed by this Act, or any Part thereof, such Postmaster, Innkeeper, or other Person, shall forfeit the Sum of twenty Pounds, to be recovered as herein-after directed; and the said Commissioners shall and may, if they shall so think fit, after Judgment obtained against such Offender, refuse to grant to such Offender any Licence in future.

Penalty on Postmasters, &c. who shall endeavour to defraud his Majesty of the Rates imposed by this Act.

'XXV. And, in order to prevent the evading the Payment of the Duties hereby granted, by permitting Carriages conveying Persons Post to be drawn by Horses which have paid the Duty for the Stage, under the Pretence of such Horses being upon the Return Home;' be it further enacted by the Authority aforesaid, That every Postmaster, Innkeeper, or other Person, who shall take the Hire for such Horses by the Mile, or from Stage to Stage, shall be considered as the Person to whom the Duties herein-before granted shall be paid, and shall be chargeable with and accountable for the same, as if such Postmaster, Innkeeper, or other Person, was the actual Proprietor of such Horses, although the same may belong to, and be the Property of, any other licensed Postmaster, Innkeeper, or other Person.

Every Postmaster, &c. who shall take the Hire for Horses travelling Post, shall be accountable for the Duty.

'XXVI. And, in order to prevent evading the Payment of the Duties hereby granted upon Horses hired by the Mile or Stage, under the Pretence of the letting such Horses for a Day, or any less Period of Time,' be it enacted by the Authority aforesaid, That no Postmaster, Innkeeper, or other Person, at whose Inn, House, or other Place, kept for letting Horses to Hire, any Traveller or Travellers shall change Horses, shall let to Hire any Horse or Horses, to such Traveller or Travellers, in any other Manner than by the Mile or Stage; and if any Postmaster, Innkeeper, or other Person, shall act contrary hereto, he, she, or they shall, for every such Offence, forfeit and pay the Sum of five Pounds, to be recovered as herein-after mentioned.

No Postmaster, &c. at whose House any Traveller shall change Horses, shall let them any otherwise than by the Mile or Stage.

'XXVII. And, for the Encouragement of the Toll-gate Keepers to be attentive and vigilant in the Execution of this Act, and as a Compensation for their Trouble,' be it enacted by the Authority aforesaid, That all and every Toll-gate Keeper shall be, and is hereby authorised to demand and receive, from the Collector to whom he, she, or they shall deliver the Day Tickets and Posting Tickets, in the Manner herein-after directed and prescribed, the Sum of three Pence for every Pound Sterling which the Duties upon any such Ticket shall amount unto, and at and after that Rate for any less Sum than a Pound Sterling; and such Collector is hereby authorised to pay and allow the same accordingly; and that such Allowance of three Pence in the Pound shall be over and above the Allowance or Privilege hereby given to such Toll-gate Keepers of retaining the Money by him, her, or them, collected from such Traveller or Travellers,

Toll-gate Keepers to be allowed 3 d. in the Pound for all Tickets they shall deliver to Collectors.

vellers, Person or Persons, who shall not, pursuant to this Act, have delivered the Tickets to such Toll-gate Keeper as aforesaid.

Where and when the Toll-gate Keepers shall bring the said Tickets.

XXVIII. Provided always nevertheless, and it is hereby enacted, That all and every Toll-gate Keeper shall, for the Compensation and Allowance aforesaid, bring, or cause to be brought, the Tickets hereinbefore mentioned by him or her received, if within five Miles of *London*, then to the Head Office there, or to such other Place within the Bills of Mortality as the Commissioners of the Stamp-duties shall appoint; and if beyond the Distance of five Miles from *London*, then to such Places, and at such Times, as the Collector appointed to collect such Duties shall require, and deliver up, or cause to be delivered up, such Tickets to the Receiver-general or Collector to be appointed as aforesaid.

Penalty on Toll-gate Keepers who shall not deliver up Tickets on Demand;

XXIX. And be it further enacted by the Authority aforesaid, That all and every Toll-gate Keeper who shall have received such Stamp-office Tickets as aforesaid, who shall not bring, or cause to be brought, such Tickets, at the Times and Places aforesaid, shall, upon Demand made at the Gate of such Turnpike, deliver such Tickets to the Collector to be appointed by the said Commissioners for managing the Duties on stamped Vellum, Parchment, and Paper, as aforesaid; and if any Toll-gate Keeper shall refuse to deliver up all and every such Stamp office Tickets, so received by him or her, upon such Demand as aforesaid, every Toll-gate Keeper shall, for each Ticket he or she shall so refuse to deliver up, forfeit and pay the Sum of five Shillings, to be recovered as herein-after is directed.

or who shall neglect to receive or to file any Tickets, as required by this Act.

XXX. And be it further enacted by the Authority aforesaid, That if any Toll-gate Keeper shall neglect or refuse to receive from any Person or Persons any Ticket or Tickets, hereby directed to be delivered to such Toll-gate Keeper as aforesaid, or shall neglect or refuse to file the same, every such Toll-gate Keeper, so neglecting or refusing, shall, for every such Offence, forfeit and pay the Sum of twenty Shillings, to be recovered, levied, and applied, in Manner herein-after directed.

Gate-keepers fraudulently accepting less than they are authorised to demand, forfeit 20s.

'XXXI. And, in order to prevent any collusive or fraudulent Practices in Toll-gate Keepers,' be it enacted by the Authority aforesaid, That in case any Toll-gate Keeper shall ask, demand, or receive, or agree to take or accept, any less Sum or Sums of Money than he or she is hereby authorised to ask, demand, and receive, and retain to his own Use, every such Toll-gate Keeper shall, for every such Offence, forfeit and pay the Sum of twenty Shillings, to be recovered and applied in the Manner herein-after appointed.

Where Postmasters, &c. residing out of the Bills of Mortality, are to attend and pass their Accounts.

XXXII. And be it further enacted by the Authority aforesaid, That all and every Postmaster, Innkeeper, or other Person, so licensed as aforesaid, not residing in the Cities of *London* and *Westminster*, nor within the Bills of Mortality, shall, at the Times and at the Places to be mentioned at the Foot of the first Licence granted to him, her, or them, when the same shall be delivered, and afterwards at the Foot of every Receipt which shall be given by the Collector for the Money paid in by him, her, or them, on Account of the said Duties, attend, and there deliver in and pass his Account, and pay the Duty received by him, her, or them, as aforesaid, to the Collector so appointed to collect the same: Provided that no such Person as aforesaid shall be compelled to travel for the Payment of the said Duties, or other Cause whatsoever touching or concerning the same, if he, she, or they live in a Market-town, out of the said Town, or if he, she, or they live out of a Market-town, then to no other Place than to the Market-town nearest to his, her, or their Habitation.

This Act not to extend to Horses used in Hackney-coaches, &c.

XXXIII. Provided also, and it is hereby further enacted and declared, That nothing herein contained shall extend, or be construed to extend, to any Horses used in Hackney-coaches, licensed pursuant to several Acts of Parliament made for that Purpose, where the Horses drawing such Hackney-coaches shall be employed to go to no greater Distance than ten Miles from the Cities of *London* and *Westminster*, and the Suburbs thereof.

All Horses hired by the Mile or Stage, shall be deemed hired to travel Post.

XXXIV. And it is hereby further enacted and declared by the Authority aforesaid, That every Horse hired by the Mile or Stage, shall be deemed to be hired to travel Post, within the true Intent and Meaning of this Act, although the Person or Persons hiring the same do not go or travel several Stages upon a Post-road, or change Horses; and although, at the Stage or Place at or to which such Horse shall be hired, there shall not be any Post-house; and although there shall not be any Post settled or established on the Road, or any Part thereof, upon which such Horse shall be hired to go; any Thing herein-before contained, or any Law or Usage, to the contrary notwithstanding.

On the Death of any licensed Postmaster, &c. his Executors, &c. shall not be liable to any Penalty for letting Horses to Hire, provided they take out a Licence within 30 Days after his Death.

XXXV. And be it further enacted by the Authority aforesaid, That if any Postmaster, Innkeeper, or other Person, licensed to let Horses in Manner aforesaid, shall die, it shall and may be lawful for his or her Executors, Administrators, or other Persons succeeding to such Inn, House, or other Place, to let Horses to Hire in Manner aforesaid, until such Time as such Person shall procure such Licence, and give such Security as herein-before directed, without being liable to the Penalty herein-before inflicted upon the Persons letting Horses for Hire without being licensed in that Behalf, provided that such Licence be taken out within thirty Days after the Death of such Postmaster, Innkeeper, or other Person; and such Person or Persons shall be subject to the same Rules, Regulations, and Charges, and liable to account, and to the Payment of the same Rates and Duties hereby imposed, as such Postmaster, Innkeeper, or other Person, was subject and liable to.

After Aug. 1, 1780. every Postmaster, &c. on delivering his Accounts, shall make Oath to the Truth thereof.

'XXXVI. And, for the more effectual taking an Account of the several Duties imposed by this Act, 'and preventing Frauds therein,' be it enacted by the Authority aforesaid, That, from and after the said first Day of *August*, every Postmaster, Innkeeper, and other Person, so licensed to let Horses as aforesaid, shall, at the respective Times of delivering their Accounts to the Commissioners, or other Person appointed by them to receive the same, at the Head Office, or to the Collector or Collectors authorised by the said Commissioners to receive the same, and the Money due therein, make Oath, or being one of the People called *Quakers*, make and subscribe a solemn Affirmation, before such Commissioners, or other Person appointed as aforesaid, or Collector or Collectors, who are hereby respectively authorised and impowered

powered to administer such Oath and Affirmation, to the Truth of the Accounts then delivered, in the Form following:

'I *A. B.* do swear, (*or* affirm, *as the Case may require*), That the several weekly Accounts now by me delivered of the Duties arising upon Horses, which I have let for the Purpose of travelling Post, or otherwise, from the Day of to the Day of as far as the same have been entered and kept by me, are fair, just, and true Accounts; and as far as they have been entered and kept by any other Person or Persons, I verily believe to be true. The Oath.

'*So help me* GOD.'

XXXVII. And be it further enacted by the Authority aforesaid, That, from and after the said first Day of *August*, one thousand seven hundred and eighty, no Person who shall keep any four-wheeled Chaise, or other Machine, commonly called *A Diligence* or *Post-coach*, or by what Name soever such Carriage or Carriages now are, or hereafter shall be called or known, for the Purpose of conveying in the Inside thereof any Number of Passengers, not exceeding four, for Hire, from Stage to Stage, or from Place to Place, or who shall keep any Coach, Berlin, Landau, Chariot, Calash with four Wheels, Chaise-marine, Chaise with four Wheels, or other Machine, by what Name soever the same now is, or hereafter shall be called or known, to be employed as public Stage-Coaches or Carriages, for the Purpose of conveying Passengers, for Hire, to and from different Places within the Kingdom of *Great Britain*, shall let out the same for such Purpose, without having first obtained a Licence under the Hands of two of the said Commissioners for managing the Duties on stamped Vellum, Parchment, and Paper, or some Person duly authorised by them, upon Pain to forfeit, for every Time such Diligence, or other Machine, shall be so used, the Sum of five Pounds, to be recovered and applied as herein-after is directed. No Person shall let out for Hire any Diligence, or Post-coach, &c. without a Licence, on Penalty of 5*l.* for each Offence.

XXXVIII. And be it further enacted by the Authority aforesaid, That, from and after the passing of this Act, any two or more of his Majesty's Commissioners appointed for managing the Duties arising by Stamps on Vellum, Parchment, and Paper, or some Person duly authorised by them, shall grant Licences, under their Hands and Seals, to any Person or Persons who shall apply for the same, to let out for Hire any such Diligence, Coach, or other Carriage, directed to be licensed by virtue of this Act, for the Space of one Year, to commence from the first Day of *August*, one thousand seven hundred and eighty, upon all Licences to be granted on or before that Day; and upon Licences, to be first granted to any Person or Persons after the said first Day of *August*, to commence from the Day of the Date of such Licences; which said Licence shall be renewed at least ten Days previous to the Expiration of the Year for which it was granted; and if the Person or Persons so licensed shall continue to let out for Hire such Diligence, or other Machine, Coach, or other Carriage, hereby directed to be licensed, he, she, or they shall, in the same Manner, renew such Licence from Year to Year, paying down the respective Sums due for such Licence, and so yearly and every Year, as long as he, she, or they shall continue to let out such Diligence, or other Machine, for the Purpose aforesaid. Commissioners of Stamp-duties to grant such Licences to all Persons who shall apply for them. Licences to be renewed ten Days previous to the Expiration, &c.

XXXIX. And be it further enacted by the Authority aforesaid, That no Person or Persons, so licensed to let out Diligences, Coaches, or other Carriages, hereby directed to be licensed, shall, by virtue of one Licence, keep more than one Diligence, Coach, or other Carriage, for the Purposes aforesaid. Only one Diligence, &c. to be kept by virtue of one Licence.

XL. And be it further enacted by the Authority aforesaid, That all and every Person and Persons, so licensed to use any Diligence, or other Machine, for the Purpose of conveying in the Inside thereof any Number of Passengers, not exceeding four, as aforesaid, or any Coach or Coaches, Carriage or Carriages, to be employed as public Stage-coaches as aforesaid, shall yield and pay to his Majesty, his Heirs and Successors, the Sum of one Halfpenny for every Mile every such Diligence, Machine, Coach or Coaches, or other Carriage or Carriages, shall be so used or travel as aforesaid. All licensed Persons to pay one Halfpenny for every Mile their Diligence, &c. shall travel;

XLI. And it is hereby further enacted by the Authority aforesaid, That all and every Person or Persons, so licensed to use such Diligence or Machine as aforesaid, or any Coach or Coaches, or other Carriage or Carriages, to be employed as public Stage-coaches as aforesaid, shall, at the Time of receiving such Licence, declare from what Place and to what Place such Diligence or Machine, Coach or Coaches, or other Carriage or Carriages, hereby directed to be licensed, is intended to be used, distinguishing the Distance or Number of Miles between the two extreme Towns or other Places such Diligence, Coach or Coaches, or other Carriage or Carriages, is to go, and the Number of Journies each such Diligence, Coach or Coaches, or other Carriage or Carriages, is so intended to be used, either in the Day, or in the Week, as the Case may happen to be, that the same may be inserted in such Licence; and all and every Person or Persons so licensed for such Purpose as aforesaid, shall give Security, by Bond, to his Majesty, his Heirs and Successors, in the Sum of twenty Pounds, with a Condition for the faithful accounting for and paying such Sums as may be due for the Journies such Diligence, Coach or Coaches, or other Carriage or Carriages, may have so made. and shall declare, when they receive their Licence, to and from what Places it is intended to be used, and how often.

XLII. And be it further enacted by the Authority aforesaid, That all Diligences, Coaches, or other Carriages, directed to be licensed by virtue of this Act, that shall go from *London* or *Westminster* to any Place in the Country, or that shall come from the Country to any Place in *London* or *Westminster*, shall be licensed by the Commissioners, or some Person authorised by them, at the Head Office in *Lincoln's Inn*, or wherever else the same may be held. All Diligences, &c. going to or from London or Westminster, shall be licensed at the Stamp-office.

'XLIII. And, in regard it may be difficult to ascertain the Number of Times such licensed Diligences, or other Carriages, to be employed for the Purpose of carrying any Number of Passengers, not exceeding four, making short Stages, may go in a Day,' it is hereby provided and enacted, That the Commissioners for managing the Stamp-duties, or the major Part of them, or such Officers as they shall appoint in that Behalf, shall and may, and they are hereby impowered to make such Allowances, as shall appear to be just, Discretionary Powers vested in Commissioners relative to Diligences, &c. pass-

ing and repaſſing within 12 Miles of London,

juſt, to any Perſon or Perſons licenſed to uſe any Diligence or Carriage as aforeſaid, where the Diſtance to be expreſſed in their Licence does not exceed twelve meaſured Miles, upon Oath made by the Owner of ſuch Diligence, or other Carriage as aforeſaid, before the ſaid Commiſſioners, or the major Part of them, or ſuch Officers ſo be appointed, as to the Number of Journies actually made in a Day by ſuch Diligence or other Carriage, where the ſame ſhall differ from the Number expreſſed in ſuch Licences; which Oath the ſaid Commiſſioners, or the Collectors authoriſed by them to receive the ſaid Duty, are hereby impowered to adminiſter, and to examine into all the Circumſtances relative to the Number of Journies ſo made by ſuch Diligence, or other Carriage as aforeſaid, any Thing herein contained to the contrary notwithſtanding; and the ſaid Commiſſioners, or the major Part of them, are hereby impowered to make ſuch Regulations, with reſpect to ſuch Diligences, or other Carriages, where ſuch Allowances are applied for, as they ſhall, from Time to Time, find neceſſary, as well for the effectual ſecuring the Duties on ſuch Diligences, or other Carriages, as doing Juſtice to the Owners or Proprietors thereof.

The Name of the Owner of every Diligence, &c. to be painted on the Outſide of each Door.

Where and when the Duties ariſing from Diligences, &c. ſhall be paid.

XLIV. And be it further enacted by the Authority aforeſaid, That all and every Perſon or Perſons ſo licenſed to uſe every ſuch Diligence, Coach, or other Carriage, as aforeſaid, ſhall mark or paint, or cauſe to be marked or painted, on the outſide Pannel of each Door thereof, before he, ſhe, or they ſhall uſe the ſame for the Purpoſe aforeſaid, his, her, or their Chriſtian and Surname, mentioning the Place from whence they ſet out, and to which they are going, in plain and legible Characters; and every Proprietor of every ſuch Diligence, Coach, or other Carriage, licenſed to go from *London* to any other Place, or from any other Place to *London*, ſhall, on the firſt *Monday* in every Month, between the Hours of Eight in the Morning and Two in the Afternoon, unleſs the ſame be an Holiday, and then on the next Day, not being an Holiday, clear the ſaid Duties charged and become due by virtue of this Act, by paying the ſame to the Receiver-general of Stamped Vellum, Parchment, and Paper, or to the proper Officer for the Time being for collecting the ſaid Duties, for the Uſe of his Majeſty, his Heirs and Succeſſors, at the Head Office in *Lincoln's Inn*, or wherever elſe the ſame may be held; and if ſuch Proprietor or Proprietors ſhall be licenſed from any Town in the Country to any other Town than *London*, then ſuch Proprietors ſhall clear the ſaid Duties by paying the ſame to the Perſon duly authoriſed, by Commiſſion under the Hands and Seals of three of his Majeſty's Commiſſioners of the Stamp-duties, to receive the ſame, under the Penalty of five Pounds.

Licenſed Proprietor of any Diligence, &c. to give ſeven Days Notice before he diſcontinue the ſame.

XLV. Provided always, That every ſuch licenſed Proprietor or Proprietors of any Diligence, Coach, or other Carriage, as aforeſaid, who ſhall lay down and diſcontinue the Uſe of the ſame, ſhall give Notice, in Writing, ſeven Days at the leaſt before he, ſhe, or they ſhall lay down or diſcontinue the ſame, and ſhall have ſuch Notice indorſed upon the Back of ſuch his, her, or their Licence or Licences, or upon the Bond ſo to be given as aforeſaid, and from thenceforth, on Payment of all Arrears, ſhall be no longer charged or chargeable for the ſame.

Poſtmaſters, &c. to be allowed 3d. in the Pound out of the Monies to be accounted for and paid by them.

XLVI. And it is hereby enacted by the Authority aforeſaid, That the ſaid Receiver-general at the Head Office, and the ſaid other Collectors duly appointed to receive the Duties hereby impoſed, ſhall make an Allowance to the ſeveral Poſtmaſters, Innkeepers, and other Perſons, licenſed by virtue of this Act to let Horſes for Hire, by the Mile, Stage, or Day, for all Monies by them paid on account of the Duties by this Act impoſed on Horſes ſo hired as aforeſaid; and they ſhall be intitled reſpectively to deduct for their own Uſe, at and after the Rate of three Pence in the Pound, out of the Monies by them regularly accounted for and paid to ſuch Receiver-general or other Collector, according to the Directions herein-before contained.

Penalty on forging any Ticket, or uttering the ſame.

XLVII. And be it further enacted by the Authority aforeſaid, That if any Perſon ſhall falſely make, forge, or counterfeit, or cauſe or procure to be falſely made, forged, or counterfeited, or wilfully act or aſſiſt in the falſe making, forging, or counterfeiting, any Ticket, by this Act authoriſed or directed to be uſed, with an Intent to defraud his Majeſty, his Heirs and Succeſſors, of any of the ſaid Duties; or ſhall utter or publiſh as true any falſe, forged, or counterfeited Ticket, with an Intent to defraud his Majeſty, his Heirs and Succeſſors, of any of the ſaid Duties; every Perſon ſo offending, and being thereof lawfully convicted, ſhall forfeit and pay the Sum of fifty Pounds, to be levied and applied as herein-before directed and declared.

Application of Penalties, if ſued for within three Months.

XLVIII. And be it further enacted by the Authority aforeſaid, That all pecuniary Penalties hereby impoſed, ſhall be divided and diſtributed (if ſued for within the Space of three Calendar Months from the Time of any ſuch Penalty being incurred) in Manner following; one Moiety thereof to his Majeſty, his Heirs and Succeſſors, and the other Moiety thereof, with full Coſts of Suit, to the Perſon or Perſons who ſhall inform and ſue for the ſame.

Pecuniary Penalties amounting to 20 l. where to be ſued for.

XLIX. And be it further enacted by the Authority aforeſaid, That all ſuch pecuniary Penalties, which ſhall amount to the Sum of twenty Pounds or more, ſhall be ſued for in any of his Majeſty's Courts at *Weſtminſter*, for Offences committed in *England*, *Wales*, or *Berwick upon Tweed*, and in his Majeſty's Court of Seſſions, Court of Juſticiary, or Court of Exchequer in *Scotland*, for Offences committed in that Part of *Great Britain* called *Scotland*, by Action of Debt, Bill, Plaint, or Information, wherein no Eſſoin, Protection, Privilege, Wager of Law, or more than one Imparlance, ſhall be allowed.

All Penalties, not ſued for within three Months, to belong to his Majeſty.

L. Provided always, and be it further enacted by the Authority aforeſaid, That ſuch Diviſion or Diſtribution of the Penalties as aforeſaid ſhall be, and is hereby confined and reſtricted to the proſecuting for the ſame within the Time herein-before for that Purpoſe limited; and that in Default of ſuch Proſecution within the Time aforeſaid, no Informer or Informers ſhall have or be intitled to any Part or Share of ſuch Penalties, but that the whole thereof ſhall belong to his Majeſty, his Heirs and Succeſſors, and ſhall be recoverable in Manner aforeſaid; any Thing herein contained to the contrary notwithſtanding.

Any Juſtice may determine any Offence againſt

LI. Provided always, and it is hereby enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for any Juſtice of the Peace, reſiding near the Place where the Offence ſhall be committed,

to

to hear and determine any Offence against this Act, which subjects the Offender to any pecuniary Penalty not amounting to twenty Pounds; which said Justice of the Peace is hereby authorised and required, upon any Information exhibited, or Complaint made, in that Behalf, to summon the Party accused, and also the Witnesses on either Side, and shall examine into the Matter of Fact; and upon due Proof made thereof, either by the voluntary Confession of the Party, or by Oath of one or more credible Witness or Witnesses, to give Judgment or Sentence for the Penalty or Forfeiture, according as in and by this Act is directed, and to award and issue out his Warrants, under his Hand and Seal, for the levying any pecuniary Penalties or Forfeitures so adjudged, on the Goods of the Offender, and to cause Sale to be made thereof, in case they shall not be redeemed within six Days, rendering to the Party the Overplus (if any); and where the Goods of such Offender cannot be found sufficient to answer the Penalty, to commit such Offender to Prison, there to remain for the Space of three Months, unless such pecuniary Penalty shall be sooner paid and satisfied; and if any Person or Persons shall find himself or themselves aggrieved by the Judgment of any such Justice, then he or they shall and may, upon giving Security to the Amount of the Value of such Penalty and Forfeiture, together with such Costs as shall be awarded in case such Judgment shall be affirmed, appeal to the Justices of the Peace at the next General Quarter Sessions for the County, Riding, or Place, who are hereby impowered to summon and examine Witnesses upon Oath, and finally to hear and determine the same; and in case the Judgment of such Justice shall be affirmed, it shall be lawful for such Justices to award the Person or Persons to pay Costs, occasioned by such Appeal, as to them shall seem meet.

this Act, if the Penalty does not exceed 20l.

Persons aggrieved may appeal to the Quarter Sessions.

LII. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall be summoned as a Witness or Witnesses to give Evidence before such Justice or Justices of the Peace, touching any of the Matters relative to this Act, either on the Part of the Prosecutor, or of the Person or Persons accused, and shall neglect or refuse to appear at the Time and Place to be for that Purpose appointed, without a reasonable Excuse for such his, her, or their Neglect or Refusal, to be allowed of by such Justice or Justices of the Peace, or appearing, shall refuse to be examined on Oath, and give Evidence before such Justices of the Peace before whom the Prosecution shall be depending, that then every such Person shall forfeit, for every such Offence, the Sum of forty Shillings, to be levied and paid in such Manner, and by such Means, as are herein-before directed as to other Penalties.

Penalty on Witnesses who shall refuse to appear, or to be examined, &c.

LIII. And be it further enacted by the Authority aforesaid, That all Summonses issued by any Justice of the Peace, in pursuance of this Act, against the Owners or Proprietors of any Diligences, Coaches, or other Carriages, required to be licensed by this Act, that shall be left at the Inn, or other Place, where the Diligence, Coach, or other Carriage shall put up, with the Book-keeper, or other Person who shall keep the Books for taking Places in such Diligences, Coaches, or other Carriages, shall be deemed good Service on the Owners or Proprietors of such Diligences, Coaches, or other Carriages, although such Owners or Proprietors shall not have a Residence or Habitation at such Inn or Place.

Summonses of the Proprietors of Diligences, &c. left with the Book-keeper, &c. shall be deemed good Service.

LIV. And be it further enacted by the Authority aforesaid, That a Conviction in the Form, and to the Effect following *(mutatis mutandis)*, as the Case shall happen to be, shall be good and effectual, to all Intents and Purposes whatsoever, without stating the Case, or the Facts or Evidence, in any particular Manner; that is to say:

Form of Conviction.

'BE it remembered, that on the Day of in the Year of our Lord at in the County of *A. B* came before me *C. D.* Esquire, one of his Majesty's Justices of the Peace for the said County, residing near the Place where the Offence was committed, and informed me that *E. F.* of on the Day of now last past, at in the said County [*here set forth the Fact for which the Information is laid*]; whereupon the said *E. F.* after being duly summoned to answer the said Charge, appeared before me on the Day of at in the said County, and having heard the Charge contained in the said Information, declared he was not guilty of the said Offence [*or, as the Case may happen to be*], did not appear before me pursuant to the said Summons [*or*, did neglect and refuse to make any Defence against the said Charge], but the same being fully proved upon the Oath of *G. H.* a credible Witness [*or, as the Case may happen to be*], acknowledged and voluntarily confessed the same to be true, and it manifestly appears to me that he, the said *E. F.* is guilty of the Offence charged upon him in the said Information; I do therefore hereby convict him of the Offence aforesaid, and do declare and adjudge that he, the said *E. F.* hath forfeited the Sum of of lawful Money of *Great Britain* for the Offence aforesaid, to be distributed as the Law directs, according to the Form of the Statute in that Case made and provided. Given under my Hand and Seal, the Day of

LV. Provided nevertheless, That it shall and may be lawful to and for the said Justice, where he shall see Cause, to mitigate and lessen any such Penalties as he shall think fit, reasonable Costs and Charges of the Officers and Informers, as well in making the Discovery as in prosecuting the same, being always allowed over and above such Mitigation, and so as such Mitigation do not reduce the Penalties to less than a Moiety of the Penalties incurred, over and above the said Costs and Charges; any Thing contained in this Act, or any other Act of Parliament, to the contrary notwithstanding.

Justice may mitigate the Penalties.

LVI. And be it further enacted by the Authority aforesaid, That the several Duties herein-before granted shall be paid, from Time to Time, into the Hands of the Receiver-general for the Time being of the Duties on stamped Vellum, Parchment, and Paper, who shall keep a separate and distinct Account of the several Rates and Duties, and pay the same (the necessary Charges of raising, paying, and accounting for the same, being deducted) into the Receipt of the Exchequer, at such Time, and in such Manner, as the Duties now charged on stamped Vellum, Parchment, and Paper, are directed to be paid; and that in the Office of the Auditor of the said Receipt shall be provided and kept a Book or Books, in which all the Monies

Receiver-general of Stamp-duties to pay the Duties granted by this Act into the Exchequer.

Auditor to keep a separate Account thereof.

Monies arising from the said several Rates and Duties, and paid into the said Receipt as aforesaid, shall be entered, separate and apart from all other Monies paid or payable to his Majesty, his Heirs or Successors, upon any Account whatsoever; and the said Money, so paid into the said Receipt of Exchequer as aforesaid, shall be a Fund for the Payment of the several Annuities, and all such other Charges and Expences as are directed to be paid and payable pursuant to an Act of the last Session of Parliament, intituled, *An Act for raising a certain Sum of Money by way of Annuities, and for establishing a Lottery.*

Part of an Act of 9 Annæ repealed.

LVII. And be it further enacted by the Authority aforesaid, That so much of an Act, made in the ninth Year of the Reign of her late Majesty Queen *Anne*, intituled, *An Act for establishing a General Post-office for all her Majesty's Dominions, and for settling a weekly Sum out of the Revenues thereof for the Service of the War, and other her Majesty's Occasions*, as restrains any Persons, other than the Postmaster-general for the Time being, and the respective Deputies and Substitutes of such Postmaster-general, from preparing or providing, or from letting to Hire, or furnishing Horses or Furniture for riding Post within this Kingdom, shall be, and the same is hereby repealed and made void.

Persons sued for any Thing done in pursuance of this Act, may plead the General Issue, and recover Treble Costs.

LVIII. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall, at any Time or Times, be sued, molested, or prosecuted, for any Thing by him or them done or executed in pursuance of this Act, or of any Clause, Matter, or Thing herein contained, such Person or Persons shall or may plead the General Issue, and give the special Matter in Evidence for his and their Defence; and if upon the Trial a Verdict shall pass for the Defendant or Defendants, or the Plaintiff or Plaintiffs become nonsuited, then such Defendant or Defendants shall have Treble Costs awarded to him or them against such Plaintiff or Plaintiffs.

## CAP. LII.

### An Act for granting to his Majesty additional Duties upon Starch and Hair Powder imported, and upon Starch made in *Great Britain*, and upon Sweets.

Preamble,

'Most Gracious Sovereign,

'WE, your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain*, in Parliament 'assembled, towards raising, by the most easy Means, the necessary Supplies to defray your Ma-'jesty's public Expences, have freely and voluntarily resolved to give and grant unto your Majesty the se-'veral Imposts and Duties herein-after mentioned; and do most humbly beseech your Majesty that it may 'be enacted;' and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, from and after the fifth Day of *July*, one thousand seven hundred and eighty, there shall be raised, levied, collected, and paid, to and for the Use of his Majesty, his Heirs and Successors, for and upon all Starch, and upon Hair Powder made of Starch, or other Powder that will serve for the same uses as Starch, which, from and after the fifth Day of *July*, one thousand seven hundred and eighty, shall be imported or brought into the Kingdom of *Great Britain* (over and above all Customs, Subsidies, and Duties, already imposed thereupon), the Sum of two Pence for every Pound Weight, and after that Rate for a greater or lesser Quantity; which said additional Impost or Duty shall be paid down in ready Money, without any Discount or Allowance, on Importation; and shall be also subject and liable to an additional Impost or Duty of five Pounds *per Centum*, in the same Manner as the additional Duty of five Pounds *per Centum* is granted to his Majesty, by an Act made in the last Session of Parliament (intituled, *An Act for granting to his Majesty additional Duties upon the Produce of several Duties under the Management of the respective Commissioners of the Customs and Excise in* Great Britain), are directed to be collected and paid.

After July 5, 1780, an additional Duty of 2 d. per Pound to be paid on Importation of Starch, and on Hair Powder made of Starch, &c. which Duty shall be liable to the additional 5 per Cent. granted by 19 Geo. III. Cap. 25.

No Drawback to be allowed on Exportation. New Duties to be levied and recovered as the former ones.

II. And it is hereby further enacted by the Authority aforesaid, That no Part of the said Duties herein-before granted, shall be repaid or drawn back upon the Exportation of the said Starch, Hair Powder, or other Powder; and that the said Duties shall be raised, levied, recovered, and paid, in such Manner and Form, and by such Ways and Means, as the former Imposts or Duties of Custom on Starch and Hair Powder imported, are now raised, levied, collected, recovered, and paid, by any Act or Acts of Parliament now in Force (except where any Alteration is made by this Act), as fully and effectually, to all Intents and Purposes, as if the several Clauses, Powers, and Provisions, in such Acts, had been repeated and again enacted in the Body of this present Act.

After July 5, 1780, an additional Duty of 1 d. per Pound to be paid for all Starch made in Great Britain.

III. And be it further enacted by the Authority aforesaid, That for and upon all Starch of what Kind soever, which, at any Time after the said fifth Day of *July*, one thousand seven hundred and eighty, shall be made within the Kingdom of *Great Britain*, there shall be raised, levied, collected, and paid unto and for the Use of his Majesty, his Heirs and Successors, an additional Duty of one Penny for every Pound Weight, consisting of sixteen Ounces of Avoirdupoise, and after that Rate for a greater or lesser Quantity; the same to be paid by the Makers thereof respectively.

The aforesaid Duties to be paid for all Starch in Hand on July 5, 1780.

IV. And be it further enacted by the Authority aforesaid, That for all Starch which any Starchmakers, or any Person or Persons in Trust for him or them, or for his, her, or their Use, shall be possessed of, and interested in, upon the said fifth Day of *July*, one thousand seven hundred and eighty, for Sale, there shall be yielded and paid to his Majesty the like respective Rates as are by this Act to be paid for the like Sorts of Starch respectively, to be made or imported after the said fifth Day of *July*, one thousand seven hundred and eighty; and that all and every the said Starchmakers, and all and every other Person and Persons who, in Trust for them, or any of them, or for the Use of them, or any of them, shall be possessed of, or have in his, her, or their Custody or Possession, or in his, her, or their Workhouse, Warehouse, Storehouse, Shop-room, or other Place or Places whatsoever, upon the said fifth Day of *July*, one thousand seven

Starchmakers, &c. to make due Entry of such Stock, on Penalty of 50 l. and Forfeiture thereof;

hundred and eighty, any Stock, Parcel, or Quantity of Starch, of Foreign or *British* Manufacture, for Sale, shall, on or before the said fifth Day of *July*, one thousand seven hundred and eighty, make a true and particular Entry thereof, at the Office for the said Duties on Starch, within the Limits of which they shall respectively inhabit, upon Pain to forfeit the Sum of fifty Pounds, and the Starch for which no such Entry shall have been made; and within six Days after he, she, or they shall have made, or ought to have made, such Entry as aforesaid, shall pay down the Duties hereby payable for such Starch, or, within the said six Days, shall give Security to the proper Officers for paying the same Duties, to his Majesty's Use, within three Months then next ensuing; and in case the said Duties for such Stock of Starch be paid down within the said six Days, then there shall be allowed out of the said Duty, for such Prompt Payment, an Allowance, after the Rate of ten Pounds *per Centum per Annum*, for the said Time of three Months; and that all and every such Starchmakers who shall refuse or neglect to make such Payment, or to give such Security for Payment, of the said Duties upon his, her, or their Stock of Starch, within the Time by this Act limited for that Purpose, shall forfeit double the Sum of the said Duty which should have been so paid or secured as aforesaid: And that it shall and may be lawful to and for the proper Officers for the same Duties respectively, to take a true and particular Account of all such Stock, or Quantities of Starch, as any Starchmaker, or others in Trust for them, shall, on the said fifth Day of *July*, one thousand seven hundred and eighty, have or be possessed of; and for that Purpose shall be permitted, in the Day-time, to enter into any Workhouse, Warehouse, Dwelling-house, Outhouse, or other Places belonging to such Starchmaker, who are hereby required to permit such Officer and Officers upon Request to make such Entrance on the said fifth Day of *July*, one thousand seven hundred and eighty, or afterwards at any Time after the Duty last mentioned shall be paid or secured, and to take an Account of the Quantity of such Starch, under the Penalty of twenty Pounds: And if any Maker of Starch, having, on the said fifth Day of *July*, one thousand seven hundred and eighty, in his, her, or their Custody or Possession, any Stock or Quantity of Starch chargeable by this Act as aforesaid, shall clandestinely remove or carry away, or cause or suffer to be removed or carried away, the same, or any Part thereof, before the Duties thereupon shall be paid or secured as aforesaid, or shall fraudulently hide or conceal any Part of his, her, or their said Stock of Starch, then, and in every such Case, he, she, or they, so offending shall, for every such Offence, forfeit the Sum of twenty Pounds; and in every such Case, the Starch so removed or concealed shall be forfeited, and shall and may be seized by any of the Officers for the said Duties; and the Person in whose Custody such Stock of Starch shall be found, who shall not, before the Discovery thereof, give Notice, at the next Office for the said Duties on Starch, of the Stock or Quantity of Starch so in his, her, or their Custody, shall also forfeit and lose the Sum of twenty Shillings for every Pound Weight; which said several Fines, Penalties, and Forfeitures, shall be sued for, levied, recovered, and mitigated, by such Ways and Methods as any Fine, Penalty, or Forfeiture, may be sued for, recovered, or mitigated, by any Law or Laws of Excise, or by Action of Debt, Bill, Plaint, or Information, in any of his Majesty's Courts of Record at *Westminster*; and one Moiety of every such Fine, Penalty, and Forfeiture, shall be to the Use of his Majesty, and his Heirs and Successors, and the other Moiety to him or them who shall discover, inform, or sue for the same.

and within six Days after, to pay the Duties, or to give Security for paying them in three Months.

Penalty on Neglect.

Officers to take an Account of Stock in Hand, and for that Purpose may enter Warehouses, &c. in the Day-time.

If any Starchmaker shall remove or conceal any Part of his Stock, before the Duties are paid or secured, he shall forfeit 20*l.* and all such Starch so removed or concealed. Penalty on the Person in whose Custody such Starch shall be found. Penalties and Forfeitures how to be recovered and applied.

V. And be it further enacted by the Authority aforesaid, That, from and after the said fifth Day of *July*, one thousand seven hundred and eighty, there shall be raised, levied, collected, and paid, unto and for the Use of his Majesty, his Heirs and Successors, for every Barrel of Liquor made within the Kingdom of *Great Britain*, for Sale, by Infusion, Fermentation, or otherwise, from foreign Fruit or Sugar, or from Fruit or Sugar mixed with any other Ingredients or Materials whatsoever, commonly called *Sweets*, or called or distinguished by the Name of *Made Wines*, for which no Duty hath been already paid, or shall be paid on or before the said fifth Day of *July*, one thousand seven hundred and eighty, an additional Duty of six Shillings, to be paid by the Makers thereof, and so in Proportion for a greater or lesser Quantity.

After July 5, 1780, an additional Duty of 6*s.* per Barrel to be paid by the Makers of Sweets for Sale.

VI. And it is hereby further enacted by the Authority aforesaid, That the said additional Duties hereby imposed on *British* made Starch and on Sweets, as aforesaid, shall be raised, levied, collected, and paid, in the same Manner, and under such Management, Penalties, and Forfeitures, and with such Powers for recovering the same, and by such Rules, Ways, and Methods, and with like Drawbacks on *British* made Starch exported, as the former Duties on Starch made in *Great Britain*, and on Sweets respectively, are now raised, levied, collected, and paid, under the Directions of any Act or Acts of Parliament now in Force respecting the said Duties, as fully and effectually, to all Intents and Purposes, as if the several Clauses, Powers, Directions, Rules, Penalties, and Forfeitures, relating thereunto, were particularly here repeated, and again enacted, in the Body of this present Act.

New Duties on British made Starch and Sweets to be levied and recovered, &c. as the former Duties;

VII. And be it further enacted by the Authority aforesaid, That the said several additional Duties herein-before granted on *British* made Starch, and on Sweets or made Wines, shall be moreover subject and liable to an additional Duty or Impost of five Pounds *per Centum* on the Produce and Amount thereof; and that such additional Duty or Impost of five Pounds *per Centum* shall be raised, levied, collected, and paid, in the same Manner, and under the same Rules, Regulations, Powers and Authorities, Ways and Means, Penalties and Forfeitures, as the additional Duty or Charge of five Pounds *per Centum*, granted to his Majesty by an Act made in the last Session of Parliament, intituled, *An Act for granting to his Majesty additional Duties upon the Produce of the several Duties under the Management of the respective Commissioners of the Customs and Excise in* Great Britain, are directed to be collected and paid.

and to be liable to the additional 5 per Cent. granted by 19 Geo. III. Cap. 25.

VIII. And it is hereby further enacted by the Authority aforesaid, That the said additional Imposts and Duties by this Act granted, shall from Time to Time be paid into the Hands of the Receiver-general of the Customs and Excise in *England* respectively for the Time being; and such Receivers-general respectively shall weekly, to wit, on *Wednesday* in every Week, if it be not an Holiday, and if it be, then on the next

New Duties to be paid into the Exchequer weekly.

next Day after that is not an Holiday, answer and pay all the Monies arising by the said additional Imposts and Duties, the necessary Charges of raising, collecting, and answering the same only excepted, into the Receipt of his Majesty's Exchequer, distinct and apart from all other Monies which such Receivers-general respectively shall receive for the Use of his Majesty, his Heirs and Successors, for the Uses and Purposes in this Act mentioned.

Auditor to keep a separate Account of all Monies paid in by virtue of this Act. Application thereof.

IX. And be it further enacted by the Authority aforesaid, That there shall be provided and kept in the Office of the Auditor of the said Receipt of Exchequer, a Book or Books, in which all the Monies arising from the said several Imposts and Duties, and paid into the said Receipt as aforesaid, shall be entered separate and apart from all other Monies paid and payable to his Majesty, his Heirs and Successors, upon any Account whatsoever; and the said Money, so paid into the said Receipt of the Exchequer as aforesaid, shall be a Fund for the Payment of the several Annuities, and all such other Charges and Expences, as are directed to be paid and payable pursuant to an Act of this present Session of Parliament, intituled, *An Act for raising a certain Sum of Money by Way of Annuities, and for establishing a Lottery.*

Persons sued in Execution of this Act may plead the General Issue, and recover Treble Costs.

X. And it is hereby enacted by the Authority aforesaid, That if any Person or Persons shall, at any Time or Times, be sued or prosecuted for any Thing by him or them done or executed in pursuance of this Act, or of any Matter or Thing in this Act contained, such Person or Persons shall and may plead the General Issue, and give the special Matter in Evidence for his or their Defence; and if upon Trial a Verdict shall pass for the Defendant or Defendants, or the Plaintiff or Plaintiffs shall become nonsuit, then such Defendant or Defendants shall have Treble Costs to him or them awarded against such Plaintiff or Plaintiffs.

## CAP. LIII.

An Act for raising a further Sum of Money, by Loans or Exchequer Bills, for the Service of the Year one thousand seven hundred and eighty. 1,900,000 *l.*

## CAP. LIV.

An Act for appointing and enabling Commissioners to examine, take, and state the public Accounts of the Kingdom; and to report what Balances are in the Hands of Accountants, which may be applied to the public Service; and what Defects there are in the present Mode of receiving, collecting, issuing, and accounting for public Money; and in what more expeditious and effectual, and less expensive Manner, the said Services can in future be regulated and carried on for the Benefit of the Public.

Preamble.

'WHEREAS many Duties, Taxes, and Monies, have been of late Years granted, raised, and appropriated, for the public Service of this Kingdom: And whereas the present Method of accounting for the Receipts, Issues, and Expenditure of the same, is attended with great Delay and Expence, and many and very extensive Accounts remain unsettled, from whence great Inconvenience and Loss to the Public arise: Wherefore, to the Intent that his Majesty, and the People of this Kingdom, may be satisfied and truly informed whether all the said Duties, Taxes, and Monies, so as aforesaid granted, raised, and appropriated, for the public Service of this Kingdom, have been faithfully issued out, disposed, ordered, and expended, for the Ends and Purposes for which they were granted; and also to the Intent that the Balances remaining in the Hands of the different Accountants may, as soon as possible, be applied to the Use and Benefit of the Public, and that the Defects in the present Method of collecting, issuing, expending, and accounting for the said Duties, Taxes, and Monies, may be corrected and amended, and that a more expeditious, more effectual, and less expensive Method of collecting, issuing, expending, and accounting for the same, may from henceforth be established;' be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That Lieutenant General Sir *Guy Carleton*, *Thomas Anguish* Esquire, *Arthur Pigot* Esquire, *Richard Neave* Esquire, *Samuel Beachcroft* Esquire, *James Tierney* Esquire, and *George Drummond* Esquire, or any three or more of them, shall be, and they are hereby constituted Commissioners for examining, taking, and stating the Accounts of all Duties, Taxes, and Monies, granted, raised, and appropriated, for the public Service of this Kingdom, which have been issued to any Person or Persons whatsoever, whose final Accounts have not hitherto been passed before the Auditor of the Imprest, according to the Forms of the Exchequer, or whose Accounts, although passed, have been for Services which have been performed since the first Day of *January*, one thousand seven hundred and seventy-six; and also of all such Duties, Taxes, and Monies, which shall hereafter be granted, raised, and appropriated, for the public Service of this Kingdom, at any Time before the Determination of this present Act, and of all Arrears thereof; and also for examining and stating in what Manner, and at what Times, the Receipts, Issues, and Expenditures of the said public Monies are now accounted for; and for considering of, and reporting by what Means and Methods the public Accounts may in future be passed, and the Accountants compelled to pay the Balances or Monies due from them in a more expeditious, more effectual, and less expensive Manner.

Commissioners appointed to examine and state the public Accounts of the Kingdom.

'II. And, to the Intent that the Public may sooner avail themselves of some of the Advantages intended to be derived from this Act,' be it further enacted, That the said Commissioners shall, in the first Place, take an Account of the public Monies in the Hands of the several Accountants, and for that Purpose shall call on them to deliver in a Cash Account, and shall consider what Sum it may be proper to leave in the Hands of each Accountant respectively for carrying on the Services to which the same is or may be applicable,

Commissioners, in the first Place, to take an Account of public Monies in the Hands of the several Accountants, &c.

plicable, and what Sums may be taken out of their Hands to be disposed of by Parliament for the public Service; all which they are hereby directed to report to his Majesty, and to both Houses of Parliament, in the next Session of Parliament.

Commissioners to examine, on Oath, the Auditors, and all other Officers of the Exchequer, Commissioners of the Treasury, Admiralty, &c.

III. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, or any three or more of them, and they are hereby impowered, authorised, and required, to examine upon Oath (which Oath they, or any three or more of them, are hereby authorised to administer) the Auditors, and all other the Officers of the Exchequer; the Commissioners, and all other Officers of the Treasury; the Commissioners, and all other the Officers of the Admiralty; the Paymaster General and Deputy Paymasters of his Majesty's Army, and all other the Officers in the Office of the said Paymaster; his Majesty's Secretary at War, and all other Officers dependent upon him and under his Controul; the Treasurer of his Majesty's Navy, and all other the Officers in the Office of the said Treasurer; and the Comptrollers, Commissioners, and Surveyor of his Majesty's Navy, and all other Officers dependent upon or under the Controul of the said Comptrollers, Commissioners, and Surveyor; the Commissioners for victualling his Majesty's Navy, and all other the Officers dependent upon or under the Controul of the said Commissioners; the Master General, Lieutenant General, Surveyor General, and Officers composing the Board of Ordnance, and all other the Officers dependent upon or under the Controul of the said Master General, Lieutenant General, and Surveyor General, or Board of Ordnance; the Commissioners, Collectors, Receivers, and all other the Officers and Persons concerned or employed in collecting, receiving, or managing the several Branches of the public Revenue; and also all Commanders in Chief of his Majesty's Forces by Sea or Land, and all Governors, Commissaries, or other Persons having the Power of granting Warrants, or of issuing, disbursing, or expending Money belonging to the Public, or of drawing Bills, or making Contracts, or purchasing Provisions or Stores, or other Necessaries, or who have granted Warrants, issued, disbursed, or expended Money belonging to the Public, or drawn Bills, or made Contracts, or purchased Provisions, Stores, or other Necessaries, for the Supply of his Majesty's Forces by Sea or by Land, or for the Defence of the Islands or Places where they respectively have had or have Commands; and all other Commissaries, Muster-masters, and Agents, and all Persons whatsoever, who have been concerned or employed in transporting, victualling, clothing, or supplying his Majesty's Forces by Sea or by Land, or in remitting Money for the Use of the same; and all other Persons whom the said Commissioners, or any three or more of them, shall think fit to examine touching the Receipt, Issue, Expenditure, and Manner of accounting for the Duties, Taxes, and Monies, so granted, raised, and appropriated, and touching all other Matters and Things necessary for the Execution of the Powers vested in the said Commissioners by the said Act; all which Officers and Persons are hereby directed and required punctually to attend the said Commissioners at such Time or Place as they, or any three or more of them, shall appoint, and also to observe and execute such Orders and Directions as the said Commissioners, or any three or more of them, shall make or give for the Purposes before mentioned.

and also Commanders in Chief by Sea or Land, Governors, Commissaries, &c.

All which Officers, &c. are to attend the Commissioners, and execute their Orders.

Commissioners impowered to examine into any fraudulent Practices in the Management of public Monies.

IV. And be it enacted by the Authority aforesaid, That the said Commissioners, or any three or more of them, shall be, and are hereby impowered to examine into any corrupt and fraudulent Practices, or other Misconduct, committed by any Person or Persons concerned in the Management of any of the Duties, Taxes, or Monies, so granted, raised, or appropriated, as aforesaid; and for the better Execution of this present Act, the said Commissioners, or any three or more of them, are hereby authorised to meet and sit, from Time to Time, in the old Secretary of State's Office at *Whitehall*, or in any other Place where they shall think fit, with or without Adjournment, and to send their Precept or Precepts, under their Hands and Seals, for any Person or Persons whatsoever; and for such Books, Papers, Writings, or Records, as they shall judge necessary, for their Information relating to the Accounts, Matters, and Things aforesaid; and all Bailiffs, Constables, Sheriffs, and other his Majesty's Officers, are hereby required to obey and execute such Orders and Precepts aforesaid, as shall be sent to them, or any of them, by the said Commissioners, or any three or more of them, touching the Premises: And the said Commissioners, or any three or more of them, are hereby authorised to appoint and employ such Clerks, Messengers, and Officers, as they shall think meet, and to give to every of the said Clerks and Officers an Oath for his true and faithful Demeanor in all Things relating to the due Performance of the Trust reposed in him by the said Commissioners, and in all other Things touching the Premises; which Clerks and Officers are hereby required faithfully to execute and perform the said Trust in them severally and respectively reposed, without taking any Thing for such their Service, other than such Salary or Reward as the said Commissioners, or any three or more of them, shall think fit to direct and appoint in that Behalf.

Their Place of Meeting.

May send for Papers or Records.

Commissioners may appoint Clerks, &c. and allow them Salaries.

Commissioners to give an Account of their Proceedings to his Majesty, and to both Houses of Parliament.

V. And be it further enacted, That the said Commissioners shall, from Time to Time, at their Discretion, or as often as they shall be thereunto required, and as soon as possible after the Determination of their Examinations and Proceedings by virtue of this Act, without any further Requisition, give an Account of their Proceedings, in Writing under their Hands and Seals, or under the Hands and Seals of any three or more of them, to the King's most Excellent Majesty, and to both Houses of Parliament; and shall in like Manner report to his Majesty, and to both Houses of Parliament, an exact State of the Fees or Gratuities paid or given in collecting, issuing, expending, and accounting for, the said public Monies, and the Authority under which such Fees and Gratuities are paid or received; and also what Defects they have observed, during the Course of their Examinations and Proceedings by virtue of this Act, in the present Mode of contracting for public Services, or of executing public Services by Agents, or of collecting, issuing, expending, and accounting for, the public Monies; and whether the said Defects arise from any Omission or Misdirection in the Laws respecting the Course used in the Receipt of the Exchequer, or from any Defect in the Constitution in the Offices of the Auditors of the Imprest, or from the Want of a sufficient Number of fit and able Assistants employed by the said Auditors, in the Execution of their Offices; or from any Defect in the Constitution of any of the Offices concerned in issuing, expending, and accounting for the Money appropriated to the public Service, or from a Want of a sufficient Power to

Enumeration of Particulars to be contained in such Account.

compel the several Accountants to pass their respective Accounts without Delay, or from any other, and what Cause; and shall in like Manner report to his Majesty, and to both Houses of Parliament, such Orders, Rules, and Regulations, as in their Judgment shall appear fit and expedient to be established, in order that the Duties, Taxes, and Monies, granted, raised, and appropriated, for the public Service of this Kingdom, may hereafter be received, issued, expended, and accounted for, in the Manner the most expeditious, most effectual, most beneficial and advantageous to the Public.

No Commissioner to hold a Civil Office of Profit during Pleasure

VI. And be it further enacted, That no Person appointed a Commissioner by this Act, shall accept of or hold any Civil Office of Profit during Pleasure from or under his Majesty during the Continuance of this Act.

Any three of the Commissioners to be sworn before the Chancellor of the Exchequer, &c.

VII. And be it further enacted, That any three of the said Commissioners in this Act, before they enter upon the Execution of the same, shall take an Oath before the Chancellor of the Exchequer, or before the Master of the Rolls for the Time being (which they and either of them are hereby authorised and required to administer), the Tenor whereof shall be as followeth; (that is to say),

The Oath,

'I *A. B.* do swear, That, according to the best of my Skill and Knowledge, I will faithfully, impartially, and truly execute the several Powers and Trusts vested in me by an Act, intituled, *An Act for appointing and enabling Commissioners to examine, take, and state the public Accounts of the Kingdom; and to report what Balances are in the Hands of Accountants, which may be applied to the public Service; and what Defects there are in the present Mode of receiving, collecting, issuing, and accounting for public Money, and in what more expeditious and effectual, and less expensive Manner, the said Services can in future be regulated and carried on for the Benefit of the Public*; according to the Tenor and Purport of the said Act.'

The said three Commissioners to administer the Oath to the rest.

And every other of the said Commissioners in the Act named shall likewise take the same Oath before the said three Commissioners, who are hereby authorised and required to administer the same after they shall themselves have taken the said Oath as aforesaid.

Lords of the Treasury may pay 2,000*l.* to the Order of the Commissioners. Application thereof.

VIII. And be it further enacted, That the Lords Commissioners of the Treasury, or Lord High Treasurer for the Time being, are hereby authorised and required to issue and cause to be paid all such Sums of Money, not exceeding two thousand Pounds, to such Person or Persons as the said Commissioners, or any three or more of them, shall, by Writing under their Hands, desire or direct, out of any Part of the public Monies remaining in his Majesty's Exchequer; which Sums so issued and paid shall be employed for the Payment of Clerks, Messengers, and other Officers, and in defraying all other necessary Charges in or about the Execution of the Powers of this Act, and in such Manner, and in such Proportions, as shall be appointed by the said Commissioners, or any three or more of them, by Writing under their Hands and Seals, in that Behalf; the same to be accounted for by the Person or Persons to whom the same shall be issued or paid, according to the Course of his Majesty's Exchequer, without any Fees or other Charges to be taken or demanded for the issuing and Payment of the same on the passing of the said Accounts, other than such Sum as the said Commissioners, or any three or more of them, shall appoint.

Executors of Accountants to attend Commissioners, and execute their Orders.

IX. And be it further enacted, That if any such public Accountant is dead, the Executors or Administrators of such deceased Accountant shall, when required thereto by the Commissioners, or any three or more of them, attend the said Commissioners, and observe and execute the Orders and Directions of the said Commissioners, in like Manner as Accountants by this Act are required to do.

Continuance of this Act.

X. And be it further enacted, That this Act, so far as relates to the Powers of taking, examining, and stating Accounts, and administering of Oaths and issuing of Precepts, shall endure for the Space of one Year from the fifth Day of *July*, one thousand seven hundred and eighty, and no longer.

## CAP. LV.

An Act to repeal so much of an Act, made in the thirteenth and fourteenth Years of the Reign of King *Charles* the Second, as restrains the Removal of Wool, and other Articles, to certain Times and Hours therein mentioned.

Preamble.

Recital of an Act 13 and 14 Car. II.

'WHEREAS by an Act of Parliament made in the thirteenth and fourteenth Years of the Reign of King *Charles* the Second, intituled, *An Act against the exporting of Sheep, Wool, Wool-fells, Mortlings, Shorlings, Yarn made of Wool, Wool-flocks, Fullers-earth, Fulling Clay, and Tobacco-pipe Clay*, it is, amongst other Things, enacted, That no Packs, Sacks, Bags, or Cask, of any Wool, Wool-fells, Mortlings, Shorlings, Yarn made of Wool, Wool-flocks, Fullers-earth, Fulling Clay, or Tobacco-pipe Clay, shall be laid or loaded on any Horse, Cart, or other Carriage whatsoever, or shall be carried or conveyed by Land to or from any Place or Places within the Kingdom of *England*, Town of *Berwick*, or Dominion aforesaid, nor after the first Day of *January*, one thousand six hundred and sixty-two, in the Kingdom of *Ireland*, but in the Day-time, and at seasonable Hours; that is to say, From and after the first Day of *March* to the nine and twentieth Day of *September* yearly, between the Hours of Four of the Clock in the Morning and Eight of the Clock in the Evening; and from the nine and twentieth Day of *September* to the first Day of *March* yearly, between the Hours of Seven of the Clock in the Morning and Five of the Clock in the Evening, under the Penalty of the Loss and Forfeiture of all such Goods, or the Value thereof: And whereas, since the making the said recited Act, several other Regulations and Restrictions have been established, by various other Acts of Parliament which are now in Force, to prevent the Exportation of Wool, and the other Articles herein-before mentioned; and it has been found very inconvenient, and

'in many Cases impracticable, for the Growers and Manufacturers of and Dealers in Wool to remove 'their Wool to be manufactured, or to the public Fairs and Markets in *Great Britain*, within the Times 'and Hours limited by the said Act of Parliament herein-before recited, without such an additional Delay 'and Expence to the Proprietors as would be greatly prejudicial and injurious to the Woollen Manufac-'tures of this Kingdom: For Remedy whereof, may it please your Majesty that it may be enacted;' and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, from and after the first Day of *June*, one thousand seven hundred and eighty, so much of the herein-before recited Act of Parliament, made in the thirteenth and fourteenth Years of the Reign of King *Charles* the Second, as restrains the carrying or conveying of Wool, Wool-fells, Mortlings, Shorlings, Yarn made of Wool, Wool-flocks, Fullers-earth, Fulling Clay, or Tobacco-pipe Clay, within the Times and Hours in the said Act mentioned, shall be, and the same is hereby repealed and made void; but such Wool, Wool-fells, Mortlings, Shorlings, Yarn made of Wool, Wool-flocks, Fullers-earth, Fulling Clay, and Tobacco-pipe Clay, shall, in all other Respects, be subject and liable to the several Restrictions and Regulations prescribed by the said recited Act, or by any other Act or Acts of Parliament respectively relating thereto which are now in Force, in the same Manner as if this Act had not been made.

Part of the recited Act repealed.

## CAP. LVI.

An Act for continuing in the Possession of the United Company of Merchants of *England* trading to the *East Indies*, for a further Time, and under certain Conditions, the Territorial Acquisitions and Revenues lately obtained in the *East Indies*; and for reviving, and continuing for a further Time, so much of an Act, made in the thirteenth Year of the Reign of his present Majesty, intituled, *An Act for establishing certain Regulations for the better Management of the Affairs of the* East India *Company, as well in* India *as in* Europe, as hath expired in the Course of the present Year; and for indemnifying the said Company for any Money they have paid, or may pay, in or about the building of three Ships of the Line for the Service of the Public.

'WHEREAS by an Act, passed in the thirteenth Year of the Reign of his present Majesty, intituled, *An Act for granting to his Majesty a Sum of Money, to be raised by Exchequer Bills, and to be advanced and applied, in the Manner, and upon the Terms, therein mentioned, for the Relief of the United Company of Merchants of* England *trading to the* East Indies, it was directed, That the Commissioners of his Majesty's Treasury, or the Lord High Treasurer for the Time being, should cause to be prepared and made any Number of Exchequer Bills, not exceeding in the Whole the Amount of one million four hundred thousand Pounds, to be sent, advanced, and issued, as in the said Act was directed, for the Relief of the United Company of Merchants of *England* trading to the *East Indies*: And whereas by the said Act it was declared, That in the then Circumstances of the *East India* Company, it would not be in their Power to provide for the Repayment of the Loan aforesaid, and for establishing their Affairs upon a more secure Foundation for the Time to come, unless the Public should agree to forego, for the present Time, all Participation in the Profits arising from the territorial Acquisitions and Revenues lately obtained in the *East Indies*; and therefore it was by the said Act enacted, That, until the aforesaid Sum of one million four hundred thousand Pounds should be repaid, and the Bond Debt of the Company be reduced to the Sum of one million five hundred thousand Pounds, the whole clear Profits arising from the aforesaid territorial Acquisitions and Revenues, after defraying the Charges and Expences attending the same, together with all the clear Revenue and Profits of the said Company, after providing for the current Payments of Interest, and other Outgoings, Charges, and Expences, of the said Company, should, from Time to Time, be disposed of and applied in the Manner as in the said Act was directed; that is to say, Until the aforesaid Sum of one million four hundred thousand Pounds should be repaid, and so long as the said Sum, or any Part thereof, should remain unpaid, there should, in the first Place, be set apart and applied, out of the said clear Revenues and Profits, such a Sum as might be sufficient for answering a Dividend to the Proprietors of the Stock of the said Company, not exceeding the Rate of six Pounds *per Centum per Annum* upon the Capital Stock of the said Company; and all the Surplus of the said clear Revenues and Profits should be applied in Diminution of the said Sum of one million four hundred thousand Pounds, or such Part thereof as should be remaining unpaid, and for defraying the Charges incurred in respect thereof; and after the Repayment of the Whole of the Money so advanced and applied as aforesaid, and until the Bond Debt of the said Company should be reduced to the Sum of one million five hundred thousand Pounds, there should in like Manner be set apart and applied, in the first Place, out of the said clear Revenues and Profits, such Sum as might be sufficient for answering a Dividend not exceeding the Rate of seven Pounds *per Centum per Annum*, upon the Capital Stock of the said Company; after which all the Surplus of the said clear Revenues and Profits should be applied in reducing the Bond Debt of the said Company; And whereas the said Sum of one million four hundred thousand Pounds has been repaid and fully discharged, and all the Charges incurred in respect thereof have been defrayed, and the Bond Debt of the said Company has been reduced to, or under, the Sum of one Million five hundred thousand Pounds, whereby the Circumstances, in Consideration whereof it was in the aforesaid Act declared, that the Public should agree to forego,

Preamble. Recital of 13 Geo. III. Cap. 64.

'for

'for the then present Time, all Participation in the Profit arising from the territorial Acquisitions and 'Revenues lately obtained in the *East Indies*, have ceased and are determined; but whereas, notwith- 'standing, it may be expedient that the aforesaid territorial Acquisitions and Revenues should, for a 'limited Time, and under certain Conditions and Restrictions, remain in the Possession of the United 'Company of Merchants of *England* trading to the *East Indies*: May it therefore please your Majesty 'that it may be enacted;' and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all the territorial Acquisitions and Revenues lately obtained in the *East Indies*, shall remain in the Possession of the United Company of Merchants of *England* trading to the *East Indies*, and their Successors, for and during the Term of one Year, to be computed from the fifth Day of *April*, in the Year of our Lord one thousand seven hundred and eighty.

All the territorial Acquisitions and Revenues, lately obtained in the East Indies, to remain in Possession of the Company till April 5, 1781.

II. Provided always, and be it further enacted by the Authority aforesaid, That, for and during the said Term, the whole clear Profits arising from the said territorial Acquisitions and Revenues, after defraying the Charges and Expences attending the same, together with all the clear Revenues and Profits of the said Company, after providing for the current Payments of Interest, and other Outgoings, Charges, and Expences, of the said Company, shall be disposed of and applied in Manner following; (that is to say), It shall and may be lawful, out of the said clear Revenues and Profits, to set apart and apply, in the first Place, such Sum as may be sufficient for answering a Dividend to the Proprietors of the Stock of the said Company, not exceeding the Rate of eight Pounds *per Centum per Annum* upon the Capital Stock of the said Company; after which the whole Surplus of the said clear Revenues and Profits shall be reserved and await any future Agreement that may be made between the Public and the said Company.

No Dividend to be made by the Company, before April 5, 1781, of more than eight per Cent. per Ann.

III. And be it further enacted by the Authority aforesaid, That, during the Continuance of this Act, the said United Company do cause, and they are hereby directed and required to cause, to be made up half-yearly, with as much Accuracy as the Nature of the Case will admit, a Statement or Account of the Profit and Loss upon the Whole of the Trade and Revenues of the said Company, together with a State of the Debts of the said Company in *England*, exclusive of their Bond Debt, to the first Day of *September*, and the first Day of *March*; the first of such Statements or Accounts to be made up from the first Day of *March* to the first Day of *September*, one thousand seven hundred and eighty; and to transmit such Statement or Account fairly written, and signed by two or more of the Directors of the said United Company, within twenty-one Days after the Day to which such Statement or Account shall be made up respectively, to the Commissioners of his Majesty's Treasury, or the High Treasurer for the Time being.

The Company are to cause to be made up half-yearly, during the Continuance of this Act, an Account of the Profit and Loss upon their Trade, &c. which shall be transmitted to the Commissioners of the Treasury.

IV. And be it enacted by the Authority aforesaid, That, during the Continuance of this Act, it shall not be lawful for the said United Company, or their Successors, or any of their Officers or Servants on their Account, to accept or otherwise bind the said Company, or their Successors, for the Payment of any Bill or Bills of Exchange, drawn by any of their Officers or Servants, at any of their Presidencies in the *East Indies*, for any Sum exceeding the Sum of three hundred thousand Pounds, exclusive of Certificates, to the Amount of eight thousand Pounds, to the Commanders and Officers of each of the Company's Ships, without the Consent and Order first had and obtained of the Commissioners of his Majesty's Treasury for the Time being, or any three or more of them, or of the High Treasurer for the Time being; who are hereby respectively authorised to give such Consent, or to make such Order thereon, as they shall judge expedient; and every Acceptance or Engagement made contrary to the true Meaning and Intent of this Act, shall be null and void to all Intents and Purposes.

The Company restricted from accepting Bills above a certain Sum drawn on them by their Officers, &c. in the East Indies, without the Consent of the Commissioners of the Treasury.

'V. And whereas by another Act, passed in the same Session of Parliament, intituled, *An Act for esta-* 'blishing certain Regulations for the better Management of the Affairs of the East India *Company, as well in* 'India *as in* Europe, it was, among other Things, enacted, That, for the Government of the Presi- 'dency of *Fort William* in *Bengal*, there should be appointed a Governor-general and four Counsellors, 'and that the whole Civil and Military Government of the said Presidency, and also the Ordering, 'Management, and Government, of all the territorial Acquisitions and Revenues in the Kingdoms of '*Bengal*, *Bahar*, and *Orissa*, should, during such Time as the territorial Acquisitions and Revenues should 'remain in the Possession of the said United Company, be vested in the said Governor-general and Council 'of the said Presidency of *Fort William* in *Bengal*; and also that the Governor-general, and four first Coun- 'sellors, appointed by the said Act, should each of them hold and continue in his and their respective 'Offices, for and during the Term of five Years from the Time of their Arrival at *Fort William* in '*Bengal*, and taking upon them the Government of the said Presidency, and should not be removeable 'in the mean Time, except by his Majesty, his Heirs and Successors, upon Representation made by the 'Court of Directors for the said United Company for the Time being: And whereas it may be expedient 'that the said Regulation should be revived, and extended to the Person and Persons who, at the Time 'of passing this Act, shall have and enjoy the respective Offices of Governor-general, and Counsellors 'of the said Presidency;' be it therefore enacted by the Authority aforesaid, That the Person and Persons who, at the Time of the passing of this Act, shall have and enjoy the Office and Offices of Governor-general and Counsellors of the said Presidency, shall hold and continue in his and their respective Offices for and during the Continuance of this Act, and shall not be removeable in the mean Time, except by his Majesty, his Heirs and Successors, upon Representation made by the Court of Directors for the said United Company for the Time being; and shall have and enjoy all and singular the Powers and Authorities vested by the said Act in the first Governor-general and four first Counsellors by the said Act appointed, and shall be subject to the said Restrictions and Limitations as by the said Act the first Governor-general and first four Counsellors were made subject; and that in case of the Avoidance of the Offices of such Governor-general, or any of the said Counsellors, such Office shall be respectively supplied in the same Man-

Recital of 13 Geo. III. Cap. 63.

The Governor-general and Counsellors of the Presidency of Fort William shall continue in their Offices during the Continuance of this Act, except they should be removed by his Majesty, &c.

ner as the same Office would by the said Act have been supplied, during the Remainder of the Term of five Years which was computed from the Time that the first Governor-general and four first Counsellors took upon them the Government of the said Presidency.

VI. Provided always nevertheless, and be it enacted, That nothing in this Act contained shall extend, or be construed to extend, to affect the Rights of the Crown, or of the said Company, after the Expiration of this Act; but that the same shall remain, continue, and be, in the same State and Condition in all Respects, as though this Act had never been made. This Act not to affect the Rights of the Crown, or of the Company, after the Expiration thereof.

'VII. And whereas the United Company of Merchants of *England* trading to the *East Indies*, have 'resolved to build three Ships of the Line of Battle for the Use of the Public, and great Progress hath been 'made in building the said Ships, the Expences whereof will amount to a very considerable Sum of Mo-'ney: And whereas by an Act, made in the last Session of Parliament, intituled, *An Act for continuing in 'the Possession of the United Company of Merchants of* England *trading to the* East Indies, *for a limited Time, 'and under certain Conditions, the territorial Acquisitions and Revenues lately obtained in the* East Indies; *and 'for continuing, for a limited Time, so much of an Act, made in the thirteenth Year of the Reign of his pre-'sent Majesty, intituled, "An Act for establishing certain Regulations for the better Management of the Affairs "of the* East India *Company, as well in* India *as in* Europe," *as will expire in the Course of the present Year*, 'the said United Company are restrained from disposing of the Revenues and Profits of the said Com-'pany, otherwise than in the said Act is particularly mentioned; and it is necessary that the said United 'Company should be indemnified with respect to any Sum or Sums of Money which they have already 'paid, or may hereafter pay, on Account of building the said Ships:' Be it therefore enacted by the Authority aforesaid, That the said United Company shall be, and they are hereby fully indemnified, exonerated, and discharged, for and upon Account of all such Sum and Sums of Money as they already have paid, or may hereafter pay, for any Expences incurred, or to be incurred, in building the said three Ships for the Use of the Public; any Thing herein-before, or in any other Law or Statute, contained to the contrary thereof in any wise notwithstanding. The Company indemnified for all Sums of Money they have paid, or shall pay, for building three Ships for the Use of the Public.

VIII. And be it further enacted by the Authority aforesaid, That this Act shall be deemed and taken to be a Public Act; of which Notice shall be judicially taken by all Judges, Justices, and all other Persons whatsoever, without specially pleading the same. Public Act.

## CAP. LVII.

An Act for enabling his Majesty to raise the Sum of One Million, for the Uses and Purposes therein mentioned.

## CAP. LVIII.

An Act for granting further Time for allowing the Drawback on the Exportation of Coffee imported by the *East India* Company, in the Ship *Europa*, in the Year one thousand seven hundred and seventy-five.

'WHEREAS great Part of the Coffee imported by the United Company of Merchants of *England* 'trading to the *East Indies*, in the Ship *Europa*, in the Year one thousand seven hundred and se-'venty-five, which remained unsold on the sixth Day of *May*, one thousand seven hundred and eighty, 'and other Parts of such Coffee which hath been sold by the said United Company, yet remains uncleared 'in their Warehouses belonging to the Buyers thereof, and which, by reason of the Interruption given to 'Trade, by the Rebellion and Disturbances subsisting in several of the *British* Colonies in *North America*, 'the Proprietors of such Coffee may not be able to export within the Term of three Years from the Im-'portation thereof, being the Time limited by Law to entitle them to receive the Drawback of the Duties 'thereon; and it is reasonable and necessary that some further Time should be granted for the Exportation 'of such Coffee; may it therefore please your Majesty that it may be enacted;' and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That if the said Coffee, imported by the said Ship *Europa*, in the Year one thousand seven hundred and seventy-five, and now remaining uncleared in the said Company's Warehouses, shall be exported to any Parts beyond the Seas at any Time within seven Years, to be computed from the Importation thereof, there shall be drawn back and allowed for the same, to the Exporter or Exporters thereof, such and the same Drawbacks or Allowances, and under such Rules, Regulations, Securities, Penalties, and Forfeitures, as such Exporter or Exporters would have been intitled to in case such Coffee had been exported within the Term of three Years from the Importation thereof; any Law, Custom, or Usage, to the contrary notwithstanding. Preamble. Further Time allowed for the Exportation of Coffee imported in the Ship Europa.

CAP.

## CAP. LIX.

An Act to impower his Majesty to prohibit the Exportation, and to restrain the carrying Coastwise, of Copper in Bars, or Copper in Sheets, for a limited Time.

Preamble.

'WHEREAS Copper is found by Experience to be of such material Use in the fitting of Ships and Vessels of War, that to certain Purposes the same may be deemed a Military Store, and the public Service may require temporary Restraints upon the Exportation thereof at critical Conjunctures, lest the same should come to the Use of the Enemy; therefore, to prevent all Doubts,' be it hereby declared and enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That his Majesty, his Heirs and Successors, may, by Proclamation or Order in Council, when he or they shall see Cause, and for such Time as shall be therein expressed, prohibit the exporting, or attempting to export, out of this Kingdom, or carrying Coastwise in this Kingdom, any Sort of Copper in Sheets, or Copper in Bars, therein described, in such Manner, and under such Restraints, as he or they shall think fit.

His Majesty impowered by Proclamation, &c. to prohibit the exporting, or carrying Coastwise, Copper in Sheets, or Bars.

All Copper shipped contrary to such Prohibition, to be forfeited;

II. And it is hereby further enacted, That whatever Quantity or Qualities of Copper in Sheets, or Copper in Bars, prohibited by Proclamation or Order in Council to be exported, or to be carried Coastwise, shall be shipped, or laden on Board any Ship or Vessel, in any of the Port or Ports of *Great Britain*, in order for Exportation, or to be carried Coastwise, contrary to such Proclamation or Order, all such Copper in Sheets, or Copper in Bars, shall be forfeited, and may be seized by any Officer or Officers of his Majesty's Customs; and the Owner or Owners of such Copper in Sheets, or Copper in Bars, as shall be so shipped for Exportation, or in order to be carried Coastwise, shall severally and respectively forfeit and pay the Sum of one hundred Pounds for every hundred Weight of such Copper in Sheets, or Copper in Bars, and so in Proportion for any lesser Quantity so shipped for Exportation, or in order to be carried Coastwise.

and the Owners to forfeit 100l. for every Hundred Weight.

Penalty on Persons assisting in the shipping any such Copper;

III. And be it further enacted, That if any Person or Persons shall be aiding or assisting in the shipping or loading any Copper in Sheets, or Copper in Bars, for Exportation, or in order to be carried Coastwise, during the Time it shall be so prohibited by Proclamation or Order in Council, contrary to such Proclamation or Order, every such Person shall forfeit and pay one hundred Pounds, and Treble the Value of such Copper in Sheets, or Copper in Bars.

and on Masters of Vessels taking it on Board.

IV. Provided also, and be it further enacted, That if any Master of any Ship or Vessel shall lade or take on Board, or suffer or permit to be laden or taken on Board, any Copper in Sheets, or Copper in Bars, for Exportation, or in order to be carried Coastwise, during the Time it shall be so prohibited to be exported or carried Coastwise as aforesaid, every such Master shall forfeit the Sum of one hundred Pounds.

Penalties and Forfeitures how to be applied.

V. And it is hereby further enacted, That the one Moiety of the several Forfeitures and Penalties herein-before mentioned and provided shall be to the Use of his Majesty, his Heirs or Successors, and the other Moiety to the Use of such Officer or Officers of the Customs as shall seize or sue for the same, by Bill, Plaint, or Information, in his Majesty's Court of Exchequer in *England* or *Scotland* respectively; wherein no Essoin, Protection, or Wager of Law, shall be allowed.

Continuance of this Act.

VI. And be it further enacted, That this Act shall continue in Force until the first Day of *May*, one thousand seven hundred and eighty-one.

## CAP. LX.

An Act to explain and amend two Acts made in the fifteenth and sixteenth Years of the Reign of his present Majesty, with respect to the Limits of the *Greenland* Seas and *Davis*'s Streights, and the Seas adjacent thereto; and to enlarge the Time for the Return of the Vessels employed in the Whale Fisheries.

Preamble. Recital of 15 Geo. III. Cap. 31.

'WHEREAS by an Act of Parliament, made in the fifteenth Year of the Reign of his present Majesty, intituled, *An Act for the Encouragement of the Fisheries carried on from* Great Britain, Ireland, *and the* British *Dominions in* Europe; *and for securing the Return of the Fishermen, Sailors, and others, employed in the said Fisheries, to the Ports thereof, at the End of the Fishing Season*; in order to induce his Majesty's Subjects in *Great Britain* and *Ireland*, and the Islands of *Guernsey*, *Jersey*, and *Man*, to carry on the Whale Fishery on the Coasts of *Newfoundland* and the Seas adjacent, certain Bounties therein mentioned are allowed annually, for a limited Time, to a certain Number of Vessels which shall be fitted out under the Limitations and Restrictions in the said Act mentioned, which shall take and kill one Whale at the least in the Gulph of *Saint Lawrence*, or on the Coasts of *Labrador*, *Newfoundland*, or in any Seas to the Southward of the *Greenland* Seas and *Davis*'s Streights: And whereas Doubts have arisen, whether Whales taken and killed in northern Latitude sixty-four Degrees and an Half, are, within the Intent and Meaning of the said Act, to be deemed to have been taken and killed in any Sea to the Southward of the said *Greenland* Seas and *Davis*'s Streights; and to obviate such Doubts for the future, it is necessary to explain particularly the Limits of those Seas, and of the Seas adjacent thereto: May it therefore please your Majesty that it may be enacted;' and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament

Parliament assembled, and by the Authority of the same, That the *Greenland* Seas and *Davis*'s Streights shall be deemed and taken to extend to the Latitude of fifty-nine Degrees thirty Minutes North, and no further; and that the said Bounties, granted and allowed by the said recited Act, shall not extend, or be construed to extend, to any Whale that shall be taken and killed in any Sea to the Southward of the said *Greenland* Seas or *Davis*'s Streights, exceeding forty-four Degrees of North Latitude; any Law, Custom, or Usage, to the contrary notwithstanding.

The Limits of the Greenland Seas and Davis's Streights.

'II. And whereas, by reason of the present Hostilities, Vessels employed in the Whale Fisheries are 'liable to great Hazard, and are frequently obliged to wait for Convoy to protect them from Capture by 'the Enemy, and it is therefore expedient to allow them a longer Time to pursue the said Fisheries, and 'for their Return home;' for Remedy whereof, it is hereby further enacted by the Authority aforesaid, That the Bounties granted by the before recited Act, made in the fifteenth Year of his Majesty's Reign, shall be allowed for such Vessels as have been fitted and cleared out since the first Day of *January*, one thousand seven hundred and seventy-nine, or shall be hereafter fitted and cleared out, in the Manner directed by the said Act, during the present Hostilities, from and after the said first Day of *January* in each Year, and which shall return to some Port in *England* on or before the thirty-first Day of *December* in the next succeeding Year; and that the Bounties granted by another Act, made in the sixteenth Year of his Majesty's Reign, intituled, *An Act for the further Encouragement of the Whale Fishery carried on from* Great Britain *and* Ireland, *and the* British *Dominions in* Europe; *and for regulating the Fees to be taken by the Officers of the Customs in the Island of* Newfoundland, shall be allowed for such Vessels as shall be fitted and cleared out, in the Manner directed by that Act, during the present Hostilities, from and after the first Day of *January* in each Year, and which shall return to some Port in *England* on or before the thirty-first Day of *December* in the next succeeding Year; any Thing in the herein-before recited Acts, or either of them, to the contrary notwithstanding; but the said several respective Bounties shall, in all other Respects not hereby altered, be subject and liable to the same Rules, Regulations, and Restrictions, as if this Act had not been made.

Vessels employed in the Whale Fisheries allowed a longer Time for their Return home.

16 Geo. III. Cap. 47.

## CAP. LXI.

### An Act for continuing the Encouragement and Reward of Persons making certain Discoveries for finding the Longitude at Sea, or making other useful Discoveries and Improvements in Navigation, and for making Experiments relating thereto.

'WHEREAS by an Act, made in the seventeenth Year of the Reign of his present Majesty, intituled, *An Act for rendering more effectual an Act, made in the fourteenth Year of the Reign of his present Majesty, for promoting the Discovery of a Method for finding the Longitude at Sea, so far as relates to the Encouragement and Reward of Persons making lesser Discoveries for finding the same, or making other useful Discoveries and Improvements in Navigation; and to the making of Experiments relating thereto*; the Commissioners for the Discovery of the Longitude at Sea were impowered, whenever they should be satisfied of the Probability of any Proposal or Proposals that should be made to them for discovering the said Longitude, or making any other useful Discovery and Improvement in Navigation, so as to think it proper to cause Experiments to be made thereof, to certify the same to the Commissioners of the Navy; and also, in case they should adjudge any Person or Persons to have made any Discovery for finding the Longitude at Sea, which, though not of so great Use as to be intitled to any of the great Rewards specified in the Act, made in the fourteenth Year of the Reign of his present Majesty, intituled, *An Act for the Repeal of all former Acts concerning the Longitude at Sea, except so much thereof as relates to the Appointment and Authority of the Commissioners thereby constituted, and also such Clauses as relate to the constructing, printing, publishing, vending, and licensing, of nautical Almanacks, and other useful Tables; and for the more effectual Encouragement and Reward of such Person and Persons as shall discover a Method for finding the same, or shall make useful Discoveries in Navigation; and for the better making Experiments relating thereto*, yet that the said Discovery was of considerable Use to the Public, or to have made any other Discovery or Discoveries, Improvement or Improvements, useful to Navigation, to certify such less Reward, or Sum or Sums of Money, as they the said Commissioners for the Discovery of Longitude should think reasonable, to be paid to such Person or Persons; and the Commissioners of the Navy were thereby authorised and required to make out Bills upon the Treasurer of the Navy for such Sums so certified, who was thereby authorised to pay the same immediately to such Person or Persons: And whereas, by reason of several Payments made by the Treasurer of the Navy to several Persons, in pursuance of the Directions of the said first mentioned Act, the said Commissioners for the Discovery of Longitude have expended the Whole of the Sum of five thousand Pounds, granted by the said Act for the Purposes aforesaid: And whereas the continuing the said Encouragements and Rewards, for the Purposes mentioned in the said first mentioned Act, will contribute to the Advantage of Trade, and to the Honour of this Kingdom; may it therefore please your Majesty that it may be enacted;' and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful to and for the said Commissioners for the Discovery of Longitude, and they have hereby full Power and Authority, whenever they shall be satisfied of the Probability of any Proposal or Proposals that shall be made to them for the discovering the said Longitude, or making any other useful Discovery and Improvement in Navigation, so as to think it proper to cause Experiments to be made thereof, to certify the same to the Commissioners of the Navy; and also in case they shall adjudge any Person or Persons to have made any Discovery for finding the Longitude at Sea, which, though not of so great Use as to be intitled to any of the great Rewards specified in the said Act of the fourteenth Year of his present Majesty, yet that

Preamble. Recital of 17 Geo. III. Cap. 48.

14 Geo. III. Cap. 65.

Commissioners of the Navy, on being certified by the Commissioners of Longitude of the Probability of any Proposals for discovering the Longitude, &c.

that the said Discovery is of considerable Use to the Public, or to have made any other Discovery or Discoveries, Improvement or Improvements, useful to Navigation, to certify such less Reward, or Sum or Sums of Money, as they the said Commissioners for the Discovery of Longitude shall think reasonable to be paid to such Person or Persons; and the Commissioners of the Navy are hereby authorised and required to make out a Bill or Bills upon the Treasurer of the Navy for such Sum or Sums as shall be so certified to them by the said Commissioners for the Discovery of Longitude, and the said Treasurer of the Navy is hereby authorised and required to pay immediately such Sum or Sums, to the Person or Persons who shall be appointed by the said Commissioners for the Discovery of Longitude to make such Experiments, or to receive such less Reward, or Sum or Sums of Money, for making lesser Discoveries for finding the Longitude at Sea, or any other Discoveries and Improvements useful to Navigation, out of any Monies which shall be in his the said Treasurer's Hands unapplied to the Use of the Navy.

Shall order a Reward to be paid to the Authors of such Proposals.

II. Provided always, and be it enacted, That all such Sum or Sums of Money as shall be paid by the Treasurer of the Navy, by virtue of this Act, for the Purposes of making such Experiments as aforesaid, and in rewarding in a lesser Degree lesser Discoveries for finding the Longitude at Sea, and also other Discoveries and Improvements useful to Navigation, do not altogether exceed the Sum of five thousand Pounds.

The Sums to be paid by virtue of this Act not to exceed 5,000*l.*

III. Provided also, That such Sum or Sums shall be certified, and such Bills shall be made out, and Payment thereof made, in such Manner, and under the same Regulations and Provisions, as are in and by the said Act of the fourteenth Year of his present Majesty prescribed, with regard to the Sum of five thousand Pounds, by the said Act made applicable to the Encouragement and Reward of such Person or Persons as should make lesser Discoveries for finding the Longitude at Sea, or make other useful Discoveries and Improvements in Navigation, and to the better making of Experiments relating thereto.

The Sums to be certified, and Payment made, agreeable to the Regulations of the above-recited Act 14 Geo. III.

## CAP. LXII.

An Act for granting to his Majesty a certain Sum of Money out of the Sinking Fund; and for applying certain Monies therein mentioned for the Service of the Year one thousand seven hundred and eighty; and for further appropriating the Supplies granted in this Session of Parliament.

'Most Gracious Sovereign,

Preamble. 'WE, your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain*, in Parliament assembled, towards raising the necessary Supplies which we have cheerfully granted to your Majesty in this Session of Parliament, have resolved to give and grant to your Majesty the Sum herein-after mentioned; and do therefore most humbly beseech your Majesty that it may be enacted, *&c.*'

" 1,849,542*l.* 1*s.* 11*d.* 3*q.* granted out of the Sinking Fund for the Service of the current Year. Treasury impowered to raise the Sum of 1,849,542*l.* 1*s.* 11*d.* 3*q.* or any Part thereof, by Loans or Exchequer Bills, on the Credit of the Sinking Fund. All Persons who shall lend any Money upon the Credit of this Act to have a Tally of Loan, with Orders for Repayment of the Money, with Interest. Orders to be registered in Course. No undue Preference to be given in Payment. No Fee to be taken, on Forfeiture of Treble Damages, with full Costs. Penalty of undue Preference in Point of Registry or Payment. Auditor, &c. neglecting his Duty, liable for Damages, &c. to be recovered at *Westminster*. No undue Preference in the registering, where Orders are brought the same Day; nor if subsequent Orders are paid before others not brought in Course, so as Money be reserved for the preceding Orders. Orders may be assigned. If it shall be judged more adviseable, the Treasury may raise the said Sum by Exchequer Bills instead of Loans; and the Bills in such Case to be made out in the Manner prescribed by the Land Tax Act of this Session. All Advantages and Penalties in the Land Tax Act of this Session, relating to Loans or Exchequer Bills thereby authorised to be made forth, extended to this Act. The said Exchequer Bills, Interest, and Charges, are to be paid out of the Sinking Fund. Bank authorised to lend to his Majesty the Sum of 1,849,542*l.* 1*s.* 11*d.* 3*q.* notwithstanding an Act of 5 and 6 *Gul. & Mariæ*. The Sum of 650,457*l.* 18*s.* and 1 Farthing, Surplus of the Sinking Fund—25,560*l.* Surplus of the Deductions of 6*d.* in the Pound upon Salaries, *&c.*—3,761*l.* 13*s.* 4*d.* Halfpenny, remaining in the Exchequer on *April* 5, 1780;—10,506*l.* 5*s.* 2*d.* 1*q.* remaining of the Supplies for 1750, *&c.*—5,000*l.* remaining, which was granted for building a Lazaret;—and such Monies as shall be paid into the Exchequer between *April* 5, 1780, and *April* 5, 1781, of the Produce of the Duties on *Gum Senega*, and *Gum Arabic*; shall be applied towards making good the Supply. A Sum not exceeding 14,405*l.* 18*s.* 6*d* being Stoppages for Provisions for Artillery in *America*;—20,717*l.* 7*s.* 4*d.* out of the Savings of the Grant for new Levies;—113,998*l.* 7*s.* 4*d.* being Savings out of the Sums granted for Officers Widows, for five Years;—10,000*l.* out of the Savings of the Half-pay of reduced Officers, from *June* 1767, to *Dec.* 1779;—and 48,300*l.* reserved by the Paymaster out of Monies voted for Subsistence of sundry Augmentations, shall be applied towards defraying the extraordinary Expences of the Land Forces, *&c.* from *Jan.* 31, 1779, to *Feb.* 1, 1780. The Monies arising by the Land Tax, Malt Tax, Lottery Act, Loans (1,500,000*l.*), further Loans (1,900,000*l.*), Vote of Credit (1,000,000*l.*), 650,457*l.* 18*s.* 1 Farthing, remaining in the Exchequer on *April* 5, 1780, of the Surpluses of the Sinking Fund; 25,560*l.* remaining of the Deductions of 6*d.* in the Pound out of Salaries, *&c.* 3,761*l.* 13*s.* 4*d.* Halfpenny, remaining in the Exchequer on *April* 5, 1780, exclusive of the Sinking Fund; 10,506*l.* 5*s.* 2*d.* 1*q.* remaining of a Sum granted in 1750, for making good a Deficiency of the preceding Year; 5,000*l.* granted, in 5 *Geo.* III. for building a Lazaret; such Monies as shall be paid into the Exchequer between *April* 5, 1780, and *April* 5, 1781, of the Produce of the Duties on *Gum Senega* and

" *Gum Arabic*; and 1,849,542 *l.* 1 *s.* 11 *d.* 3 *q.* by this Act granted out of the Exceſſes, *&c.* compoſing the " Sinking Fund; together with the Money ariſing from the Sale of *French* Prizes taken before the Declara- " tion of War; and alſo ſuch Sums of Money as his Majeſty ſhall direct to be applied to the public Service, " which ſhall ariſe out of the Sale of the ceded Iſlands in the *Weſt Indies*; ſhall be applied to the Uſes fol- " lowing: 5,503,284 *l.* 7 *s.* 7 *d.* towards Naval Services; 1,500,000 *l.* towards paying off the Navy Debt; " 4 8,136 *l.* 9 *s.* 11 *d.* for the Charges of the Office of Ordnance, for 1780; 59[illegible],406 *l.* and 11 *d.* for the " Charges of the Office of Ordnance, not provided for, in 177[illegible]; 6,389,080 *l.* 3 *s.* 7 *d.* 2 *q.* towards main- " taining the Land Forces, &c.; of which 946,176 *l.* 3 *s.* 5 *d.* for defraying the Charges of 35,005 effec- " tive Men, including Officers, and 4,213 Invalids for Guards, Garriſons, *&c.* in *Great Britain*, *&c.*; " 1,418,0 9 *l.* 1 *s.* 2 *d.* for Forces and Garriſons in *Africa*, *&c.*; 44,875 *l.* 8 *s.* 3 *d.* for General and General " Staff-officers in *Great Britain*; 56,228 *l.* 11 *s.* 11 *d.* 2 *q.* for five *Hanoverian* Battalions at *Gibraltar* and " *Minorca*, and for Proviſions for three of the ſaid Battalions at *Gibraltar*, for the Year 1780; 367,892 *l.* 19 *s.* " 4 *d.* for 13,472 Troops of *Heſſe Caſſel*, *&c.*; 35,510 *l.* 19 *s.* 9 *d.* for two Regiments of *Hanau*, *&c.*; " 17,529 *l.* 11 *s.* 9 *d.* for a Regiment of *Waldeck*, *&c.*; 94,173 *l.* 12 *s.* 4 *d.* 2 *q.* for 4300 *Brunſwickers*, *&c.*; " 39,718 *l.* 18 *s.* 1 *d.* 2 *q.* for 1,417 Troops of *Brandebourg Anſpach*; 16,661 *l.* 6 *s.* 4 *d.* 2 *q.* for Infantry, " *&c.* of *Anhalt Zerbſt*; 48,801 *l.* 10 *s.* 6 *d.* for Proviſions for foreign Troops ſerving in *America*; 27,741 *l.* " 10 *s.* for defraying the Charge of Artillery for foreign Troops, for 1780; 653,926 *l.* 2 *s.* for defraying " the Charge of the Militia in *South Britain*, and four Regiments of Fencibles in *North Britain*, for 1780; " 96,183 *l.* 4 *s.* 2 *d.* for defraying the Charge of Clothing for Militia in *South Britain* for 1780; 8,943 *l.* " 13 *s.* 8 *d.* for defraying the Charge of additional Companies to Militia in *South Britain*, for 1779; " 258,206 *l.* 18 *s.* for defraying the Charge of the new Levies for the Year 1780; 8,623 *l.* 17 *s.* 6 *d.* for " defraying the Charge of Lieutenant Colonel *Fullarton*'s Corps, from *Feb.* 24, to *Dec.* 24, 1780, both " incluſive; 3,179 *l.* 12 *s.* 6 *d.* for defraying the Charge of an additional Troop, *&c.* to Lieutenant Colonel " *Holroyd*'s Light Dragoons, for one Year; 12,929 *l.* 9 *s.* 2 *d.* for defraying the Charge of Major-general " *Rainsford*'s Regiment of Foot, from *Feb.* 24, to *Dec.* 24, 1780, both incluſive; 8,623 *l.* 17 *s.* 6 *d.* for de- " fraying the Charge of Lieutenant Colonel *Humberſtone*'s Corps, from *Feb.* 24, to *Dec.* 24, 1780, both in- " cluſive; 87,718 *l.* to the Out-penſioners of *Chelſea Hoſpital*; 11,712 *l.* 9 *s.* 6 *d.* for defraying the Charge of " additional Companies, *&c.* of Militia in *South Britain*, for 1780; 468 *l.* 15 *s.* 8 *d.* to make good the Defi- " ciency of Pay of ſaid additional Companies, *&c.*; 30,296 *l.* 16 *s.* 8 *d.* for defraying the Charge of the " new Levies, from their Eſtabliſhments to *Dec.* 24, 1779; 82,905 *l.* 2 *s.* on account of reduced Officers " of Land Forces and Marines; 608 *l.* 6 *s.* 6 *d.* to the two Troops of Horſe Guards reduced, *&c.*; 2,211,384 *l.* " 5 *s.* 9 *d.* 2 *q.* for Extraordinaries of Land Forces, *&c.* from *Jan.* 31, 1779, to *Feb.* 1, 1780; 1,000,000 *l.* " for paying off the Exchequer Bills made out by virtue of the Vote of Credit of laſt Seſſion; 1,500,000 *l.* " for paying off other Exchequer Bills of laſt Seſſion; 1,900,000 *l.* for paying off further Exchequer Bills of " laſt Seſſion; 15,700 *l.* to make good to his Majeſty the like Sum iſſued in purſuance of the Addreſſes of the " Houſe of Commons; 25,000 *l.* towards carrying on the Buildings at *Somerſet Houſe*; 4,796 *l.* 10 *s.* 5 *d.* " for ſupporting the Civil Eſtabliſhment of *Nova Scotia*; 2,866 *l.* for the Civil Eſtabliſhment of *Georgia*; " 3,950 *l.* for the Civil Eſtabliſhment of *Eaſt Florida*; 3,900 *l.* for the Civil Eſtabliſhment of *Weſt Florida*; " 3,150 *l.* for the Civil Eſtabliſhment of the Iſland of *St. John*; 1,832 *l.* 5 *s.* for defraying Expences attend- " ing Surveys in *North America*; 13,000 *l.* for maintaining Forts on the Coaſt of *Africa*; 6,997 *l.* 4 *s.* 3 *d.* " on account of new Roads, *&c.* in the Highlands of *Scotland*; 57,910 *l.* 12 *s.* for Relief of *American* " Civil Officers, *&c.*; 10,000 *l.* for aſſiſting the *Levant* Company; 3,500 *l.* to the *Britiſh Muſeum*; " 14,348 *l.* 2 *s.* 9 *d.* paid to *Duncan Campbell*, for maintaining Convicts, *&c.*; 37,372 *l.* 18 *s.* 9 *d.* 2 *q.* to " make good the Deficiency of a Fund to pay Annuities granted by an Act 31 *Geo.* II.; 332,856 *l.* 4 *s.* " 5 *d.* 2 *q.* to make good the Deficiency of a Fund for paying Annuities granted by an Act 18 *Geo.* III.; " 167,036 *l.* 14 *s.* 1 *d.* 2 *q.* to make good the Deficiency of a Fund for paying Annuities granted by an Act " 19 *Geo.* III.; and 300,687 *l.* 0 *s.* 7 *d.* to make good the Deficiency of Grants for the Year 1779. The " ſaid Aids to be applied only to the Uſes before mentioned. Rules to be obſerved in the Application of " the Half-pay. By an Act 19 *Geo.* III. a Sum not exceeding 87,703 *l.* 8 *s.* 4 *d.* was appropriated to be " paid to reduced Officers. Overplus Monies, above ſatisfying ſaid Officers, to be diſpoſed of to Officers " who were maimed, *&c.* in the late Wars, or to Officers Widows and Children, as his Majeſty ſhall " direct. The Commiſſioners of the Treaſury are impowered to pay to any Perſons who ought to have " been ſatisfied out of the Monies remaining in the Exchequer for paying Arrears due to the late Marine " Regiments diſbanded in the Year 1748, any Sum not exceeding 10,506 *l.* 5 *s.* 2 *d.* 1 *q.*"

## CAP. LXIII.

An Act to indemnify ſuch Perſons as have acted in the Suppreſſion of the late Riots and Tumults in and about the Cities of *London* and *Weſtminſter*, and Borough of *Southwark*, and for the Preſervation of the public Peace.

Preamble.

" WHEREAS, on the ſecond Day of *June*, in the Year one thouſand ſeven hundred and eighty, a " great Number of diſorderly Perſons aſſembled themſelves together, in a riotous and tumultuous " Manner, near to both Houſes of Parliament, and poſſeſſed themſelves of the Avenues leading to the " ſame, the ſaid Houſes being then ſitting, and there committed great Acts of Outrage and Violence to " many of his Majeſty's Subjects; and afterwards proceeded to attack the Houſes of ſome of the public " Miniſters of Foreign Princes and States, reſiding at his Majeſty's Court, and to break into the Chapels " belonging to ſuch public Miniſters, and to ſet Fire thereto, and continued riotouſly and tumultuouſly aſ- " ſembled for ſeveral Days and Nights; and during that Time attacked and ſet Fire to the Gaol of *New-*

'*gate*, the *King's Bench* Prison, the Prison of the *Fleet*, and set at Liberty the Prisoners therein respectively 'confined, and broke other Gaols and Prisons, and set at Liberty the Prisoners confined therein, and set 'Fire to, and pulled down, the Dwelling-Houses of divers of his Majesty's peaceable Subjects, in several 'Parts in and about the Cities of *London* and *Westminster*, and Borough of *Southwark*, and burnt and con-'sumed the Materials and Furniture of the same, and did other Acts of Outrage and Violence: And 'whereas divers Magistrates, and others, have exerted themselves for the Suppression of the said Riots 'and Tumults, and for putting an End to the said Outrages, and for restoring and preserving the public 'Peace, and on the Occasions, and for the Purposes aforesaid, have done divers Acts which cannot be 'justified by the strict Forms of Law, and yet were necessary, and so much for the Preservation of the 'Lives and Properties of his Majesty's Subjects, and the public Safety and Peace, that they ought to be 'justified by Act of Parliament, and the Persons by whom they were transacted ought to be indemnified;' be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all Personal Actions and Suits, Indictments and Informations, which have been, or shall be, commenced or prosecuted, and all Molestations, Prosecutions, and Proceedings whatsoever, and Judgments thereupon (if any be), against the said Magistrates, or other Persons, for or by reason of any Act, Matter, or Thing, commanded or done on the Occasions, and for the Purposes aforesaid, or any of them, before the twenty-fourth Day of *June*, one thousand seven hundred and eighty, shall be discharged and made void; and every Person, by whom any such Act, Matter, or Thing, which shall have been commanded or done, before the said twenty-fourth Day of *June*, one thousand seven hundred and eighty, shall be freed, acquitted, and indemnified, as well against the King's Majesty, his Heirs and Successors, as against all and every other Person and Persons; and if any Action or Suit hereby discharged, or intended to be discharged, is or shall be commenced or prosecuted, every Person so sued may plead the General Issue, and give this Act, and the Special Matter, in Evidence; and if the Plaintiff or Plaintiffs shall become nonsuit, or forbear further Prosecution, or suffer Discontinuance, or if a Verdict pass against such Plaintiff or Plaintiffs, the Defendant or Defendants shall recover his, her, or their Double Costs, for which he, she, or they shall have the like Remedy, as in Cases when Costs by Law are given to Defendants.

All Actions, Indictments, &c. commenced against Magistrates, or others, for any Thing done or commanded by them, in suppressing the late Riots, before June 24, 1780, shall be discharged and made void; and all such Magistrates, &c. shall be indemnified.

General Issue.

Double Costs.

## CAP. LXIV.

An Act to prevent any Mischief or Inconvenience which may arise to Sheriffs, Gaolers, Suitors, Prisoners, or others, by the Prisoners in several Gaols in the Counties of *Middlesex* and *Surrey*, and the City of *London*, having been set at Liberty during the late Tumults and Insurrections.

Preamble.

'WHEREAS divers evil-minded and disorderly Persons did, at several Times between the second and 'eighth Days of *June*, in this present Year of our Lord one thousand seven hundred and eighty, 'assemble themselves together within the Cities of *London* and *Westminster*, and the Borough of *Southwark*; 'and being so assembled together, at some of the said Times, did burn, destroy, or break open, divers of 'his Majesty's Gaols and Prisons; that is to say, the Gaol of *Newgate*, the Prison of the *Fleet*, the *King's* '*Bench* Prison, and other Gaols and Prisons in the City of *London*, and in the Counties of *Middlesex* and '*Surrey*, and did cause the Prisoners then confined therein to escape, and go at large: And whereas the 'Sheriff or Sheriffs, Marshal, Warden, or other Officer or Officers, who had the Custody of the said 'Gaols or Prisons, and the Prisoners therein, may be, or are in Danger of being sued, indicted, prose-'cuted, or proceeded against, by reason of Escapes of Prisoners let out, or set at Liberty, in Manner be-'fore mentioned; and the Plaintiff or Plaintiffs (at whose Suit such of the said Prisoners as were confined 'by virtue of Civil Process were in Custody) may be under Difficulties with respect to their Proceedings 'against such Prisoner or Prisoners; and also such Prisoners as were set at large without their own Con-'currence or Consent, may be in a worse Situation, by Means of their Enlargement, than if they had 'remained in actual Custody:' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all personal Actions and Suits, Indictments, Informations, and all Molestations, Prosecutions, and Proceedings whatsoever, and Judgments thereupon (if any be), had, commenced, or prosecuted, or to be had, commenced, or prosecuted, against any Sheriffs, Under-sheriffs, Marshal, Warden, Bailiff, Gaolers, Officers, or their Sureties, for or by reason of the Escape of any Prisoner or Prisoners, who was or were, or has or have been discharged, or let out of Prison, or caused to go at large, in Manner, and on the Occasion aforesaid, be, and are and shall be discharged, annulled, and utterly made void and of no Effect, to all Intents and Purposes, by virtue of this Act; and if any such personal Action or Suit hereby discharged, or intended to be discharged, is or shall be commenced or prosecuted, every Person so sued may plead the General Issue, and give this Act, and the Special Matter, in Evidence; and if the Plaintiff or Plaintiffs shall become nonsuit, or forbear further Prosecution, or suffer Discontinuance, or if Judgment pass against such Plaintiff or Plaintiffs, the Defendant or Defendants shall recover his, her, or their Double Costs, for which he, she, or they shall have the like Remedy, as in Cases where Costs by Law are given to Defendants.

All Actions, Indictments, &c. commenced, or to be commenced, against any Sheriff, Under-sheriff, or Gaoler, &c. for the Escape of any Prisoner during the late Tumults, shall be discharged and made void.

General Issue.

Double Costs.

II. And be it further enacted by the Authority aforesaid, That in case any Prisoner or Prisoners, who was or were, at the Times aforesaid, in Custody in any of the Gaols or Prisons aforesaid, by virtue of any Civil Suit or Process, and who was or were let at large, in the Manner, and on the Occasion aforesaid, hath or have surrendered, or offered to surrender, him or herself, or themselves, or shall, on or before

All Prisoners by Civil Process, who were set at large as aforesaid,

before the first Day of *September* now next ensuing, surrender, or offer to surrender, him or herself, or themselves, to the Sheriff or Sheriffs, Marshal, Warden, or other Officer or Officers, under whose Custody he, she, or they was or were, at the Time of his, her, or their said Enlargement, or their Successors in Office, and shall have given, or shall give, or deliver in Writing, to such Sheriff or Sheriffs, Marshal, Warden, or other Officer or Officers as aforesaid (or their Successors in Office), the Place of Abode of such Prisoner or Prisoners; and in case he, she, or they shall change his, her, or their Place of Abode, shall, in like Manner, give Notice in Writing to such Sheriff or Sheriffs, Marshal, Warden, or other Officer or Officers (or their Successors in Office), of such new Place of Abode, and shall at all Times, when lawfully called upon by such Sheriff or Sheriffs, Marshal, Warden, or other Officer or Officers, or their Successors in Office, or by the Plaintiff or Plaintiffs, in the Suit or Suits depending against them respectively, be ready and willing to surrender, and shall surrender, or offer to surrender, themselves, in such Manner as aforesaid, such Prisoner or Prisoners so surrendering, or offering to surrender, him or herself, or themselves, and conforming themselves in such Manner as aforesaid, shall be considered, to all Intents and Purposes, as if he, she, or they, now was or were, and had always remained and continued, in the Custody of such Sheriff or Sheriffs, Marshal, Warden, Officer or Officers, in whose Custody he, she, or they, was or were at the Time of his, her, or their said Enlargement, and shall not be liable to be arrested by virtue of any Civil Process out of any Court; and in case they have been, or shall be, so arrested, shall be discharged therefrom.

who have surrendered, or shall surrender themselves before Sept. 1, 1780, to the Sheriff or Gaoler, &c. under whose Custody they were, and shall deliver to him their Place of Abode, &c.

shall be considered as still in Custody, and not be liable to Arrests, &c.

III. And be it further enacted by the Authority aforesaid, That in all such Cases it shall and may be lawful for any Plaintiff or Plaintiffs, at whose Suit such Prisoner or Prisoners was or were in Custody, or for any Creditor or Creditors having Cause of Action against such Prisoner or Prisoners, to deliver Declarations, and all other Proceedings, against any such Prisoner or Prisoners, to the Sheriff or Sheriffs, Marshal, Warden, or other Officer or Officers, in whose Custody such Prisoner or Prisoners was or were at the Time of their said Enlargement (or their Successors in Office), and to give Notice in Writing thereof to such Prisoner or Prisoners, or to leave the same at his, her, or their Place of Abode; which Proceeding shall be as good and available in Law, to all Intents and Purposes, as if such Plaintiff or Plaintiffs, Creditor or Creditors, had proceeded according to the Forms heretofore used against Persons in actual Custody; and such Plaintiff or Plaintiffs, Creditor or Creditors, shall and may proceed to Judgment thereon, within the same Time as if such Prisoner or Prisoners was or were in actual Custody, and also shall and may take out Execution against such Real or Personal Estate, of such Prisoner or Prisoners, as is or shall be liable thereto by Law.

Plaintiff, or other Creditor having Cause of Action against such Prisoner, may deliver Declarations, &c. to the Sheriff or Gaoler, and give Notice thereof to the Prisoner; and such Plaintiff, &c. may proceed to Judgment thereon, as if the Prisoner were in actual Custody, &c.

IV. And be it further enacted by the Authority aforesaid, That with respect to such Prisoner or Prisoners, who was or were in Custody in any of the Gaols or Prisons aforesaid, by virtue of any Civil Suit or Process, and who was or were let at large in Manner aforesaid, and who hath or have not surrendered him or herself, or themselves, in Manner aforesaid, nor shall offer so to do within the Time above for that Purpose limited, it shall and may be lawful for the Plaintiff or Plaintiffs, at whose Suit he, she, or they were so in Custody, to deliver in like Manner Declarations, and all other Proceedings against such Prisoner or Prisoners, to the Sheriff or Sheriffs, Marshal, Warden, or other Officer or Officers, in whose Custody such Prisoner or Prisoners was or were at the Time of his, her, or their said Enlargement, or their Successors in Office, and to give Notice thereof in the *London Gazette*; which Proceedings shall be as good and available in Law, to all Intents and Purposes, as if such Plaintiff or Plaintiffs had proceeded according to the Forms heretofore used against Persons in actual Custody, and shall and may proceed to Judgment thereupon, within the same Time as if such Prisoner or Prisoners was or were in actual Custody, and take out his or their Execution thereupon.

How Plaintiffs are to proceed, with respect to such Prisoners who shall not have surrendered themselves before Sept. 1, 1780, &c.

V. Provided always, and be it enacted by the Authority aforesaid, That no Plaintiff or Plaintiffs shall be in any Manner prejudiced or damnified for or by reason of his, her, or their not having proceeded against any Prisoner or Prisoners from the Time of his, her, or their said Enlargement, until the first Day of *November*, one thousand seven hundred and eighty.

Proviso.

VI. And be it further enacted by the Authority aforesaid, That in case any Defendant or Defendants in any Action or Information hath or have tendered to surrender him, her, or themselves, or hath or have been tendered to be surrendered in Discharge of his, her, or their Bail, and the Court, or Judge of the Court, in which the Action or Information hath been depending, for want of a proper Place of Confinement, hath not committed such Defendant or Defendants; or in case any Defendant or Defendants in any Action or Information, who hath or have given special Bail, shall, before the said Prisons of the *King's Bench* and the *Fleet* respectively shall have been repaired, or other Prison or Prisons been substituted in lieu thereof respectively, and Notice thereof given in the *London Gazette*, as hereafter mentioned, be desirous to surrender him, her, or themselves in Discharge of his, her, or their Bail, or the Bail shall be desirous to surrender such Defendant or Defendants as aforesaid, such Defendant or Defendants shall and may come or be brought before any Court or Judge of the Court in which such Action or Information is or has been depending, and such Court or Judge shall and may commit such Defendant or Defendants to the Custody of the Marshal or Warden of the *Fleet* (as the Case may be), and the Tipstaff shall tender such Defendant or Defendants to the Marshal or Warden (as the Case may be), or his or their Deputy or Deputies, and the Bail shall thereupon be discharged, and such Defendant or Defendants shall, and is and are hereby required in all Things to conform to the Rules and Directions herein-before prescribed concerning such Prisoners who have been set at large, and have surrendered or tendered themselves to be surrendered, or shall tender themselves to be surrendered, in Manner herein-before mentioned, and such Defendant or Defendants shall be deemed and taken to be in actual Custody; and the Plaintiff or Plaintiffs in such Suit or Information, or any other Creditor, shall and may proceed against him, her, or them, as in Custody, in

Regulations relative to Defendants who have or shall tender themselves, or whose Bail shall be desirous to surrender them, before the King's Bench and Fleet Prisons shall be repaired, &c.

in such Manner and Form as is herein-before directed concerning such Prisoners as were set at large, and shall have surrendered or offered to surrender themselves in Manner herein-before set forth; provided nevertheless, that the Marshal or Warden shall not be answerable for the Escape of any such Prisoner or Prisoners, until the Prisons of the *King's Bench* and the *Fleet* respectively shall have been repaired as aforesaid, or other Prison or Prisons substituted in the Place thereof, and such Defendant or Defendants shall be in their actual Custody.

Marshal or Warden not answerable for Escapes until such Reparations are made, &c.

'VII. And whereas there is not at present any Place of safe Custody for Prisoners committed by the 'Courts of Chancery, Common Bench, and Exchequer; and it may have happened that Persons (since 'the Destruction of the said Prison of the *Fleet*) may have been committed to the Custody of the Warden 'of the *Fleet*, in Discharge of their Bail, or otherwise, whereby the said Warden may be liable to answer 'for the Escape of such Prisoners;' be it further enacted, That the said Warden, until the said Prison of the *Fleet* shall be repaired and made fit for the Reception of Prisoners, or some other Prison appointed in lieu thereof, and such Prisoner shall be received within the Walls of such Prison, shall not be answerable for the Escape of such Prisoners; nevertheless such Surrenders shall be good and valid in Law, and the Bail shall be, and are exonerated and discharged, and such Prisoners shall and are hereby required in all Things to conform to the Rules and Directions herein-before prescribed concerning such Prisoners who have been set at large, and have surrendered, or tendered themselves to be surrendered, in Manner herein-before mentioned; and thereupon shall be deemed and taken to be in actual Custody, and liable to be proceeded against as such in the Manner herein before mentioned.

The Warden of the Fleet Prison not answerable for the Escape of Prisoners committed to his Custody since the Destruction of the said Prison; but such Surrenders shall be valid in Law, and the Bail shall be discharged, &c.

VIII. Provided nevertheless, and it is hereby enacted and declared, That so soon as the said Prisons of the *King's Bench* and the *Fleet* respectively shall be repaired and made fit for the Reception of Prisoners, or other Prison or Prisons substituted in lieu thereof, and the same shall be notified in the *London Gazette* by one of his Majesty's Principal Secretaries of State, all and every Prisoner or Prisoners who have escaped or been at Liberty in Consequence of the said Tumults and Insurrections, and also all such Person or Persons, Defendant or Defendants, who hath or have since been committed, and who, under the Provisions herein-before mentioned, are to be deemed and taken as if in Custody of the said Marshal or Warden respectively, within twenty-eight Days next after such Notice given in the *London Gazette* of the Repair of the said Prisons, or either of them respectively, or of any other Prison or Prisons being appointed in lieu thereof, or of either of them, shall, and are hereby required to surrender themselves to the Keeper of such of the said Prisons to which they shall respectively belong, and in whose Custody they are, under the Provisions of this Act, deemed and taken to be, so as to become actual Prisoners, and within the Walls of such Prison or Prisons respectively; and every such Prisoner or Prisoners, Person or Persons, Defendant or Defendants, herein-before mentioned, who shall neglect or refuse so to do, not having any reasonable Excuse in that Behalf, shall forfeit and lose all the Privilege and Benefit of this Act, and shall and may be retaken by any Plaintiff or Plaintiffs as in case of wilful Escape; and such Prisoner or Prisoners, Person or Persons, Defendant and Defendants, shall be, and are hereby declared and rendered for ever incapable of taking the Benefit of any Act which may at any Time hereafter be passed for the Relief of insolvent Debtors.

As soon as it shall be notified in the London Gazette, that the King's Bench or Fleet Prison is properly repaired, all Persons who escaped thereout during the late Tumults, &c. shall, within 28 Days, surrender themselves to the respective Keeper, so as to become actual Prisoners therein; or shall lose all the Benefit of this Act, and be incapable of taking the Benefit of any future Insolvency Act.

IX. Provided always, That nothing in this Act contained shall extend, or be construed to extend, to the Case of any Prisoner or Prisoners who, on the eighth Day of *June*, in the present Year of our Lord one thousand seven hundred and eighty, was or were confined in the *New Prison* or the *Marshalsea* Prison, under the Custody of the Marshal.

This Act not to extend to Prisoners confined in the New Prison, or Marshalsea, on June 8, 1780.

X. And be it further enacted by the Authority aforesaid, That, until the Prison of *Newgate* shall be rebuilt or repaired, or other Prison substituted in the Place thereof, it shall and may be lawful for the Sheriff of the County of *Middlesex* to confine any Person or Persons who were not in Custody at the Time of the Destruction of the Gaol called *Newgate*, and who hath, since the Destruction of the said Gaol of *Newgate*, been, or shall be hereafter arrested or taken in Execution by the said Sheriff, on any Civil Process, in any other Gaol or Place of Security within the County of *Middlesex*; and such Gaol or Place of Security shall be subject to all such Regulations and Provisions as County Gaols are by Law subject to; and the Name of such Gaol or Place of Security, together with the Names of the Prisoners therein, and of the Causes in which they are arrested or detained, shall be fixed up in some public and open Place in the said Sheriff's Office.

The Sheriff of Middlesex, until Newgate is repaired, &c. may confine Persons, taken by him on any Civil Process, in any Place of Security within the County, &c.

## CAP. LXV.

An Act to repeal so much of an Act, made in the seventeenth Year of his present Majesty's Reign, as relates to *the more easy and speedy Recovery of Small Debts within the Parishes of* Halifax, Bradford, Kighley, Bingley, Guiseley, Calverley, Batley, Birstal, Mirfield, Hartishead cum Clifton, Almondbury, Kirkheaton, Kirkburton, *and* Huddersfield, *and the Lordship or Liberty of* Tong, *in the West Riding of the County of* York; and for granting other Powers for those Purposes; and for extending the Jurisdiction of the Court Baron of the Manor of *Kighley*, in the said County.

Preamble. Recital of 17 Geo. III. c. 15.

'WHEREAS an Act was passed, in the seventeenth Year of his present Majesty's Reign, *for the 'more easy and speedy Recovery of Small Debts within the Parishes of* Halifax, Bradford, Kighley, 'Bingley, Guiseley, Calverley, Batley, Birstal, Mirfield, Hartishead cum Clifton, Almondbury, Kirk-

'heaton,

'heaton, Kirkburton, *and* Huddersfield, *and the Lordship or Liberty of* Tong, *in the West Riding of the 'County of* York; *and for extending the Jurisdiction of the Courts Baron of the Honour of* Pontefract, *Manor 'of* Wakefield, *and Manor of* Bingley, *in the said County:* And whereas the said Act, so far as the same 'relates to the Court of Requests, has not fully answered the Intentions of the Legislature in passing the 'same; nevertheless it is necessary, from the very great Numbers of Persons employed in the extensive 'Manufactures and Trades carried on within the Jurisdiction thereof, that Provision should be made for 'the easy and speedy Recovery of Small Debts therein, in order to promote Industry, and support useful 'Credit: May it therefore please your Majesty that it may be enacted;' and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That *Thomas Thornhill, William Walker* senior, *John Caygill, John Royds,* and *John Knowles,* Esquires; the Reverend *Henry Wood* D. D. the Reverend *Robert Charlesworth* Clerk, the Reverend *Edward Nelson* Clerk, *William Newby, John Ferguson, John Mitchell* senior, *Isaac Hanson, Christopher Rawson, Jeremy Lister, Japhet Lister, John Priestley, William Pollard* senior, *Samuel Waterhouse, John Waterhouse, William Threlkeld, John Alexander, John Hamilton, James Cooke, Joseph Bramley, William Bolland, John Hudson, George Pollard, William Smith, John Swire, William Buck, Michael Bairstow, Joseph Benson, Robert Butterfield* senior, *Richard Bracken, John Rawson, Christopher Rawden, Benjamin Irvin, John Ramsden,* and *Henry Hamer,* being thirty-nine Resiants and Inhabitants within the said Parish of *Halifax*; That *Edward Leedes, Charles Swain, Booth Sharp, Tomis Atkinson, Joshua Field,* and *Abraham Balme,* Esquires; the Reverend *James Sykes* Clerk, the Reverend *Robert Butler* Clerk, *John Hustler, John Horner, Charles Booth, Isaac Hollings, William Hardcastle* junior, *Thomas Hardcastle* the elder, *John Preston, Richard Stocks, Nathan Jowett, John Greenwood, George Greenwood, William North, Abraham Bower, John Jarratt, William Swain, Joshua Firth* senior, *Joseph Pollard, Thomas Hodgson, Anthony Wrightson, Robert Ramsbotham, William Wright, Thomas Skelton,* and *Richard Hodsden,* being thirty Resiants and Inhabitants within the said Parish of *Bradford*; That the Reverend *Charles Knowlton* Clerk, *John Chapman, John Craven,* the Reverend *Samuel Phillips, Jonathan Wright, Thomas Cockshott, James Barwick, James Greenwood, John Greenwood, John Driver, Joseph Smith, John Sugden, Abraham Smith, Thomas Cure, Samuel Blakey, William Newsholme, Michael Cousen, Christopher Smith* of *Utley, William Guyer, Thomas Horsfall,* and *John Horsfall,* being twenty-one Resiants and Inhabitants within the said Parish of *Kighley*; That *Benjamin Ferrand, Henry Wickham, Johnson Atkinson Busfield,* and *John Proctor,* Esquires; *James Murgatroid, Jonathan Piele, John Booth, Francis Lister,* and *Thomas Cockshott,* being nine Resiants and Inhabitants within the said Parish of *Bingley*; That *Walter Spencer Stanhope,* and *William Stanhope,* Esquires; the Reverend *James Willoughby* Clerk, *John Marshall, Jeremiah Marshall, Richard Clayton, John Brown, Benjamin Hird, Thomas Houlden, John Booth, Thomas Burnett,* and *Hugh Marshall,* being twelve Resiants and Inhabitants within the said Parish of *Guiseley*; That the Reverend *Thomas Faber* Clerk, *John Gott* senior, *John Barnes, William Walker, John Radcliffe, Jeremiah Clifford, Henry Slater, John Morehouse,* and *James Booth,* being nine Resiants and Inhabitants within the said Parish of *Calverley*; That *John Taylor, Thomas Thompson, Henry Preston,* Esquires; the Reverend *Joseph Hargraves* Clerk, *John Turton* Esquire, *Joseph Bennett, Joshua Taylor, William Lister* junior, *Samuel Webster, John Sharp, Charles Steer,* and *John Jowett,* being twelve Resiants and Inhabitants within the said Parish of *Batley*; That *Joseph Bilton* Esquire, *Joseph Stainthorp, Jeremiah Rhodes, Martin Charlesworth, John Rhodes, William Charlesworth, Thomas Gommersall, Thomas Walker, Caleb Crowther, John Beever, Timothy Crowther, Thomas Cockill, Joseph [illegible], Richard Rayner, Joseph Sykes, John Green, Benjamin Broadley, John Rawsley, John Wood, Benjamin Wilkinson,* and *Thomas Brooke,* being twenty-one Resiants and Inhabitants within the said Parish of *Birstal*; That *Joshua Ingham, Francis Ledgard, Samuel Walker, Joseph Marriett, Joseph Brooke, James Shepley, Robert Holdsworth, Joshua Hirst,* and *Samuel Brooke,* being nine Resiants and Inhabitants within the said Parish of *Mirfield*; That Sir *George Armitage* Baronet, *George Dyson,* and *Samuel Popplewell,* being three Resiants and Inhabitants within the said Parish of *Hartishead cum Clifton*; That *Joseph Armitage, John Atkinson, George Armitage, John Dyson, John Farrer, Benjamin Ingham, Joseph Kaye* senior, *Robert Scott, Jonathan Shaw, Daniel Taylor, Robert Walker,* and *William Radcliffe,* being twelve Resiants and Inhabitants within the said Parish of *Almondbury*; That Sir *John Lister Kaye* Baronet, *Richard Henry Beaumont* Esquire, the Reverend *John Burton* Clerk, *Samuel Walker, John Brooke, Charles Brooke, John Walker, Richard Wheatley, Richard Cockhill, Richard Thewlis, William Walker, Joseph Hinchliffe, Joseph Atkinson, William Yates,* and *Richard Taylor,* being fifteen Resiants and Inhabitants within the said Parish of *Kirkheaton*; That *William Horsfall* Esquire, *Richard Gill, Matthew Booth, John Booth, Benjamin Stocks, Tedbald Tinker, John Tinker, Joseph Firth, Edward Ellis,* the Reverend *John Harrop* Clerk, *Uriah Tinker, James Shaw, John Bray, George Moorehouse, Christopher Green, Joseph Wilson, John Kenworthy,* and *Ely Wimpenny,* being eighteen Resiants and Inhabitants within the said Parish of *Kirkburton*; That *William Radcliffe* Esquire, *John Armitage, Joseph Armitage, Michael Atkinson, Joseph Bradley, Edmund Bothamley, Benjamin Haigh, James Dyson, Thomas Holroyd, John Haigh, Thomas Haigh, Abraham Horsfall, John Hudson, John Houghton, John Moorehouse, James Midwood, Jonathan Nichols, Thomas Oldfield, George Styring, William Whitacre, John Whitacre, Benjamin Walker, William Waterhouse,* and *William Walker,* being twenty-four Resiants and Inhabitants within the said Parish of *Huddersfield*; and that *John Tempest* Esquire, *Richard Stead, Matthias Whitehead,* being three Resiants and Inhabitants within the said Lordship or Liberty of *Tong*; making in all two hundred and thirty-seven Persons; who, and their Successors, to be elected in Manner herein-after mentioned, being *bona fide* seised of Messuages, Lands, Tenements, or Hereditaments, of Freehold, Copyhold, or Customary Tenure, for Life, or any other greater Estate, or possessed of a Leasehold Estate for ninety-nine Years, or upwards, of the clear yearly Value of sixty Pounds, over and besides all Deductions and Reprizes whatsoever, or of a Personal Estate of the Value of one thousand five hundred Pounds, over and besides the Payment of their just Debts, and not keeping an Alehouse, Victualling-house, or other House of public Entertainment, together with

Commissioners.

Qualification of Commissioners.

with their Succeſſors, to be elected in Manner herein-after mentioned, ſhall be, and are hereby declared, conſtituted, and appointed, Commiſſioners to hear and finally determine all ſuch Matters of Debt as are under forty Shillings, and are hereby conſtituted a Court of Juſtice, by the Name and Stile of *The Court of Requeſts for the Pariſhes of Halifax, Bradford, Kighley, Bingley, Guiſeley, Calverley, Batley, Birſtal, Mirfield, Hartiſhead cum Clifton, Almondbury, Kirkheaton, Kirkburton, and Huddersfield, and the Lordſhip or Liberty of Tong, in the Weſt Riding of the County of York*; and the ſaid Commiſſioners, or any three or more of them, are hereby authoriſed, impowered, and required, to aſſemble, ſit, and hold the ſaid Court, for the ſaid Pariſhes and Lordſhip, or Liberty, in Manner following; (that is to ſay) at *Halifax* aforeſaid for the Pariſh of *Halifax*, upon the firſt *Monday* in *Auguſt*, one thouſand ſeven hundred and eighty, and upon the firſt *Monday* in every Calendar Month thenafter for ever; at *Bradford* aforeſaid, on the firſt *Wedneſday* in the ſaid Month of *Auguſt*, one thouſand ſeven hundred and eighty, and alſo on the firſt *Wedneſday* in every Calendar Month thenafter for ever; at *Kighley* aforeſaid, on the ſecond *Monday* in the Month of *September*, one thouſand ſeven hundred and eighty, and alſo on the ſecond *Monday* in the ſeveral Calendar Months of *December*, *March*, *June*, and *September* thenafter for ever; at *Bingley* aforeſaid, on the ſecond *Monday* in the Month of *October*, one thouſand ſeven hundred and eighty, and alſo on the ſecond *Monday* in the ſeveral Calendar Months of *January*, *April*, *July*, and *October*, thenafter for ever; at *Calverley* aforeſaid, on the ſecond *Monday* in the Month of *November*, one thouſand ſeven hundred and eighty, and alſo on the ſecond *Monday* in the ſeveral Calendar Months of *February*, *May*, *Auguſt*, and *November*, thenafter for ever; at *Batley* aforeſaid, on the third *Monday* in the ſaid Month of *September*, one thouſand ſeven hundred and eighty, and alſo on the third *Monday* in the ſaid ſeveral Calendar Months of *December*, *March*, *June*, and *September*, thenafter for ever; at *Birſtal* aforeſaid, on the third *Monday* in the ſaid Month of *October*, one thouſand ſeven hundred and eighty, and alſo on the third *Monday* in the ſaid ſeveral Calendar Months of *January*, *April*, *July*, and *October*, thenafter for ever; at *Clifton* aforeſaid, on the third *Monday* in the ſaid Month of *November*, one thouſand ſeven hundred and eighty, and alſo on the third *Monday* in the ſeveral Calendar Months of *February*, *May*, *Auguſt*, and *November*, thenafter for ever; at *Huddersfield* aforeſaid, on the fourth *Monday* in the ſaid Month of *September*, one thouſand ſeven hundred and eighty, and alſo on the fourth *Monday* in the ſaid ſeveral Calendar Months of *December*, *March*, *June*, and *September*, thenafter for ever; at *Almondbury* aforeſaid, on the fourth *Monday* in the ſaid Month of *October*, one thouſand ſeven hundred and eighty, and alſo on the fourth *Monday* in the ſaid ſeveral Calendar Months of *January*, *April*, *July*, and *October*, thenafter for ever; at *Kirkburton* aforeſaid, on the fourth *Monday* in the ſaid Month of *November*, one thouſand ſeven hundred and eighty, and alſo on the fourth *Monday* in the ſaid ſeveral Calendar Months of *February*, *May*, *Auguſt*, and *November*, thenafter for ever: And the ſaid Commiſſioners, or any three or more of them, ſhall aſſemble, ſit, and hold the ſaid Court at all and every the ſaid Places herein-before appointed for that Purpoſe, and on the Days aforeſaid, in ſuch Rotation as is herein-before mentioned and directed, or oftener if required by the then Clerk of the ſaid Court, or his Deputy or Deputies, at any of the ſaid Places, or at any other Place within any of the ſaid Pariſhes, or Lordſhip or Liberty, on any other Day of the Week, ſo often as there ſhall be Occaſion, either by Adjournment or otherwiſe, as Buſineſs may happen, or ſuch Meeting be deſired by the Clerk of the ſaid Court, or his Deputy; and the ſaid Commiſſioners, or any three or more of them, ſhall have Power and Authority, by virtue of this Act, to hear and finally determine all ſuch Cauſes under forty Shillings, as are herein-after mentioned, and to make ſuch Orders, pronounce ſuch Judgments, and make ſuch Decrees, and to award Execution thereupon, with Coſts, againſt the Goods and Chattels, or Body and Bodies, of all and every Perſon and Perſons againſt whom they ſhall make any ſuch Order, pronounce any ſuch Decree, or give any ſuch Judgment, as to them the ſaid Commiſſioners, or any three or more of them, ſhall ſeem juſt in Law or Equity; and in caſe the ſaid Commiſſioners, or any three or more of them at the leaſt, ſhall neglect or refuſe to aſſemble at any of the aforeſaid reſpective Places, on any of the Days by this Act appointed for holding the ſaid Court, then and in ſuch Caſe it ſhall and may be lawful to and for the Clerk of the ſaid Court, or his Deputy for the Time being, to adjourn the ſaid Court to ſuch other Day, before the General Court Day to be held at any ſuch aforeſaid Place, as the ſaid Clerk or his Deputy ſhall think proper.

Their Name.

Their Meetings.

Their Duty, and Powers.

For electing new Commiſſioners.

II. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid Commiſſioners, or ſuch Commiſſioners as ſhall be hereafter elected, or any thirteen of them, to chuſe and elect, from Time to Time, any other Perſon or Perſons to be a Commiſſioner or Commiſſioners, being qualified as aforeſaid.

The ſeveral Pariſhes and Lordſhip divided into five Diſtricts.

III. And be it further enacted, That the aforeſaid Pariſhes and Lordſhip ſhall be, and are hereby divided into five Diſtricts; (that is to ſay) the Pariſh of *Halifax* ſhall be one Diſtrict; the ſeveral Pariſhes of *Bradford*, *Guiſeley*, and *Calverley*, and the Lordſhip or Liberty of *Tong*, another Diſtrict; the ſeveral Pariſhes of *Kighley* and *Bingley*, another Diſtrict; the ſeveral Pariſhes of *Birſtal*, *Mirfield*, *Batley*, and *Hartiſhead cum Clifton*, another Diſtrict; and the ſeveral Pariſhes of *Huddersfield*, *Almondbury*, *Kirkburton*, and *Kirkheaton*, another Diſtrict.

Commiſſioners to be ſworn.

IV. Provided always, and be it further enacted, That no Perſon ſhall be capable of acting as a Commiſſioner in the Execution of this Act, until he ſhall have taken an Oath, or made an Affirmation (being of the People called *Quakers*), to the Effect following; (that is to ſay)

The Oath.

'I *A. B.* do ſwear (*or* affirm), That I will faithfully, impartially, and honeſtly, according to the beſt of my Judgment, hear and determine all ſuch Matters and Cauſes as ſhall be brought before me by virtue of an Act of Parliament, *for the more eaſy and ſpeedy Recovery of Small Debts within the ſeveral Pariſhes of* Halifax, Bradford, Kighley, Bingley, Guiſeley, Calverley, Batley, Birſtal, Mirfield, Hartiſhead cum Clifton, Almondbury, Kirkheaton, Kirkburton, *and* Huddersfield, *and the Lordſhip or Liberty of* Tong, *in the Weſt Riding of the County of* York, without Favour or Affection, Prejudice or Malice, to either Party; and

'that I am qualified in Estate to act as a Commissioner for the Purposes aforesaid, according to the Intent 'and Meaning of the same Act.

'*So help me GOD.*'

Which Oath or Affirmation any Justice of the Peace for the West Riding of the County of *York*, or any Clerk of the said Court, or any Commissioner who shall have taken the said Oath, is and are hereby impowered and required to administer, and a Memorial thereof shall be entered in the Entry Book or Register of the said Court, by the Clerk or his Deputy; and any Person or Persons presuming to act as Commissioner, without being qualified, or being disqualified as aforesaid, shall, for each Time of acting, forfeit and pay the Sum of twenty Pounds to any Person who shall sue for the same in any of his Majesty's Courts of Record, wherein no Essoin, Protection, Wager of Law, or more than one Imparlance, shall be allowed; and the Person prosecuted shall prove that he is qualified as aforesaid, or otherwise shall pay the Sum of twenty Pounds, without any other Proof on the Part of the Prosecutor, than that such Person hath acted as a Commissioner in the Execution of this Act.

Who may administer the Oath.

Penalty on acting not being qualified.

V. Provided also, That no Person whosoever shall act as a Commissioner during that Day whereupon any Cause wherein he is a Party, or anyways interested, shall be heard; nor shall any Clerk, or other Officer of the said Court for the Time being, exercise his said Office in the said Court, or any Thing relating thereto, in any Cause wherein he is a Party or anyways interested, but the said Commissioners then assembled at such Court shall and may appoint another Person to execute the Office of such Clerk or other Officer respectively, in all Things relating to such Cause; and if the Commissioners assembled shall happen to be equally divided upon any Question that may come before them, the Commissioner who shall happen then to be Chairman shall have the casting Vote.

Commissioners, &c. not to act where interested.

VI. And be it further enacted, That it shall be lawful, from and after the twenty-sixth Day of *July*, one thousand seven hundred and eighty, to and for all and every Person and Persons whomsoever, who now hath or have, or hereafter shall have, any Debt or Debts not amounting to the Sum of forty Shillings, owing unto him, her, or them, in his, her, or their own Right, or as Executor, Administrator, Guardian, or Trustee, by or from any Person or Persons whomsoever, residing, inhabiting, or keeping any Shop, Shed, Stall, Stand, or seeking a Livelihood, or trading or dealing within the said Parishes, or Lordship or Liberty, or any of them respectively, to apply to the Clerk of the said Court for the Time being, or his Deputy; who shall cause such Debtor or Debtors to be warned or summoned by the Beadle or Officer of the said Court for the Time being, by Writing to be delivered three Days at the least before the Return of such Warning or Summons, exclusive of the Day of such Return, to the Debtor or Debtors, or left at his, her, or their respective Dwelling-house or Place of Abode, or Place of dealing or working, within the said Parishes, and Lordship or Liberty, to appear, either in Person or by their proper Agent or Agents, before the said Commissioners of the said Court, at some certain Time and Place to be mentioned in the said Summons or Notice; and which shall express the Names of both the Parties to answer and to be answered touching such Debt or Debts respectively; and upon the Return of such Summons or Notice, and at the Time and Place therein mentioned, and at all Times afterwards, as there shall be Occasion, in case such Debtor or Debtors appear either in Person, or by their Agent or Agents, as aforesaid, according to the said Summons or Notice, the said Commissioners, or any three or more of them, shall and may hear and determine concerning such Debt or Debts, and shall have full Power and Authority, by virtue of this Act, to make, or cause to be made, such Orders, and to give and pronounce such Judgments and Decrees, and to award Execution against Goods and Chattels, or Body or Bodies, touching and concerning the same, and the Costs of such Suit, as to them shall seem agreeable to Justice and Equity; which Acts, Orders, Judgments, Decrees, and Awards, shall be final, to all Intents and Purposes thereto, between the Parties: And in case such Debtor or Debtors shall not appear, either in Person, or by an Agent or Agents, as aforesaid, according to such Summons or Notice, to answer as aforesaid, then it shall be lawful for the said Commissioners, or any three or more of them, upon Proof being made upon Oath before them of the Service of the said Summons, or Notice being given as aforesaid, to proceed *ex parte*, to hear the Matter of Complaint touching such Debt or Debts, and in each and every Case to make and pronounce such final Order, Judgment, or Decree, or such other Order between the Parties, touching such Debt or Debts, and the Costs of such Suit, as to them shall seem agreeable to Equity and good Conscience; and all such Acts, Orders, Judgments, and Decrees, and all and every the Proceedings of the said Commissioners, shall be entered and registered in a Book or Books, to be provided and kept by the Clerk of the said Court for that Purpose, and shall be observed, performed, and kept in all Parts, as well by the Creditor or Plaintiff, as by the Debtor or Defendant: And in any Case where the said Commissioners, or any three or more of them, shall have made any Order or Decree, or pronounced any Judgment, for the Payment of Money, it shall be lawful for them, or any three or more of them, to award Execution against the Goods or Chattels, or in Defect thereof, or in case the same shall appear proper and expedient to such Commissioners, or any three or more of them, as herein-after limited, but not otherwise, against the Body of the Party against whom such Order or Decree shall be made, or Judgment pronounced; and thereupon it shall be lawful for the Clerk of the said Court, or his Deputy, to issue a Precept under his Hand and Seal, by way of a *Fieri Facias*, or *Capias ad Satisfaciendum*, as the Case may be, to the Beadle of the said Court, who, by virtue of any such *Fieri Facias*, shall and may, and is hereby impowered to levy by Distress and Sale of the Goods and Chattels of such Party, being within the Parishes, Lordship, or Liberty aforesaid, such Sum and Sums of Money, and Costs, as shall be so ordered and adjudged, rendering to the Owner the Overplus (if any) after the Charges of such Distress and Sale are deducted; and such Beadle, by virtue of any such *Capias ad Satisfaciendum*, shall and may, and is hereby impowered, by himself, or his Deputy or Deputies, or other Assistance, to take and apprehend such Party, being within the Parishes or Lordship or Liberty aforesaid, and every such Party or Parties so taken or apprehended, to confine and imprison

Debtors to be summoned to appear.

Commissioners may hear the Matter, and pronounce Judgment;

which shall be final.

Debtors not appearing, and Proof made of Service of Summons, the Commissioners may proceed ex parte.

Proceedings of Commissioners to be entered in Books.

Commissioners may award Execution.

impriſon in the public Priſon herein-after directed to be provided and appointed for that Purpoſe, for ſuch Time as ſuch Commiſſioners, or any three or more of them, in open Court, ſhall have adjudged and ordered, not exceeding ſixty Days; and if the Party againſt whoſe Goods and Chattels, or Body, any ſuch Execution ſhall be awarded, and Proceſs ſhall iſſue thereupon, ſhall, by ſecreting or removing his, her, or their Goods and Chattels, or by abſconding, or by any other Means, prevent or evade ſuch Execution, it ſhall be lawful for the ſaid Commiſſioners, or any three or more of them, upon Proof thereof made to them by the Oath or Oaths of one or more credible Witneſs or Witneſſes, from Time to Time, to renew ſuch Execution againſt the Goods or Body of ſuch Party, and Proceſs ſhall iſſue thereupon, and be executed by the Beadle of the ſaid Court, or his Deputy, as aforeſaid, until the Plaintiff or Plaintiffs ſhall be fully paid and ſatisfied: And in caſe the ſaid Court ſhall at any Time, upon the Requeſt, and for the Eaſe and Convenience, of the Defendant or Defendants, order and adjudge, or decree, a Debt due to the Plaintiff or Plaintiffs, to be paid by ſeveral Payments, then, upon the firſt Default or Failure in any of the ſaid Payments ſo ordered, decreed, and adjudged, the ſaid Commiſſioners, or any three or more of them, ſhall and may, at the Inſtance of the Plaintiff or Plaintiffs, and upon due Proof of the ſaid Default or Failure, and that Notice had been given to or left with the Party or Parties ſo making Default, when and where Application would be made for that Purpoſe, award Execution for the whole Debt, or ſuch Part thereof as ſhall remain unpaid, or make ſuch other Order or Decree in the Premiſes, as to them ſhall ſeem reaſonable; to be recovered by the ſame Means as are herein provided for the Recovery of Debts and Coſts: And upon every Precept to be iſſued upon Execution awarded againſt the Goods and Chattels, or Body, of any Perſon or Perſons, the Clerk of the ſaid Court ſhall indorſe, or cauſe to be indorſed, the Sum or Sums, and Coſts, in ſeparate Items or Charges, ſo that every Perſon may know how ſuch Coſts, ſo ordered, decreed, or adjudged, aroſe, and the Coſts of the ſaid Execution; and if the Party againſt whom any Execution ſhall be awarded, ſhall, before any real Sale of the Goods or Chattels, or before he, ſhe, or they are apprehended, or before the Expiration of the Term of his, her, or their Impriſonment, pay, or cauſe to be paid or tendered, unto the Clerk of the ſaid Court, ſuch Sum or Sums, and Coſts, together with one Shilling, as a Reward for his Trouble in receiving and paying over the ſaid Debt and Coſts, and entering Acknowledgment and Satisfaction in full for the ſame, then and in ſuch Caſe the Execution ſhall be ſuperſeded, and the Goods and Chattels, or Body, of the ſaid Party, ſhall be diſcharged and ſet at Liberty: And if upon the Day of Return of any Summons, or at any Continuance or Adjournment of the ſaid Court, the Plaintiff or Plaintiffs ſhall not appear, or appearing, ſhall not make due Proof of his, her, or their Demand, to the Satisfaction of the Court, but become nonſuited, it ſhall be lawful for the ſaid Commiſſioners, or any three or more of them, to award to the Defendant or Defendants Double Coſts, and to order and oblige the Plaintiff or Plaintiffs to pay the ſame by ſuch Ways and Means as are herein provided for the Recovery of Debts.

Debt may be diſcharged at ſeveral Payments.

In what Caſes Execution ſhall be ſuperſeded.

Perſons being nonſuited are to pay Double Coſts.

Diſcretionary Power veſted in the Commiſſioners with reſpect to Impriſonment and Execution.

'VII. And whereas it is but juſt and humane, and would tend to promote Integrity and Induſtry, if 'the diligent, honeſt, and unfortunate Defendant or Debtor was diſtinguiſhed and diſcriminated, as 'much as can be, in the Judgment or Decree of the Commiſſioners, from ſuch as, with an Intent to 'defraud their Creditors of their juſt Debts, and in order to prevent their recovering the ſame, ſhall ſell, 'ſecrete, or diſpoſe of their Goods and Chattels, or remove the ſame out of the Juriſdiction of the ſaid 'Court, or by an extravagant, diſſolute, idle, or negligent Courſe of Life, ſhall diſable themſelves from 'paying their juſt Debts, or from obſtinate or diſhoneſt Principles ſhall refuſe to pay ſuch Debts;' be it therefore further enacted, That in caſe it ſhall appear to any three or more of the ſaid Commiſſioners, being the Majority of ſuch Commiſſioners upon the Hearing of any Cauſe, or afterward, to their full Satisfaction in open Court, that the Debtor or Defendant therein is unable to pay and diſcharge the Debt thereby demanded, from ſome unavoidable Accident, and not from any of the aforeſaid Cauſes, then and in that Caſe ſuch Commiſſioners ſhall not award Execution againſt the Body of ſuch laſt-mentioned Defendant or Debtor; nor ſhall the Bed and Bedding, or Working Tools, of himſelf or Family, be taken or ſold by any *Fieri Facias*, or other Execution; any Thing herein-before contained to the contrary notwithſtanding.

A Priſon to be provided.

VIII. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners, or the major Part of them, who ſhall be aſſembled in Court at *Bradford*, upon the Second *Monday* in *Auguſt*, one thouſand ſeven hundred and eighty, or at ſome Meeting which ſhall be held for that Purpoſe, and of which Notice ſhall be given in every Court, ſhall, and they are hereby required to provide, by and from the Fees of the ſaid Court, by ſuch Means as ſhall appear to them moſt eligible, a wholeſome and convenient Priſon or Place of Confinement for ſuch Debtor or Debtors as ſhall be taken and committed in Execution.

The Gaoler made liable to the Debts of thoſe whom he ſuffers to eſcape.

IX. And be it enacted by the Authority aforeſaid, That if the Gaoler or Keeper of the ſaid Priſon ſhall, by wilful or notorious Neglect or Connivance, permit or ſuffer any Perſon or Perſons ſo committed to eſcape, it ſhall and may be lawful to and for the ſaid Commiſſioners, or any three or more of them, being the major Part of ſuch Commiſſioners at any Court, upon Complaint and Proof thereof made, upon the Oath or Oaths of one or more credible Witneſs or Witneſſes, to order ſuch Gaoler to pay the Sum or Sums of Money which the Perſon or Perſons ſo eſcaping had been adjudged to pay, to the Plaintiff or Plaintiffs at whoſe Inſtance and Requeſt ſuch Perſon or Perſons were committed, and ſuch Gaoler or Keeper is hereby made liable thereto; and on Demand made thereof, and upon his Refuſal ſo to do, the ſame ſhall and may be recovered againſt him by ſuch Ways and Means as are herein provided for the Recovery of Debts ordered and decreed to be paid by the ſaid Court.

Impowering the Commiſſioners to order a Maintenance for Priſoners.

'X. And whereas there is no Proviſion for the Maintenance and Support of Priſoners who ſhall be 'confined in the aforeſaid Gaol, and who ſhall happen to be, from Sickneſs, or any other Cauſe, unable 'to maintain themſelves;' be it therefore further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners, or any three or more of them, being the major Part of ſuch Commiſſioners at any Court,

Court, upon Application being made to them for that Purpose, to order the Clerk of the said Court to allow and pay to every such Prisoner, from and out of the Fees of the said Court, such Sum of Money not exceeding four Pence *per* Day, or otherwise, as shall appear to them necessary for the Relief of every such Prisoner.

Debtors not compellable to appear at any Court but that held in their respective Districts.

XI. Provided always, and be it further enacted, That no Debtor or Debtors whosoever, shall be summoned or have Notice or Warning to appear, or shall be compelled to appear, to answer any Debt or Debts at any of the aforesaid Courts, save such as shall be held within and for such of the aforesaid Districts wherein such Debtor or Debtors shall have his, her, or their respective Dwelling-house or Place of Abode, or Place of Dealing or Working.

Parties may compromise Matters without Application to the Court.

XII. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Parties in any Suit which shall be brought in the said Court, to compromise and settle such Suit, either before Hearing, or after Judgment, without having the Leave of or being obliged to apply to the said Court, or any Person or Persons whomsoever, for that Purpose, and without any further or other Costs than those which shall have been then incurred.

Mr. Willson appointed Clerk, with a Salary.

XIII. And be it further enacted by the Authority aforesaid, That *Isaac Willson*, of *Bradford* aforesaid, Gentleman, shall be, and is hereby constituted and appointed, Clerk of the said Court of Requests, during his good Behaviour; and shall have yearly paid unto him, for the Service of himself and Deputies, and also to find and provide the Books and Registers of the said Court, the Sum of two hundred and twenty Pounds, and no more, by the Treasurer herein-after mentioned, from and out of the Fees of the same Court.

Clerk to give Security.

XIV. And be it further enacted, That the said *Isaac Willson* shall give Security, by Bond or otherwise, to the good Liking and Approbation of the Commissioners, or the major Part of them, who shall be assembled at the Court to be holden at *Bradford* upon the second *Monday* in *August*, one thousand seven hundred and eighty, to three or more of such Commissioners, in any Sum not more than five hundred Pounds, nor less than three hundred Pounds; and every other Clerk who shall at any Time hereafter be elected, shall, immediately upon his Election, to the good Liking of the major Part of the Commissioners who shall be then present, give sufficient Security, by Bond or otherwise, to any three or more of such last-mentioned Commissioners, in any Sum not more than five hundred Pounds, nor less than the said Sum of three hundred Pounds, for the Delivery of all Books, Papers, and Writings, belonging to or in anywise respecting the said Court of Requests, and for the accounting (which Account shall be upon Oath, if required by the Treasurer herein-after mentioned) and due Payment by such Clerk of all Monies which shall come to his Hands, either for the Use of the Suitors of the said Court, or as Fees due for the Services of himself and Beadle, or either of them (and all which Fees every such Clerk shall and is hereby impowered to receive), to the said Treasurer, annually, or oftener, if thereunto required by such Treasurer; and every such Clerk shall, from Time to Time, pay all the said Monies (except the Sum of fifty Pounds, which shall always be left in the Hands of every Clerk to answer the Claims of the Suitors) unto the said Treasurer, whensoever he shall be required so to do by such Treasurer; and the Receipt and Receipts in full of such Treasurer, shall release and discharge the Clerk to whom the same shall be given, and his Sureties, of and from such Bond or Obligation as he and they shall have entered into, and of and from all Claims and Demands by the Suitors, or any other Persons whomsoever, for or on account of the Monies so received as aforesaid.

Commissioners to ascertain the Fees to be paid.

XV. And be it further enacted by the Authority aforesaid, That until the Expences of procuring and passing this present Act are discharged, the several Fees herein-after mentioned and expressed, and no other, shall and may be taken for the respective Services of the said Clerk and Beadle; and that after such Expences are discharged, it shall and may be lawful to and for the Commissioners, or the major Part of them who shall be sitting and acting in Court at *Bradford* aforesaid, upon every second *Monday* in *September* in every Year thenafter, for ever, and they are hereby impowered to fix, adjust, and appoint what Fees shall be taken for the Services of the said Clerk and Beadle, in the Execution of this Act, for the Year then next following such last-mentioned respective Court Days, and which shall be settled, as near as can be, to answer and pay the several Salaries of every Officer of the said Court, and the several Purposes of this Act, and shall in no Case exceed the several Sums herein-after expressed; (that is to say):

Table of Fees.

| | s. | d. |
|---|---|---|
| For every Summons or Subpœna, to the Clerk, | 0 | 4 |
| For calling the Plaintiff or Defendant to appear, { To the Clerk, | 0 | 2 |
| { To the Beadle, | 0 | 2 |
| For entering an Appearance, to the Clerk, | 0 | 4 |
| For every Hearing, { To the Clerk, | 0 | 6 |
| { To the Beadle, | 0 | 2 |
| For every Order or Nonsuit, and entering the same, to the Clerk, | 0 | 4 |
| For the Service of every Order, Summons, or Subpœna, upon a Person not in Court, to the Beadle, | 0 | 6 |
| And upon a Person in Court, | 0 | 2 |
| For a Copy of every Order to be served, to the Clerk, | 0 | 4 |
| For every Execution, { To the Clerk, | 1 | 0 |
| { To the Beadle, | 1 | 6 |
| Acknowledging Satisfaction in full, to the Clerk, | 0 | 6 |
| For every Search in the Books, to the Clerk, | 0 | 2 |
| Acknowledging Satisfaction in Part, to the Clerk, | 0 | 2 |
| For paying Money into Court, to the Clerk, | 0 | 8 |

A printed Table of which appointed Fees, shall from Time to Time be hung up, by the Clerk of the said Court, in some conspicuous Part of every Court or Place where the said Commissioners shall meet, to the End that all Persons may see, read, and know the same.

Costs to be awarded not to exceed 6s. 10d.

XVI. And be it further enacted, That no Costs to be given, awarded, or allowed, by the said Commissioners, in any Case whatsoever, shall exceed the Sum of six Shillings and ten Pence; nor shall there be awarded or allowed any other or greater Fees where the Cause is against several Defendants, than if such Cause had been against one Defendant only (Fees for Copies and Service of any Process, Rule, or Order, only excepted).

Penalty on taking any larger Fees,

XVII. And be it further enacted, That if any Clerk, or any Officer of the said Court, shall take or demand any greater Fees or Reward than what shall be directed and appointed by the said Commissioners as aforesaid, for their respective Services in the Execution of this Act, every Person so offending shall, for every such Offence, forfeit and pay such Fine, not exceeding the Sum of forty Shillings, nor less than twenty Shillings, as the said Commissioners, or any three or more of them, shall assess and impose, one Moiety whereof to be paid over to the Person or Persons from whom such greater Fees or Reward shall have been taken, and the other Moiety thereof to the Churchwardens or Overseers of the Poor, for the Support and Maintenance of the Poor of the Township where such Person or Persons paying such greater Fees or Reward shall reside; and upon Failure of Payment of the Fine or Fines which shall be so assessed and imposed, the said Commissioners, or any three or more of them, are hereby required and impowered to commit the Offender or Offenders to the House of Correction within the said West Riding, there to remain for any Time not exceeding forty Days, unless he or they shall sooner pay the said Fine or Fines so imposed as aforesaid, in which Case he or they are forthwith to be discharged out of Custody; and if upon Complaint made by any Person or Persons, upon Oath in open Court, of any Misbehaviour or Neglect of Duty of any Clerk or other Officer to be appointed by virtue of this Act, the said Commissioners then sitting in Court shall enquire into the Nature of the said Complaint; and if it shall appear to be well founded, then such Commissioners, or the major Part of them so sitting in Court as aforesaid, are hereby directed and required to give Notice, by Advertisement in the Newspapers printed at *Leeds*, and by Notice immediately after Divine Service in all the Parish Churches within the Jurisdiction of the said Court of Requests, that a Meeting will be held at some convenient Place in *Bradford* aforesaid, upon a certain Day therein to be mentioned, and which shall not be less than eight Days, nor more than fourteen Days, after such Notice shall be given, to examine into the Merits of such Complaint; and if it shall appear to such Commissioners as shall then meet, or the major Part of them then present, that such Clerk or other Officer hath been guilty of any Neglect of Duty, or Misbehaviour, in his or their Office, that then it shall be lawful for the said Commissioners, or the major Part of them then present as aforesaid, to suspend or remove such Clerk or other Officer from his said Office.

Complaint being made of Neglect of Duty in the Clerk, &c. a Meeting is to be called;

and if the Clerk, &c. is found guilty, he may be suspended or removed.

The Clerk's Duty.

XVIII. And be it further enacted, That the Clerk of the said Court of Requests appointed by this Act, and also all other Clerks of the said Court of Requests thenafter to be appointed, shall, and is and are hereby impowered and required to issue out and register all Summonses, Warrants, Precepts, Acts, Orders, Judgments, Decrees, Executions, and Proceedings of the said Court, and shall provide and keep proper Books, wherein shall be entered and registered all Acts, Orders, Judgments, Decrees, and Proceedings of the said Court; and the Clerk of the said Court for the Time being is hereby impowered from Time to Time, as he shall think proper, to appoint a Deputy or Deputies to act for him in the Execution of this Act.

Power to appoint a Deputy.

On Death or Resignation of Clerk,

XIX. And be it further enacted, That it shall be lawful for the Commissioners of the said Court, or the major Part of them, who shall be sitting and acting in Court on the next Court-day after the Death, Removal, or Resignation, of any Clerk appointed, or to be appointed by virtue of this Act, or so soon as the same is publicly known, to give Notice thereof, by Advertisement in one or more of the said Newspapers; and shall thereby appoint a certain Time, which shall not be less than eight Days, nor more than fourteen Days, after such Advertisement being inserted, for the Commissioners to meet at some convenient Place in *Bradford* aforesaid; and such Commissioners at such Meeting, or the major Part of them then present, are authorised and required to elect another Person in the Room of the said Clerk so dying or resigning, or being removed as aforesaid, for the Uses and Purposes in this Act contained.

another to be elected.

Commissioners to appoint a Beadle and Gaoler, with Salaries,

XX. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, and they are hereby required, upon the said twenty-sixth Day of *July*, one thousand seven hundred and eighty, between the Hours of Ten and Twelve in the Morning of that Day, to meet at the *King's Arms* in *Bradford* aforesaid; and which Commissioners at such Meeting, or the major Part of them then present, are hereby authorised and required to nominate, contract, and agree with proper Persons, upon such Terms and Conditions as they shall think reasonable and most proper to answer and fulfil the several Ends and Purposes of this Act, to serve the several Offices of Beadle and Gaoler of the said Court of Requests, during such Time as they shall respectively behave well, so as that such Beadle shall not have more than fifty Pounds a Year, nor the Gaoler more than twenty Pounds a Year, for their respective Services.

Clerk may appoint a temporary Beadle or Gaoler in case of Death or Resignation, &c.

XXI. And be it further enacted by the Authority aforesaid, That upon the Death or Resignation of the Beadle or Gaoler, or either of them, the then Clerk of the said Court shall, and is hereby impowered and required to nominate and appoint another Person in the Room of such Beadle or Gaoler so dying or resigning, with a Salary or Reward in Proportion to that of such Beadle or Gaoler so dying or resigning, until another shall be elected by the said Commissioners, or the major Part of them, who shall be assembled at the first Court which shall be held at *Bradford* aforesaid; and in case of the Removal of any such Beadle or Gaoler, the Commissioners, or the major Part of them then present, shall elect and appoint a proper Person in the Room of such Beadle or Gaoler so removed, for the Uses and Purposes in this Act contained, and so from Time to Time upon every such Vacancy of the said Office of Beadle or Gaoler, for ever.

XXII. And

XXII. And be it further enacted, That in case the said Beadle, or his Deputy or Deputies, who shall be employed to serve or levy any Execution, or to take, arrest, and convey to Prison, any such Person or Persons as aforesaid, shall, by wilful or notorious Neglect, Connivance, or Omission, suffer such Person or Persons to escape, or lose the Opportunity of levying such Execution, then, upon Complaint of the Plaintiff in such Execution to the Commissioners, at their next Court to be holden in the District where such Execution ought to have been levied, they shall order the Beadle of the said Court to pay such Sum or Sums of Money for which the said Execution was awarded, and he is hereby made liable and subject thereto; and on Demand made thereof, and on his Refusal so to do, the same shall and may be recovered against him by such Ways and Means as are herein-before provided for the Recovery of Debts. Penalty on the Beadle for suffering Persons to escape.

XXIII. And be it further enacted, That the Beadle, if Need be, shall and may appoint a Deputy or Deputies, and he and they is and are hereby impowered and required to serve and execute, or cause to be served and executed, all such Summonses, Orders, Attachments, Warrants, Subpœnas, Executions, and Precepts, and to do and perform all such Acts, Matters, and Things, as are herein directed and appointed to be done by them. Beadle's Duty.

XXIV. And be it further enacted, That no Clerk hereafter to be elected or appointed shall have more than one hundred and sixty Pounds *per Annum* for his Services, nor any Beadle more than fifty Pounds *per Annum* for his Services, nor any Gaoler more than twenty Pounds *per Annum* for his Services. Salaries of future Officers.

XXV. And be it further enacted, That such Commissioners, not being less in Number than twenty, shall have Power and Authority, by virtue of this Act, from Time to Time, and so often as they shall see Occasion, at any Court or Courts, to make such Rules or Orders for the better regulating the Practice of the said Court, as to them shall seem necessary and conducive to the Purposes of this Act, so as they be conformable to Law, and do not tend to the Exercise of any Jurisdiction inconsistent with the true Intent and Meaning of this Act; according to which Rules and Orders so from Time to Time to be made, the said Commissioners, or any three or more of them, shall have full Power and Authority, by virtue of this Act, to proceed upon, and to hear and determine all Matters of Debt, not amounting to the said Sum of forty Shillings, which shall be brought before them by virtue of this Act, and to make and pronounce such Judgments and Decrees concerning the same as to them shall seem agreeable to Equity and good Conscience; and that it shall be lawful for the said Commissioners, or any three or more of them in Court assembled, and they are hereby impowered to administer an Oath to the Plaintiff or Plaintiffs, Defendant or Defendants, and to such Witness or Witnesses as shall be produced by each Party, and also to all or any of the Officers of the said Court, and to any Person or Persons whomsoever, whose Evidence shall, to the said Commissioners, or any three or more of them, appear necessary for the better Discovery of the Truth, and more solemn Determination of Matters and Causes which shall be depending in the said Court. Commissioners may make Rules and Orders for regulating the Practice of the Court; and may administer Oaths to Parties and Witnesses.

XXVI. And be it further enacted, That no Action or Suit for any Debt, brought or commenced in the said Court of Requests, nor any Order, Decree, or other Proceedings of the said Commissioners in the said Court, shall be removeable out of the same by *Certiorari*, or any other Writ or Proceeding whatsoever, into any of his Majesty's Courts at *Westminster*, or into any other Court whatsoever, against any Person or Persons residing or inhabiting within the Limits of the said several and respective Parishes, or Lordship or Liberty; and that if any such Action or Suit shall be so removed and prosecuted, the Defendant therein shall and may plead the General Issue; and in case the Debt sued for, or to be recovered in such Action or Suit, doth not amount to the Sum of forty Shillings, and the Defendant shall prove, by sufficient Testimony, that such Action was removed out of, or was first brought in the said Court of Requests, then and in every such Case the Plaintiff in every such Action or Suit shall not recover, but Judgment shall be given for the Defendant or Defendants; and the Judge or Judges before whom the said Cause shall be tried, shall award, that the said Plaintiff or Plaintiffs in such Action or Suit shall pay to the Defendant or Defendants Treble Costs. Actions or Suits not to be removeable. General Issue. Treble Costs.

'XXVII. And, for the more effectually establishing the said Court of Requests, and the better enforcing the Orders and Decrees which shall be made by the said Commissioners, and that they may be vested with proper Power and Authority, and be free and exempt from any Insults or Abuses;' be it further enacted, That if any Person or Persons shall affront, insult, or abuse, all or any or either of the Commissioners or Officers of the said Court, during their sitting in the said Court, or shall interrupt the Proceedings of the said Court, or in anywise hinder, abuse, molest, or oppose any Officer in the Execution of his Office, it shall be lawful for the Beadle of the said Court, or his Deputy for the Time being, by Order of the said Commissioners, or any three or more of them then sitting, to take such Person or Persons so offending before one or more of his Majesty's Justices of the Peace for the said West Riding of the County of *York*; and upon the Fact alleged being proved by the Oath or Oaths of one or more credible Witness or Witnesses, the said Justice or Justices shall impose and set, upon such Person or Persons so offending as aforesaid, such Fine or Fines as to such Justice or Justices shall seem meet and reasonable; provided the Fine on any one Person doth not exceed the Sum of forty Shillings, nor be less than five Shillings; and upon Failure of immediate Payment of the Fine or Fines which shall be so set, the said Justice or Justices is and are hereby impowered and required to commit the Offender or Offenders to the House of Correction within the said West Riding, there to remain for any Time not exceeding three Calendar Months, unless he, she, or they, shall sooner pay the said Fine or Fines so imposed as aforesaid; in which Case he, she, or they, on Payment of such Fine or Fines, are forthwith to be discharged out of Custody, and the Fine or Fines immediately paid over to the Churchwardens and Overseers of the Poor of the Parish wherein such Offence was committed, towards the Support and Maintenance of the Poor of the said Parish. Penalty on Persons interrupting or insulting the Commissioners or Officers in Execution of their Duty.

XXVIII. And

A Copy of the above Clauſe to be ſtuck up in the Courts.

XXVIII. And be it further enacted, That the Clerk of the ſaid Court for the Time being ſhall, from Time to Time, affix, or cauſe to be affixed or ſtuck up, in the moſt public Place or Places where ſuch Court or Courts ſhall be held, and the ſaid Commiſſioners ſhall ſit to do Buſineſs, as aforeſaid, a true printed Copy of the laſt preceding Clauſe of this Act, to the End that no Perſon or Perſons ſhall or may plead Ignorance in the Premiſes.

Perſons committing wilful Perjury to be liable to the uſual Pains and Penalties.

XXIX. And be it further enacted, That in caſe any Perſon or Perſons making Oath (or Affirmation, being of the People called *Quakers*), or giving Evidence, in any Cauſe or Matter depending in the ſaid Court of Requeſts, ſhall commit any wilful or corrupt Perjury, and ſhall thereof be convicted according to Law, ſuch Perſon or Perſons ſhall incur or ſuffer the like Pains and Penalties as any other Perſon or Perſons convicted of wilful and corrupt Perjury is or are liable or ſhall be ſubject to by the Laws and Statutes of this Realm.

Penalty on Witneſſes not appearing on Summons or Subpœna.

XXX. And be it further enacted, That in caſe any Perſon inhabiting or reſiding within the aforeſaid Pariſhes, or Lordſhip or Liberty, or any or either of them, who ſhall be ſerved with a Subpœna or Summons, to be iſſued by the Clerk of the ſaid Court for the Time being (and which he is hereby impowered and authoriſed to iſſue and make out), to appear in the Court of Requeſts, at a Time and Place in ſuch Subpœna or Summons mentioned, to give Evidence on Behalf of any Plaintiff or Defendant, Creditor or Debtor, ſhall neglect or refuſe to appear purſuant to ſuch Subpœna or Summons, and Oath being made, by the Party at whoſe Inſtance the Subpœna or Summons iſſued, that the Party ſubpœnaed or ſummoned was a material Witneſs in the Cauſe, and due Proof being made of the Service of ſuch Subpœna or Summons, and that ſuch Perſon had tendered to him one Shilling, together with one Penny *per* Mile, for every Mile ſuch Perſon was neceſſarily obliged to travel in going and returning, in Obedience to ſuch Subpœna or Summons, and no Cauſe of Abſence being ſhewn to the Satisfaction of the Commiſſioners preſent at the Court at which ſuch Perſon ſhall be by ſuch Subpœna or Summons required to appear, it ſhall be lawful for the ſaid Commiſſioners, or any three or more of them, aſſembled in ſuch Court, to impoſe a Fine, not exceeding forty Shillings, nor leſs than five Shillings, to be levied, if not immediately paid on Demand, by Diſtreſs and Sale of the Offender's Goods and Chattels, by Warrant under the Hands and Seals of the ſaid Commiſſioners, or any three or more of them, rendering the Overplus (if any) to ſuch Offender, the Charges of ſuch Diſtreſs and Sale being thereout firſt deducted; which Fine, when paid or levied, ſhall be paid over to the Party or Parties at whoſe Inſtance or on whoſe Behalf ſuch Subpœna or Summons iſſued; and in caſe no Goods or Chattels of ſuch Offender or Offenders, ſufficient to anſwer ſuch Fine and ſuch Diſtreſs and Sale, can be found, then the ſaid Commiſſioners, or any three or more of them, ſhall commit ſuch Offender or Offenders to the ſaid Houſe of Correction within the ſaid Weſt Riding, for any Space of Time not exceeding twenty Days, unleſs ſuch Fines, together with the Coſts and Charges attending ſuch Commitment, ſhall be ſooner paid and ſatisfied.

No Privilege to be allowed to exempt any Perſon from Juriſdiction of the Court; nor Attorney admitted to appear as ſuch.

XXXI. And be it further enacted by the Authority aforeſaid, That no Privilege ſhall be allowed to exempt any Perſon from the Juriſdiction of the ſame Court of Requeſts, on account of his being an Attorney or Solicitor of any of the Courts at *Weſtminſter*, or of any other Court; nor ſhall any ſuch Attorney or Solicitor be admitted to appear in the ſaid Court of Requeſts as Attorney or Advocate on Behalf of any Plaintiff or Defendant, under the Penalty of five Pounds, to be recovered in ſuch Manner as herein-before mentioned, with reſpect to Perſons abuſing or inſulting the Commiſſioners or Officers of the ſaid Court, during their ſitting in Court.

Act not to extend to Debts for Rent, &c.

XXXII. And be it further enacted by the Authority aforeſaid, That this Act, or any Thing herein contained, ſhall not extend to any Debt for any Rent upon any Leaſe of Lands or Tenements, or any other real Contract, nor to any Debt contracted by an Infant or Apprentice, nor to any Debt that ſhall ariſe by reaſon of any Cauſe concerning Teſtament or Matrimony, or any Thing concerning or properly belonging to the Eccleſiaſtical Court; nor to any Debt for any Money won at, or by Means of, any Horſe-race, Cock-match, Wager, or any Kind of Gaming or Play; nor for any Forfeiture upon any penal Statute, nor to any Debt, Contract, Acknowledgment, Undertaking, or Promiſe, made to or with any Perſon keeping an Ale-houſe, Tipling-houſe, or Dram-ſhop, to pay for Ale, Beer, or Spirituous Liquors, or any Security given touching or on account thereof; nor to any Debt whereof there hath not been a Contract, Acknowledgment, Undertaking, or Promiſe to pay, within ſix Years before the taking out the Summons for the ſame, although the ſame ſhall not amount to forty Shillings; any Thing herein-before contained to the contrary notwithſtanding.

Expences of this Act how to be paid.

XXXIII. And be it enacted by the Authority aforeſaid, That for the diſcharging, paying, and ſatisfying the Charges and Expences of procuring and paſſing this preſent Act, and in order that the ſame may be diſcharged as ſoon as poſſible, from and out of the Overplus Money ariſing from the Fees, after the Payment of the Salaries to the Clerk and other Officers of the ſaid Court, and all Expences on account of the Priſon and Priſoners therein confined, or any other neceſſary Expences in the Execution of this Act, it ſhall and may be lawful for the ſaid Commiſſioners, not leſs in Number than five, or the major Part of them who ſhall be aſſembled upon the ſaid fourth *Wedneſday* in *July*, or at any of the aforeſaid Courts, and they are hereby required, on or before the twenty-ninth Day of *September*, one thouſand ſeven hundred and eighty, or as ſoon after as can be, to borrow and raiſe ſuch Sum and Sums of Money as ſhall be neceſſary for the Purpoſes aforeſaid, at Intereſt, or by the Grant of one or more Annuity or Annuities, for the Life or Lives of any Perſon or Perſons, to be charged and chargeable upon the aforeſaid Fees; which ſaid Annuity or Annuities (if any ſuch ſhall be granted) ſhall not exceed the Rate of twelve Pounds *per Annum* upon any one Life, for every one hundred Pounds ſo borrowed or raiſed, and ſo in Proportion for any greater or leſs Sum; and they the ſaid Commiſſioners, who ſhall be ſo aſſembled, ſhall and may, by an Order or Orders, ſigned by any five or more of them (without any Stamp), charge the aforeſaid Fees with the Payment of ſuch Annuity or Annuities accordingly; and from and immediately after the advancing of the Monies for the Purchaſe or granting of ſuch Life Annuity or Annuities as aforeſaid, into the Hands of the Treaſurer to be appointed by virtue of this Act, and the Delivery of ſuch Order or Orders for the

Annuities may be granted for Money borrowed.

Payment of such Annuity or Annuities as aforesaid, such Annuity or Annuities shall stand and be charged and chargeable upon, and shall be paid and payable out of, the said Monies to arise from the said Fees, in such Manner and Form as by such Order or Orders for Payment thereof shall be expressed or directed; and the same shall be free from all Taxes and Deductions whatsoever.

Annuities may be assigned.

XXXIV. And be it further enacted, That all and every the said Annuity or Annuities may be from Time to Time assigned by the Person or Persons entitled to the same, or his, her, or their Executors, Administrators, or Assigns, by Indorsement upon the Back of the said Order or Orders, to any Person or Persons whomsoever.

Choice and Duty of the Treasurer to the Court;

XXXV. And be it further enacted by the Authority aforesaid, That the said Commissioners who shall be assembled upon the second *Monday* in *September*, in *Bradford* aforesaid, or the major Part of them who shall be so assembled, shall and may, and are hereby required to elect and chuse a proper Person to be Treasurer, until another shall be chosen in his Room (and which, in case of his Death, Resignation, or Removal, shall be by the said Commissioners, or the major Part of them, who shall be acting in the Court next after such Death, Resignation, or Removal), who shall audit and settle the Accounts of the said Clerk for the Time being, and receive the Balance of all such Monies as the said Clerk, or any other Officer, shall have received by virtue of this Act, upon any Account whatsoever, and shall give Receipts and Discharges for the same, and also shall receive all Monies which shall, at any Time after the passing of this Act, be borrowed or paid for or on Account of the Purchase of any Annuity or Annuities, and other the Purposes of this Act; and out of the Monies which shall come to his Hands, shall pay the Salaries of all Officers, and the Expences of procuring and passing this Act, or in anywise relating to the Execution thereof; and every such Treasurer, immediately upon his Election, shall give sufficient Security to three or more of the said Commissioners, in any Sum not less than five hundred Pounds, that he will faithfully audit and settle the Accounts of the said Clerk, and that he will account, upon every second *Monday* in *September*, with the Commissioners who shall be then assembled at the Court in *Bradford* aforesaid, or oftener if thereunto required by a Majority of the Commissioners at any Meeting to be held for that Purpose (of which Notice shall be given in every Court at the least four Days before such Meeting shall be held), for all Monies by him received and paid, as such Treasurer as aforesaid, on twenty Days previous Notice being given, or left at his House or usual Place of Abode, for that Purpose; and he, or his Executors or Administrators, will well and truly pay all such Monies as shall appear to be remaining in his Hands, on auditing or settling such Accounts, and that he or they will deliver over all Books, Papers, and Writings, in his or their Possession, Custody, or Power, belonging to or respecting the said Court of Requests, or to the said Office of Treasurer, to any succeeding Treasurer, or other Person, as the Commissioners at such Annual Meeting, or other Meeting, or the major Part of them, shall direct and require.

who is to give Security.

Commissioners may send for and inspect Books, &c.

XXXVI. And be it further enacted, That for the better investigating and settling the Accounts of the said Treasurer, and also for the examining and inspecting the Books and Accounts belonging to the said Court, or of the Clerk or Treasurer, it shall and may be lawful to and for the said Commissioners, who shall be assembled at any such aforesaid Meeting for the Purpose of examining any Accounts, to send for, peruse, and inspect, all such Books and Accounts, when and as they shall think proper and expedient.

Limitation of Actions.

XXXVII. And be it further enacted, That if any Action or Suit shall be brought or commenced against any Person or Persons, for any Matter or Thing done or to be done in pursuance of this Act, such Action or Suit shall be brought or commenced within six Calendar Months next after the Fact committed, and not afterwards; and shall be laid in the said County of *York*, and not elsewhere; and the Defendant or Defendants in such Action or Suit shall and may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, provided the Defendant shall give Notice of this Act, and specify the Year when it was enacted, along with the General Issue, and that he intends to give this Act and the special Matter in Evidence on the Trial of that Issue; and if the Plaintiff or Plaintiffs shall become nonsuited, or discontinue such Action or Suit, or if, upon Verdict or Demurrer, Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover Treble Costs, and have such Remedy for the same as any Defendant or Defendants hath or have in any other Case by Law.

General Issue.

Treble Costs.

Former Act repealed.

XXXVIII. And be it further enacted by the Authority aforesaid, That, from and after the twenty-sixth Day of *July*, one thousand seven hundred and eighty, so much of the aforesaid Act as relates to the more easy and speedy Recovery of Small Debts, within the said Parishes, and Lordship or Liberty, and the several Matters and Things therein contained, concerning the said Court of Requests, shall be, and is and are hereby repealed.

Orders and Decrees, made by virtue of former Act, to be valid.

XXXIX. Provided always, and be it enacted by the Authority aforesaid, That nothing in this Act contained shall extend, or be construed to extend, to affect any Order or Decree made by virtue of the aforesaid Act, for the Payment of Money, but that such Order or Decree shall stand, continue, and be in full Force, and be carried into Execution by the Commissioners who shall sit and act under this present Act, as if such Order or Decree had been made and pronounced by them; nor shall the same extend to take away or annul any of the Rights, Privileges, Franchises, Liberties, Powers, or Jurisdictions of the Courts Baron of the Honour of *Pontefract*, Manor of *Wakefield*, and Manor of *Bingley*, in the County of *York*, or of any other Court Baron whatsoever, but that the same shall be and remain, and continue, in as full and ample Power, Jurisdiction, and Authority, for Recovery of any Debt or Damages, as if this Act had never been made.

Extending the Jurisdiction of the Court baron of Nighley to Debts under 5l.

' XL. And whereas the Right Honourable *Richard Cavendish* commonly called *Lord Richard Cavendish*, ' and the Right Honourable *George Henry Cavendish* commonly called *Lord George Henry Cavendish*, are ' seised, for their Lives, with Remainders to other Persons, of and in the Manor of *Kighley*, in the ' County of *York*: And whereas, within the Court Baron of the said Manor, Plea hath been immemorially held every three Weeks, or so often as was requisite, in all Personal Actions arising within the ' Jurisdiction of the said Court Baron, where the Debt or Damages hath been under forty Shillings: And

' whereas

'whereas very extensive Trades and Manufactures are carried on by Persons residing or dealing within the 'Parishes of *Halifax*, *Bradford*, *Kighley*, *Bingley*, *Guiseley*, *Calverley*, *Batley*, *Birstal*, *Mirfield*, *Hartisshead* 'cum *Clifton*, *Almondbury*, *Kirkheaton*, *Kirkburton*, and *Huddersfield*, and the Lordship or Liberty of *Tong*, 'in the West Riding of the County of *York*, many of whom frequently contract Debts of forty Shillings 'and upwards, to the Amount of five Pounds, making in the Whole a large Sum of Money yearly: 'And whereas the said Parish of *Kighley* is situate within the said Manor: And whereas, notwithstanding 'Justice hath been from Time to Time administered in the said Court Baron in the most impartial Manner, 'yet the Method of compelling Debtors to appear to Actions commenced in the said Court Baron, and 'of bringing such Actions to Issue and Trial, and the Method of compelling Persons to attend as Jury-'men on such Trials, are very dilatory, and often ineffectual for those respective Purposes, and by Reason 'thereof, and of the Expence attending the Prosecution of Causes to Judgment in the said Court Baron, 'many honest Creditors are often discouraged from attempting to recover just Debts, and thereby many 'evil disposed Persons, who have contracted small Debts within the said Manor, often refuse Payment 'thereof, and set their Creditors at Defiance: And whereas the regulating the Practice and Proceedings 'of the said Court Baron, and extending the Jurisdiction thereof to hold Pleas for Debts and Damages, 'within the Jurisdiction of the said Court Baron, not exceeding five Pounds, would much contribute to 'promote Industry, support and encourage useful Credit, and be a great Advantage to the Inhabitants, 'and others, living or trading within the Jurisdiction of the said Court Baron:' Be it therefore enacted, That, from and after the passing of this Act, it shall and may be lawful to and for the said Court Baron of the Manor of *Kighley*, within the Jurisdiction thereof, and the Steward and Deputy Stewards thereof, to proceed and hold Plea, not only in any Plaint, Suit, or Action, for any Debt or Damages not exceeding forty Shillings, but also in any Plaint, Suit, or Action, for any Debt or Damages not exceeding the Sum of five Pounds, which hath accrued, or shall hereafter arise or accrue, within the Jurisdiction of the said Court, and to proceed to Judgment, Trial, Verdict, final Judgment, and Execution, in every such Plaint, Suit, or Action, in the same or the like Manner as they have heretofore done in any Plaint, Suit, or Action, for any Debt or Damages not exceeding the Sum of forty Shillings, with full Power of awarding Costs to either Party, and proceeding for the Recovery thereof as well as for the said Damages, and of exercising all such other Liberties and Privileges whatsoever, as they have heretofore done in any Plaint, Suit, or Action, for Debt or Damages in the said Court, notwithstanding any Thing herein contained to the contrary.

If Defendant, in any Summons, does not enter Appearance, Plaintiff may do it, and proceed thereon.

XLI. And be it further enacted, That if the Defendant or Defendants in any Summons, or Precept in Nature thereof, issued from the said Court Baron, or by the Steward or Deputy Steward thereof, shall not (having been served therewith as hereinafter mentioned) appear at the Return thereof, or within one Hour after calling or opening the Court held next after issuing such Summons or Precept, then and in such Case it shall be lawful for the Plaintiff or Plaintiffs therein (Proof being made on Oath in open Court, that such Summons or Precept hath been duly executed, by Delivery of a Copy thereof to the Defendant or Defendants, or leaving the same at his, her, or their Dwelling-house or Houses, five Days at the least before the Return thereof) to enter a common Appearance for such Defendant or Defendants, and to proceed thereon as if such Defendant or Defendants had entered his, her, or their Appearance in pursuance of such Summons or Precept, notwithstanding any Law, Usage, or Practice to the contrary.

Penalty on Jurymen for Non-appearance.

XLII. And be it further enacted, That, from and after the passing of this Act, every Person duly impannelled and summoned to serve upon any Jury in the said Court Baron, who shall not appear and serve on such Jury (after being three Times called, and Proof being made on Oath that the Person so making Default hath been duly summoned), shall forfeit and pay, for every such Default, such Fine, not exceeding the Sum of five Pounds, as the Steward, or other Officer holding the said Court, shall from Time to Time think reasonable to impose or set, unless just Cause for such Defaulter's Absence shall be made appear to the Satisfaction of such Steward, or other Officer of the said Court; which said Fine or Fines, if not paid on Demand thereof, shall, together with the Costs of levying thereof, be recovered by Distress and Sale of such Defaulter's Goods and Chattels, by Warrant under the Hand and Seal of the Steward or Deputy Steward of the said Court Baron, and shall be applied as other Fines of the said Court have been heretofore payable or applicable.

No Plaints, &c. shall be removed from the Court;

XLIII. And be it further enacted, That, from and after the passing of this Act, no Plaint, Suit, or Action, to be entered or commenced in the said Court Baron for any Debt or Damages under five Pounds, arising within the said Manor, or any Judgment or other Proceedings to be had thereupon, shall be removed or removeable by any Writ of *Recordari facias Loquelam*, *Certiorari*, false Judgment, or otherwise howsoever; but such Judgments in the said Court Baron shall be final and conclusive to all Intents and Purposes whatsoever.

(except Plaints in Replevin.)

XLIV. Provided nevertheless, that all Plaints in Replevin shall be had and proceeded in, and removeable, in the same Manner as if this Act had not been made.

Public Act.

XLV. And be it further enacted, That this Act shall be deemed, adjudged, and taken to be a public Act; and be judicially taken Notice of as such, by all Judges, Justices, and other Persons whomsoever, without specially pleading the same.

## CAP. LXVI.

An Act for the better Relief and Employment of the Poor of the Hamlet of *Mile-end New Town*, in the Parish of *Stepney*, in the County of *Middlesex*; for paving, cleansing, lighting, and watching the Streets, and other open Passages and Places, within the said Hamlet, and removing Nuisances and Annoyances therefrom, and preventing the like for the future; for consolidating the Highway Rates with other Rates within the said Hamlet; and for paving and regulating *Great Garden Street*, in the Parish of *Saint Mary Matfellon* otherwise *Whitechapel*, in the said County, and removing a Bar now standing across the same, and other Nuisances and Annoyances therefrom, and preventing the like for the future.

AN

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TO

# VOLUME the THIRTEENTH.

From 17 GEORGII III. to 20 GEORGII III. both inclusive.

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| | *l.* | *s.* | *d.* | |
|---|---|---|---|---|
| For every Gallon of Low Wines from Malt, | 0 | 0 | 1 | 20 *Geo.* 3. *c.* 35. § 9. |
| Every Gallon of Strong Waters or Aqua Vitæ, | 0 | 0 | 3 | |
| Every Gallon of Low Wines from foreign Materials, | 0 | 0 | 3 | |
| Every Gallon of Spirits from foreign Materials, | 0 | 0 | 2 | |
| Every Gallon of Low Wines from Cyder or other *British* Materials, except as before, | 0 | 0 | 1¾ | |
| Every Gallon of Spirits from Cyder, &c. except as before, | 0 | 0 | 2 | |
| Every Gallon of Single Brandy Spirits imported, | 0 | 1 | 0 | |
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1. For preſerving the Fiſh, and regulating the Fiſheries in the *Severn* and *Verniew*, 18 *Geo.* 3. *c.* 33.
2. The Bounties for encouraging the Fiſheries, to be paid for all *Britiſh* or *Iriſh* Veſſels, although not the entire Property of Perſons reſiding where the Veſſels are fitted out, 18 *Geo.* 3. *c.* 55. § 8.
3. To continue and amend the Act 11 *Geo.* 3. *c.* 31. for the Encouragement of the *Britiſh* White Herring Fiſhery, 19 *Geo.* 3. *c.* 26.

## Fens. See Marſhes.

## Fortifications.

1. Certain Lands, Tenements, *&c.* veſted in Truſtees, for the better Security of the Docks at *Plymouth*, *Sheerneſs*, and the Paſſage of the River *Thames* at *Graveſend* and *Tilbury Fort*, 20 *Geo.* 3. *c.* 38.
2. Lands, Tenements, *&c.* veſted in Truſtees for better ſecuring the Dock, Ships, and Stores, at *Chatham*, 20 *Geo.* 3. *c.* 49.

## Funds.

1. Annuities charged on the Sinking Fund, 17 *Geo.* 3. *c.* 46.
2. The Sum of 2,296,207*l.* 1*s.* 8½*d.* granted out of the Sinking Fund, for the Service of the Year 1778, 18 *Geo.* 3. *c.* 54.
3. The Sum of 2,071,854*l.* 13*s.* 8½*d.* granted out of the Sinking Fund, for the Service of the Year 1779, 19 *Geo.* 3. *c.* 71.
4. Deficiencies charged on the Sinking Fund, 20 *Geo.* 3. *c.* 35. § 19.
5. The Sum of 1,849,542*l.* 1*s.* 11¾*d.* granted out of the Sinking Fund, 20 *Geo.* 3. *c.* 62.

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G.

## Gaols.

1. For building a new Gaol and Shire-hall for the County of *Weſtmoreland*, 17 *Geo.* 3. *c.* 54.
2. For enlarging the public Gaol of the County of *Warwick*, 17 *Geo.* 3. *c.* 58.
3. For building a new Gaol for Criminals, a Priſon for Debtors, and a Houſe of Correction, in the County of *Cornwall*, 18 *Geo.* 3. *c.* 17.
4. For building a new Gaol and Houſe of Correction for the County of *Pembroke*, 19 *Geo.* 3. *c.* 46.

See **London**, 3. **Tranſportation**, 4, *&c.*

## Glaſs.

The Duties on Glaſs imported, *&c.* by the Act 19 *Geo.* 2. *c.* 12. to ceaſe, and new Duties on Glaſs impoſed, 17 *Geo.* 3. *c.* 39. § 23.

See **Ireland**, 8.

## Greenland.

1. The Limits of the *Greenland* Seas and *Davis's Streights* aſcertained, reſpecting the Bounties granted for the Whale Fiſhery, 20 *Geo.* 3. *c.* 60. § 1.

2. Longer Time allowed for the Return of Veſſels employed in the Whale Fiſhery, *idem*, § 2.

## Greenwich Hoſpital.

The Governors impowered to exchange certain Lands with the Duke of *Northumberland*, 18 *Geo.* 3, *c.* 29.

## Grocery Wares.

The eleventh Rule in the Book of Rates, ſo far as relates to an Allowance on the Importation of damaged Currants and Raiſins, repealed; and an Abatement in the Duties eſtabliſhed in lieu of it, 17 *Geo* 3. *c.* 43. § 1, 2.

## Gunpowder.

The Act 4 *Geo.* 2. *c.* 29. granting an Allowance on the Exportation of *Britiſh* made Gunpowder, farther continued, 18 *Geo.* 3. *c.* 45. § 1.

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# H.

## Harbours.

1. For continuing the Duties granted by 5 *Geo.* 2. *c.* 11. 25 *Geo.* 2. *c.* 44. and 3 *Geo.* 3. *c.* 42. for enlarging the Pier and Harbour of *Scarborough*, 18 *Geo.* 3. *c.* 20.
2. The Act 4 *Geo.* 3. *c.* 72. continuing certain Duties for the Repair of the Harbour of *Rye* in *Suſſolk*, farther continued, 18 *Geo.* 3. *c.* 32.
3. For erecting a Lighthouſe on the Smalls in *St. George's* Channel, 18 *Geo* 3. *c.* 42.
4. For enlarging and repairing the Harbour of *Aberyſtwyth* in the County of *Cardigan*, 20 *Geo.* 3. *c.* 26.

*See* Scotland, 5.

## Hartley, *David.*

The Property of his Invention for ſecuring Buildings againſt Fire, aſſured to him for a limited Time, 17 *Geo* 3. *c.* 6.

## Hats.

1. Regulations between Maſter Hatmakers and their Journeymen, 17 *Geo.* 3. *c.* 55.
2. Puniſhment of Workmen for embezzling Materials, altered, 17 *Geo.* 3 *c.* 56. § 1.
3. Puniſhment for receiving embezzled Materials, altered, *idem*, § 3.
4. Puniſhment of Workmen for Nonperformance of Engagements, altered, *idem*, § 8.

## Hemp. See Ireland, 7.

## Herrings. See Man, Iſle of, 5.

## Hops. See Ireland, 13.

## Houſes.

1. Certain Duties granted on all inhabited Houſes, 18 *Geo.* 3. *c.* 26.
2. The Duties on Houſes altered, 19 *Geo.* 3. *c.* 59.

# I.

## Importation.

1. No Commodities manufactured in foreign Parts to be imported under the 12 *Car.* 2. *c.* 18. unleſs manufactured in the Place of their Production, or in the Place from whence they are firſt ſhipped for Tranſportation, 19 *Geo.* 3. *c.* 48. § 1.
2. Exceptions, *idem*, § 2.
3. Goods uſually imported from any Part of *Europe* within the Straits of *Gibraltar*, may be imported in Ships belonging to any State in Amity with his Majeſty, 20 *Geo.* 3. *c.* 45. § 3.

*See* Cuſtoms, 1. Turkey Company.

## Incloſures.

For dividing and incloſing the Common Fields, &c. in the Pariſh of *Billinghay* in the County of *Lincoln*, 17 *Geo.* 3. *c.* 70.

*See* Enfield Chaſe.

## Indico.

The Statute 21 *Geo.* 2. *c.* 30. for encouraging the making of Indico in the *Britiſh* Plantations in *America*, farther continued, 17 *Geo.* 3. *c.* 44. § 1.

## Ireland.

1. A Drawback of the Duties of Cuſtoms allowed on the Exportation of Tea to *Ireland*, 17 *Geo.* 3. *c.* 27.
2. So much of the Act 15 *Geo.* 3. *c.* 45. as relates to the granting a Bounty on Flaxſeed imported into *Ireland*, farther continued, 18 *Geo.* 3. *c.* 45. § 6.
3. Certain Goods allowed to be exported directly from *Ireland* into the *Britiſh* Plantations in *America*, or into *Britiſh* Settlements on the Coaſt of *Africa*, 18 *Geo.* 3. *c.* 55.
4. Ships built in *Ireland*, and owned by his Majeſty's Subjects, to be deemed *Britiſh* built, 18 *Geo.* 3. *c* 55. § 9.
5. Papiſts relieved from the Diſability of holding Eſtates in *Ireland*, 18 *Geo.* 3. *c.* 61.
6. To repeal ſo much of ſeveral Acts as prohibit the Growth of Tobacco in *Ireland*; and to permit the Importation of *Iriſh* Tobacco under the like Duties and Regulations as *American* Tobacco, 19 *Geo.* 3. *c.* 35.
7. Bounties granted on the Importation of Hemp from *Ireland*, 19 *Geo* 3. *c.* 37.
8. Reſtraints on the Exportation of Woollen Drapery and Glaſs from *Ireland* repealed, 20 *Geo.* 3. *c.* 6.
9. A free Trade allowed between *Ireland* and the *Britiſh* Colonies and Settlements in *America*, the *Weſt Indies*, and Coaſt of *Africa*, 20 *Geo.* 3. *c.* 10. § 1.
10. The *Iriſh* Parliament to impoſe equal Duties on ſuch Goods as they are liable to in *Great Britain*, *idem*, § 2. 5.
11. No Perſon to trade to any Colony in *America*, while ſuch Trade is prohibited by the *Britiſh* Parliament, *idem*, § 7.
12. Gold and Silver Coin allowed to be exported to *Ireland*, 20 *Geo* 3. *c.* 18. § 1.
13. The Prohibitions of the Importation of Foreign Hops into *Ireland* repealed, 20 *Geo.* 3. *c.* 18. § 2.
14. Perſons free of the *Turkey* Company allowed free Import and Export to and from *Ireland*, 20 *Geo.* 3. *c.* 18. § 3.

*See* Fiſheries, 2. Cotton, 1.

## Iſlington. See Poor, 1.

## Judges.

1. The Salaries of the Puiſne Juſtices of the King's Bench and Common Pleas, and of the Barons of the Coif of the Exchequer, augmented, 19 *Geo.* 3. *c.* 65.

2. Judges how to be lodged at County Assizes, 19 *Geo.* 3. *c.* 74. § 70.

## K.

### King, Queen, and Royal Family.

1. An additional 100,000 *l.* granted to his Majesty annually for the Support of his Household, 17 *Geo.* 3. *c.* 21.
2. His Majesty enabled to make a Provision for the young Princes and Princesses, 18 *Geo.* 3. *c.* 31.

### Kingston upon Hull. See Customs, 3.

## L.

### Lace.

1. All Foreign Thread Lace to be marked at each End of every Piece, 19 *Geo.* 3. *c.* 69. § 24.
2. Penalty of counterfeiting such Marks, 19 *Geo.* 3. *c.* 69. § 28.

### Lancaster.

The Chancellor and Council of the Duchy of *Lancaster* enabled to sell Fee Farm Rents, to enfranchise Copyhold and Customary Tenants, and to encourage the Growth of Timber there, 19 *Geo.* 3. *c.* 45.

### Land Tax.

1. Land Tax granted for the Year 1777, 17 *Geo.* 3. *c.* 1.
2. For the Year 1778, 18 *Geo.* 3. *c.* 2.
3. Appointment of Commissioners, 18 *Geo.* 3. *c.* 23.
4. Land Tax granted for the Year 1779, 19 *Geo* 3. *c.* 2.
5. Land Tax for the Year 1780, 20 *Geo.* 3. *c.* 2.

### Life Annuities.

Life Annuities to be registered, 17 *Geo.* 3. *c.* 26.

### Lighthouses. See Harbours.

### Lime.

Lime for the Improvement of Land may be carried from Port to Port, without Cocquet or Bond, 19 *Geo.* 3. *c.* 62.

### Linen.

The Acts 29 *Geo.* 2. *c.* 15. and 10 *Geo.* 3. *c.* 38. granting a Bounty on the Exportation of *British* and *Irish* Linen, farther continued and extended, 19 *Geo.* 3. *c.* 27.

### London.

1. For opening Communications in *Wapping*, 17 *Geo.* 3. *c.* 22.
2. For inclosing and embellishing the Middle of *Hoxton Square*, 17 *Geo.* 3. *c.* 60.
3. The Corporation of *London* impowered to raise 40,000 *l.* upon the Orphan's Fund, for completing the Gaol of *Newgate*, &c. 18 *Geo.* 3. *c.* 48.
4. For making Drains to carry off the Water from the prebendal Estate of *Halliwell* and *Finsbury*, 18 *Geo.* 3. *c.* 66.

*See* Ships, 3.

### Longitude.

A farther Reward offered for the Discovery of the Longitude, 17 *Geo.* 3. *c.* 48. 20 *Geo.* 3. *c.* 61.

### Lottery Offices.

Lottery Offices, Regulations for, and to be licensed, 19 *Geo.* 3. *c.* 21.

## M.

### Madhouses.

1. The Act 14 *Geo.* 3. *c.* 49. for regulating Madhouses, farther continued, 19 *Geo.* 3. *c.* 15.

### Malt.

1. The Duties on Malt, Mum, Cyder, and Perry, continued for the Service of the Year 1777, 17 *Geo.* 3. *c.* 2.
2. For the Year 1778, 18 *Geo.* 3. *c.* 3.
3. For the Year 1779, 19 *Geo.* 3. *c.* 3.
4. An additional Duty of 5 *per Cent.* imposed on the Amount of the Duty payable on Malt by the 33 *Geo.* 2. *c.* 7. 19 *Geo.* 3. *c.* 25. § 5.
5. The Duties on Malt, &c. continued for the Year 1780, 20 *Geo.* 3. *c.* 3.
6. Additional Duties on Malt in *England* and *Scotland*, 20 *Geo.* 3. *c.* 35. § 1.
7. Allowances to be made to Common Brewers out of these Duties, *idem*, § 6.
8. Additional Duty of 5 *per Cent.* laid on the Amount of the above Duties, *idem*, § 12.

### Man, Isle of.

1. Additional Duties granted on certain Commodities imported into the *Isle of Man*, 20 *Geo.* 3. *c.* 42. § 1, 2.
2. The Licence for exporting Spirits from *Great Britain* to the Port of *Douglas* extended, *idem*, § 6.
3. Herring Vessels of 70 Tons Burden trading to *Madeira* and the *Mediterranean* allowed to import Wine (*French* Wine excepted) into the *Isle of Man*, *idem*, § 8.
4. No Goods to be shipped for Exportation from the *Isle of Man* (fresh Fish excepted), without a proper Warrant, *idem*, § 9.
5. A Drawback of all the Import Duties on Herrings caught and cured at the *Isle of Man*, on their Exportation from *Great Britain* to foreign Parts, *idem*, § 12.

### Manufactures. See Artificers, Dyers, Linen, Hats, Silk, Woollen, &c.

### Markets. See Bridgwater, Wells.

### Marshes.

1. For rendering more effectual the Acts 22 *Geo.* 2. *c.* 11. 32 *Geo.* 2. *c.* 13. and 15 *Geo.* 3. *c.* 65. for draining certain Fen Lands in the *Isle of Ely*, 17 *Geo.* 3. *c.* 65.
2. For draining, &c. the Low Lands in the Parishes of *Altcar*, *Sefton*, *Halsall*, and *Walton upon the Hill*, in the County Palatine of *Lancaster* 19 *Geo.* 3. *c.* 33.

*See* Bedford Level.

## Middlesex.

The Justices for the County of *Middlesex* authorised to sell the present Session-house for the County, and to build another, 18 *Geo.* 3. *c.* 67.

## Militia.

1. For defraying the Charge of paying and clothing the Militia, 17 *Geo.* 3. *c.* 10. 18 *Geo.* 3. *c.* 14. 19 *Geo.* 3. *c.* 19. 20 *Geo.* 3. *c.* 14.
2. To amend, and render more effectual, the Laws relating to raising and training the Militia in *England*, 18 *Geo.* 3. *c.* 59.
3. The Clause 18 *Geo.* 3. *c.* 59. § 24. prescribing the Mode of relieving the Families of Substitutes in the Militia, repealed, and another Mode supplied, 19 *Geo.* 3. *c.* 72. § 1, 2, 3, 4.
4. Farther Time allowed the Officers to qualify themselves, 19 *Geo.* 3. *c.* 72. § 8, 9. 20 *Geo.* 3. *c.* 8.
5. Qualifications of all Officers above the Rank of Lieutenant, to be transmitted to the Clerk of the Peace, 19 *Geo.* 3. *c.* 72. § 10.
6. Penalty on Substitutes neglecting to be sworn, 19 *Geo.* 3. *c.* 72. § 11.
7. The Clause 18 *Geo.* 3. *c.* 59. § 10. relating to the Half-pay of Lieutenants or Ensigns serving in the Militia, repealed, and a new Oath substituted, 19 *Geo.* 3. *c.* 72. § 15, 16.
8. New Oath appointed for Half-pay Officers serving as Lieutenants, &c. in a Regiment of Fencible Men, to intitle them to retain their Half-pay, 19 *Geo.* 3. *c.* 72. § 17.
9. Serjeants on the Establishment of *Chelsea* Hospital, serving in any Corps of Fencible Men, may retain their Allowance, 19 *Geo.* 3. *c.* 72. § 18.
10. Penalty on Persons ballotted neglecting to be inrolled or to find a Substitute, &c. 19 *Geo.* 3. *c.* 72. § 22.
11. Lord Lieutenants impowered to accept Volunteer Companies, and to appoint Officers, 19 *Geo.* 3. *c.* 76.
12. When Men in the Volunteer Companies shall be intitled to their Discharge, 20 *Geo.* 3. *c.* 44. § 2, 3.
13. Commissions granted by Deputy Lieutenants to Officers in the Volunteer Companies declared valid, 20 *Geo.* 3. *c.* 44. § 6.

*See* **Scotland**, 3.

## Money.

1. The Act 14 *Geo.* 3. *c.* 42. prohibiting the Importation of light Silver Coin, farther continued, 18 *Geo.* 3. *c.* 45. § 5.
2. Gold and Silver Coin allowed to be exported to *Ireland*, 20 *Geo.* 3. *c.* 18. § 1.

## Mum. See Malt.

## Mutiny. See Soldiers.

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# N.

## Nonconformists.

For the farther Relief of Protestant Dissenting Ministers and Schoolmasters, 19 *Geo.* 3. *c.* 44.

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# O.

## Oaths.

Farther Time allowed to Persons who have omitted to qualify themselves for Offices, 17 *Geo.* 3. *c.* 37. 18 *Geo.* 3. *c.* 39. 19 *Geo.* 3. *c.* 47. 20 *Geo.* 3. *c.* 47.

## Orphans Fund. See London, 3: Paving, 1. 8. 9. 14.

# P.

## Papists.

1. Farther Time allowed for inrolling the Deeds and Wills of Papists, 17 *Geo.* 3. *c.* 45. 18 *Geo.* 3. *c.* 46.
2. Papists relieved from certain Penalties and Disabilities imposed by 11 & 12 *W.* 3. *c.* 4. 18 *Geo.* 3. *c.* 60.

*See* **Ireland**, 5.

## Parliament.

1. The Election of a Knight of the Shire for the County of *Southampton*, removed from *Winchester* to *New Alresford*, 20 *Geo.* 3. *c.* 1.
2. Voters at County Elections to be assessed to the Land Tax for six Months previous to the Time of Election, 20 *Geo.* 3. *c.* 17. § 1. Form of Assessment, § 19.
3. The City of *Winchester* and Town of *Shrewsbury* exempted out of the Provisions of the 8 *Geo.* 2. *c.* 30. so far as relates to the Removal of Troops during Elections, 20 *Geo.* 3. *c.* 50.

## Paving, Lighting, Cleansing, and Watching.

1. For paving certain Streets in *Wapping*, 17 *Geo.* 3. *c.* 22. 18 *Geo.* 3. *c.* 49.
2. For lighting and watching the Road from *Blackman street*, *Southwark*, to the Bridge at *Walworth*, 17 *Geo.* 3. *c.* 23.
3. For opening, cleansing, and lighting the Streets in the Town of *Wolverhampton*, 17 *Geo.* 3. *c.* 25.
4. To explain and amend the Act 14 *Geo.* 3. *c.* 24. for paving, &c. the Parish of *St. James, Clerkenwell*, 17 *Geo.* 3. *c.* 63.
5. For establishing a nightly Watch in *Mile End Old Town*, 17 *Geo.* 3. *c.* 66.
6. To enforce the proper paving and cleansing of the City of *Gloucester*, 17 *Geo.* 3. *c.* 68.
7. For paving the Foot-paths of *Whitechapel Road*, and the several Streets and Passages opening into it, 18 *Geo.* 3. *c.* 37.
8. For applying 1500*l.* out of the Surplus of the Orphans Fund, toward widening certain Avenues into *Goodman's Fields*, 18 *Geo.* 3. *c.* 50.
9. For applying 4000*l.* out of the Surplus of the Orphans toward the paving of *Southwark*, 18 *Geo.* 3. *c.* 51.
10. The Corporation of *London* impowered to open new Streets from *Moorfields* and *Chiswell-street*, 18 *Geo.* 3. *c.* 71.
11. For paving the High Street from *Aldersgate Bars* to the Turnpike near the End of *Goswell-street*, 18 *Geo.* 3. *c.* 73.
12. For paving, &c. the Town of *Dover* in *Kent*, 18 *Geo.* 3. *c.* 76.
13. For paving, &c. the Streets and Lanes of *Norton Falgate*, 18 *Geo.* 3. *c.* 77.
14. For applying 9000*l.* out of the Surplus of the Orphans Fund, to making a Passage for Carriages from *Spitalfields* to *Bishopsgate-street*, 18 *Geo.* 3. *c.* 78.
15. For paving, &c. the Town of *Northampton*, 18 *Geo.* 3. *c.* 79.
16. For paving, &c. *Dirty Lane* and other Avenues leading from *Whitechapel* to *Spitalfields*, 18 *Geo.* 3. *c.* 80.
17. For paving, cleansing, and lighting the Borough of *Bridgewater*, 19 *Geo.* 3. *c.* 36.
18. For paving, cleansing, and lighting the Town of *Burton upon Trent*, 19 *Geo.* 3. *c.* 39.
19. For amending and rendering more effectual the Acts 10 *Geo.* 3. *c.* 22. and 11 *Geo.* 3. *c.* 13. for paving, &c. the City of *Worcester*, 20 *Geo.* 3. *c.* 21.
20. For repairing, lighting, watching, &c. *Goswell-street*, and Places adjacent, 20 *Geo.* 3. *c.* 48.
21. For paving *Mile End New Town*, and the Parish of *Whitechapel*, 20 *Geo.* 3. *c.* 66.

## Penitentiary Houses. See Transportation, 4, 5, 6, 7, 8, 9.

## Perry. See Malt.

## Pilchards. See Salt.

## Pilots.

The Act 3 *Geo.* 1. *c.* 13. and 7 *Geo.* 1. *c.* 21. § 14. for regulating the Pilots of *Dover*, *Deal*, and the *Isle of Thanet*, farther continued, 18 *Geo.* 3. *c.* 45. § 7.

## Plantations.

1. The Commissioners of the Admiralty impowered to commission private Vessels to cruize against the rebellious Colonies, 17 *Geo.* 3. *c.* 7.
2. Bounty of 5*l.* to be paid for every Man taken on Board *American* Prizes, 17 *Geo.* 3. *c.* 7. § 16.
3. His Majesty impowered to detain in Custody Persons charged with High Treason in the *American* Colonies, 17 *Geo.* 3. *c.* 9. 18 *Geo.* 3. *c.* 1. 19 *Geo.* 3. *c.* 1. 20 *Geo.* 3. *c.* 5.
4. The Act 13 *Geo.* 3. *c.* 73. so far as relates to exporting Timber from *Dominica* to the *British* Plantations, farther continued, 17 *Geo.* 3. *c.* 44. § 4.
5. The Act 14 *Geo.* 3. *c.* 45. for better regulating the Province of *Massachusetts Bay*, repealed, 18 *Geo.* 3. *c.* 11.
6. The Exercise of Taxation over the *British* Colonies in *North America*, and the *West Indies*, excepting for the Regulation of Commerce, given up by Parliament, 18 *Geo.* 3. *c.* 12. § 1.
7. So much of the Act 7 *Geo.* 3. *c.* 46. as imposes a Duty on Tea imported from *Great Britain* into *America*, repealed, *idem*, § 2.
8. Commissioners authorised to treat with the *Americans*, 18 *Geo.* 3. *c.* 13.
9. The Act 12 *Geo.* 2. *c.* 30. allowing Sugar to be carried from the Sugar Colonies to foreign Parts, farther continued, 18 *Geo.* 3. *c.* 45. § 3.
10. To explain and amend so much of the 4 *Geo.* 3. *c.* 15. as relates to preventing the clandestine Conveyance of Sugar, Melasses, &c. from the *British* Plantations to *Great Britain*, 18 *Geo.* 3. *c.* 58. 20 *Geo.* 3. *c.* 7.
11. So much of the Act 10 *Geo.* 3. *c.* 37. as relates to regulating the Fees of Customhouse Officers in *America*, &c. farther continued, 19 *Geo.* 3. *c.* 22. § 5.
12. The Act 4 *Geo.* 3. *c.* 19. for importing Salt from *Europe* to the Province of *Quebec*, farther continued, 20 *Geo.* 3. *c.* 19. § 2.
13. Goods, the Produce or Manufacture of the Islands of *Grenada* or the *Grenadines*, on Board neutral Vessels bound to neutral Ports, not liable to Condemnation as Prize, 20 *Geo.* 3. *c.* 29.
14. Goods may be exported from *Great Britain* or *Ireland* to any Town in *America* certified to be under the Protection of his Majesty's Arms, 20 *Geo.* 3. *c.* 46. § 1.
15. Goods the Produce of *America* or Prize Goods, may be exported from such Towns to *Great Britain*, *Ireland*, *Newfoundland*, &c. *idem*, § 3.

See Brandy, 2. Corn, 1. 3. 6. Indico. Iceland, 3 Stores.

## Plate.

The Act 29 *Geo.* 2. *c.* 14. imposing a Duty on the Possession of Silver Plate, repealed, 17 *Geo.* 3. *c.* 39. § 42.

## Playhouses.

1. For licensing a Playhouse in the City of *Chester*, 17 *Geo.* 3. *c.* 14.
2. For licensing a Playhouse in the City of *Bristol*, 18 *Geo.* 3. *c.* 8.

## Plymouth. See Fortifications.

## Poor.

1. For building a Workhouse, and for the better Employment of the Poor in the Parish of *St. Mary*, *Islington*, 17 *Geo.* 3. *c.* 5.
2. For the better Relief and Employment of the Poor of *Kensington*, 17 *Geo.* 3. *c.* 64.
3. For the better Relief and Employment of the Poor within the Hundred of *Stow* in the County of *Suffolk*, 18 *Geo.* 3. *c.* 35.
4. No Poor Male Children bound Apprentice by virtue of the 43 *Eliz. c.* 2. to be bound for a longer Term than until they arrive at the Age of Twenty-one, 18 *Geo.* 3. *c.* 47.
5. To amend the 26 *Geo.* 2. to enable the Parishioners of *Christchurch*, *Middlesex*, to erect a Workhouse, and support their Poor, 18 *Geo.* 3. *c.* 74.
6. For the better Relief and Employment of the Poor of several Parishes within the Hundred of *Cosford*, &c. in *Suffolk*, 19 *Geo.* 3. *c.* 30.
7. For the better Regulation of the Poor in the Town of *Maidstone* in the County of *Kent*, 20 *Geo.* 3. *c.* 22.
8. Bastard Children born in Houses of Industry deemed to belong to the Mother's Parish, 20 *Geo.* 3. *c.* 36. § 2.
9. For the better Relief and Employment of the Poor in the Hamlet of *Mile End New Town*, 20 *Geo.* 3. *c.* 66.

## Post Horses and Carriages.

1. Duties granted on Licences to let out Post Horses and Carriages, 19 *Geo.* 3. *c.* 31. Repealed, 20 *Geo.* 3. *c.* 51.
2. Postmasters letting out Horses for Hire, to pay five Shillings annually for a Licence, 20 *Geo.* 3. *c.* 51. § 2.
3. Persons travelling Post to pay one Penny *per* Mile, or one Shilling and six Pence *per* Day, for each Horse, *idem*, § 2. 11. 13.
4. Persons keeping Four-wheel Carriages for Hire, to pay five Shillings annually for a Licence, and one Halfpenny for every Mile such Carriages travel, *idem*, § 2. 39. 40. One Licence to be taken out for each Carriage, § 39.
5. Persons licensed to let Post Horses to express the same over their Doors, *idem*, § 6.
6. Innkeepers who furnish Carriages, to fix their Names and Places of Abode on them, *idem*, § 7, 8. 44.
7. Hackney Coach Horses exempted from this Act, *idem*, § 33.
8. Penalty of forging Tickets, *idem*, § 47. Application of Penalties, § 48. 50. How to be sued for, § 49.
9. So much of the Act 9 *Anne*, *c.* 10. as restrains other Persons than the Postmaster-general and his Deputies from letting Post Horses, repealed, *idem*, § 57.
10. Persons sued for executing this Act may plead the General Issue, and recover Treble Costs, *idem*, § 58.

## Pot Ashes.

The Duties on Pot Ashes, Pearl Ashes, &c. altered, 20 *Geo.* 3. *c.* 25.

## Prizes.

1. Prizes taken from the rebellious Colonies not to be ransomed, 17 *Geo.* 3. *c.* 7. § 11. Nor neutral Ships, 19 *Geo.* 3. *c.* 67. § 13.
2. The Captors may be licensed to carry them into any Port in *America*, 17 *Geo.* 3. *c.* 40. § 1.
3. Regulations for the Relief of Captors, in bringing and landing certain Prize Goods in this Kingdom, 18 *Geo.* 3. *c.* 15. 19 *Geo.* 3. *c.* 5. 20 *Geo.* 3. *c.* 9.

4. Regulations for the ſharing of Prizes, 19 *Geo.* 3. *c.* 67.
5. The Duties on Prizes condemned Abroad, to be paid on their firſt Arrival at *Engliſh* Ports, 20 *Geo.* 3. *c.* 9. § 2
6. Prize Goods lodged in Warehouſes, may be removed to any Cuſtomhouſe Warehouſe in *Great Britain* for Exportation, 20 *Geo.* 3. *c.* 9. § 5.
7. Prizes made by King's Ships during the preſent Hoſtilities with *Spain*, to be divided among the Captors, 20 *Geo.* 3. *c.* 23. § 1.
8. Prizes made by Privateers to be divided between the Owners and Captors, according to private Contract, *idem*, § 2.
9. Prize Goods not exempted from Payment of Duties, *idem*, § 4.
10. Regulations concerning recaptured Colliers and ſmall Veſſels, *idem* § 7.

*See* **East India Company**, 6. **Plantations**, 13. **Tobacco**, 3.

## Privateers.

1. Privateers cruizing againſt the rebellious Colonies, not to agree to the Ranſom and Releaſe of Veſſels taken from them, 17 *Geo.* 3. *c.* 7. § 11.
2. Regulations for the iſſuing Commiſſions to Privateers, 19 *Geo* 3. *c.* 67.

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# R.

## Reſidence.

Act to promote the Reſidence of the parochial Clergy, by providing Habitations for them, 17 *Geo.* 3. *c.* 53.

## Riots.

1. Perſons active in ſuppreſſing the late Riots in *London*, *Weſtminſter*, and *Southwark*, indemnified, 20 *Geo.* 3. *c* 63.
2. All Actions commenced againſt Sheriffs, Under-ſheriffs, or Gaolers, for the Eſcape of Priſoners during the late Tumults, declared void, 20 *Geo.* 3. *c.* 64. § 1.
3. Priſoners by civil Proceſs ſet at large during the Tumults, who ſurrender themſelves, not liable to Arreſts, 20 *Geo.* 3. *c.* 64. § 2.
4. How Plaintiffs are to proceed againſt Priſoners who do not ſurrender, 20 *Geo.* 3 *c.* 64. § 4.
5. Priſoners required to ſurrender, on Notice that the *King's Bench* or *Fleet* Priſon is properly repaired, 20 *Geo* 3. *c.* 64. § 8.

## Rivers.

1. Powers granted to the Corporation of the City of *London*, to improve the Navigation of the *Thames*, weſtward of *London* Bridge, 17 *Geo.* 3. *c.* 18.
2. New Tolls to be impoſed by, *idem*, § 19.
3. For enlarging the Powers of the 12 *Geo.* 3. *c.* 75. for making a navigable Canal from the River *Dee*, within the Liberties of the City of *Cheſter*, to *Middlewich* and *Nantwich*, 17 *Geo* 3. *c* 67. 18 *Geo.* 3. *c.* 21.
4. For making a navigable Canal from the River *Trent* in the County of *Derby*, to *Langley Bridge*, 17 *Geo.* 3. *c* 67.
5. To make a navigable Canal from the Town of *Baſingſtoke* to the River *Wey* at *Chertſey* in *Surrey*, 18 *Geo.* 3. *c.* 75.
6. For preſerving the Navigation of the River *Lee* in the Counties of *Hertford*, *Eſſex*, and *Middleſex*, 19 *Geo.* 3. *c.* 58.

## Rolls.

1. Regulations for granting Leaſes of the *Rolls* Eſtate, &c. 17 *Geo.* 3. *c.* 59.
2. The above Act explained and amended, 20 *Geo.* 3. *c.* 33.



# S.

## Sail Cloth.

The Act 9 *Geo.* 2. *c.* 37 for encouraging and regulating the Manufacture of *Britiſh* Sail Cloth, farther continued, 18 *Geo.* 3. *c.* 45. § 2.

## Saint Mary, Iſlington. See Poor, 1.

## Salt.

1. The Duty on Salt uſed in curing Pilchards taken off, and a proportionable Duty laid on Pilchards conſumed at Home, 19 *Geo.* 3 *c.* 52.
2. The Duty on Pilchards to be leſſened or determined on the leſſening or ceaſing of the Duty on Salt, *idem*, § 6.
3. Additional Duties on Salt, 20 *Geo.* 3 *c.* 34 § 1.
4. Regulations for the Exportation of Salt to the *Iſle of Man*, *idem*, § 3. &c

*See* **Plantations**, 12.

## Schools.

For uniting the Free Grammar School of King *James* I. at *Henley upon Thames*, with the Charity School founded by *Elizabeth Periam* in the ſame Town, 18 *Geo.* 3. *c.* 41.

## Scotland.

1. The Act 6 *Geo.* 1. and 20 *Geo.* 2. impoſing a Duty on Beer and Ale in the Town of *Burnt-Iſland*, farther continued, 17 *Geo.* 3. *c.* 20.
2. For repairing the Highways and Bridges in the County of *Wigton*, 18 *Geo.* 3. *c.* 7.
3. For the more effectually levying the Duty on Servants in *Scotland*, 18 *Geo.* 3. *c.* 30.
4. Regulations eſtabliſhed with reſpect to Officers ſerving in the Corps of Fencible Men, to be raiſed in *Scotland*, 18 *Geo* 3. *c.* 59. § 4, 5. 19 *Geo* 3. *c.* 72. § 17, 18.
5. For repairing the Highways and Bridges in the County of *Stirling*, 18 *Geo.* 3. *c.* 69.
6. To enable *Hector Munro*, Eſq; to build and maintain a Harbour and Pier at *Findhorn* in the County of *Elgin* and *Forres*, 18 *Geo.* 3. *c.* 70.
7. For repairing the Highways and Bridges in the County of *Linlithgow* and *Bathgate*, 19 *Geo* 3. *c.* 12.
8. For better raiſing and ſecuring a Proviſion for the Widows and Children of the Miniſters of the Church of *Scotland*, &c. 19 *Geo.* 3. *c.* 20.
9. The Times of holding *Martinmas* and *Candlemas* Terms in the Court of Exchequer, altered, 19 *Geo.* 3. *c.* 38.
10. The Act 32 *Geo.* 2. impoſing a Duty on Beer in the Town of *Kelſo*, for finiſhing a Bridge acroſs the River *Tweed*, and for other Purpoſes, farther continued, 20 *Geo.* 3. *c.* 11.
11. For converting the Statute Labour in the Stewartry of *Kirkcudbright* into Money for the Purpoſe of repairing the Highways, &c. in that Stewartry, 10 *Geo* 3. *c.* 24.
12. The Act 12 *Geo.* 3. *c.* 72. for rendering the Payment of the Creditors of inſolvent Debtors more equal and expeditious, for regulating Arreſtment and Poinding, &c. farther continued, 20 *Geo.* 3. *c.* 41.

## Seamen.

1. Merchant Ships may be navigated by Three-fourths Foreign Seamen, 17 *Geo.* 3. *c.* 34. 18 *Geo.* 3. *c.* 6. 19 *Geo.* 3. *c.* 14. 20 *Geo.* 3. *c.* 20.
2. For the Encouragement of Seamen, and the ſpeedy manning his Majeſty's Navy, 19 *Geo.* 3. *c.* 67.

3. The ſeveral Acts granting Protections to Perſons under certain Deſcriptions, ſuſpended, 19 *Geo.* 3. *c.* 75. § 1.
4. No Perſon to be ſued for impreſſing Seamen, 19 *Geo.* 3. *c.* 75. § 3.
5. Foreign Seamen ſerving two Years on Board *Britiſh* Ships to be deemed natural born ſubjects, 20 *Geo.* 3. *c.* 20. § 3.

*See* **Ships.**

## Servants.

An annual Duty impoſed for retaining Men Servants, 17. *Geo.* 3. *c.* 39. Amended, 19 *Geo.* 3. *c.* 59.

## Ships.

1. The Act 22 *Geo.* 2. *c.* 33. for reducing into one Act the Laws for the Government of his Majeſty's Ships and Forces by Sea, explained and amended, 19 *Geo.* 3. *c.* 17.
2. Certain Reſtrictions in the Navigation Act, 12 *Car.* 2. *c.* 18. ſuſpended during the preſent Hoſtilities with *France*, 19 *Geo.* 3. *c.* 28.
3. Veſſels in the Port of *London* not to be removed out of the Stream, except to the lawful Quays, 19 *Geo.* 3. *c.* 48. § 3.
4. Ships navigated by Three-fourths Foreign Seamen, to be entered on Payment of *Britiſh* Duties, 20 *Geo.* 3. *c.* 20. § 4.

## Skins.

The Statute 15 *Geo.* 3. *c.* 35. for the free Importation of Raw Goat Skins, farther continued, 20 *Geo.* 3. *c.* 19. § 3.

## Silks.

1. The Act 6 *Geo.* 3. *c.* 28. prohibiting the Importation of Foreign wrought Silks and Velvets, farther continued, 17 *Geo.* 3. *c.* 35.
2. Puniſhment of Workmen for embezzling Materials, altered, 17 *Geo.* 3. *c.* 56. § 1.
3. Puniſhment for receiving embezzled Materials, altered, *idem*, § 3.
4. Puniſhment of Workmen for not fulfilling Engagements, altered, *idem*, § 8.
5. *Italian* Organzined Thrown Silk allowed to be imported in any Veſſels for a limited Time, 19 *Geo.* 3. *c.* 9. 20 *Geo.* 3. *c.* 4.

## Soldiers.

1. For puniſhing Mutiny and Deſertion, 17 *Geo.* 3. *c.* 3. 18 *Geo.* 3. *c.* 4. 19 *Geo.* 3. *c.* 16. 20 *Geo.* 3. *c.* 12.
2. For regulating the Marine Forces while on Shore, 17 *Geo.* 3. *c.* 4. 18 *Geo.* 3. *c.* 5. 19 *Geo.* 3. *c.* 8. 20 *Geo.* 3. *c.* 13.
3. For the more eaſy and better recruiting his Majeſty's Land Forces and Marines, 18 *Geo.* 3. *c.* 53. Repealed, and other Proviſions ſubſtituted, 19 *Geo.* 3. *c.* 10.
4. So much of the 19 *Geo.* 3. *c.* 10. as relates to the Encouragement of Volunteers to enliſt, farther continued, 20 *Geo.* 3. *c.* 37.

*See* **Scotland** 4.

## Somerſet-houſe.

So much of the 15 *Geo.* 3. *c.* 33. as preſcribes the Method of iſſuing Money for completing the new Buildings at *Somerſet-houſe*, repealed, 20 *Geo.* 3. *c.* 40.

## Soap.

Regulations for better ſecuring the Duties on Soap, 17 *Geo.* 3. *c.* 52.

## Stamps.

1. Additional Stamp Duties laid on Skins of Parchment, *&c.* uſed for Deeds, 17 *Geo.* 3. *c.* 50. § 16, 17. 19 *Geo.* 3. *c.* 66. § 1.
2. Attorneys and Solicitors not to charge their Clients for ingroſſing double or treble Skins, 19 *Geo.* 3. *c.* 66. § 12.
3. A Stamp Duty charged on all Receipts for Legacies above 20*l.* Value, 20 *Geo.* 3. *c.* 28. § 1.

*See* **Felonies without Clergy.**

## Starch.

1. For better ſecuring the Duties on Starch, 19 *Geo.* 3. *c.* 40.
2. Starch and Hair Powder imported to pay an additional Duty of two Pence *per* Pound, with Five *per Cent.* on the Amount of the Duties, 20 *Geo.* 3. *c.* 52. § 1.
3. No Drawback allowed on Exportation, *idem*, § 2.
4. An additional Duty to be paid of one Penny *per* Pound, for all Starch made in *Great Britain*, *idem*, § 3.

## Stores.

The Act 8 *Geo.* 1. *c.* 12. ſo far as relates to the Importation of Timber and Lumber from the *Britiſh* Plantations, farther continued, 19 *Geo.* 3. *c.* 22. § 1, 2.

## Sugar. See **Plantations**, 9, 10.

## Sweets.

An additional Duty of ſix Shillings a Barrel laid on all Sweets made for Sale, 20 *Geo.* 3. *c.* 52. § 5.

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# T.

## Tallow.

So much of the Act 7 *Geo.* 3. *c.* 12. as relates to diſcontinuing the Duties on the Importation of Tallow, Hogs Lard, and Greaſe, farther continued, 19 *Geo.* 3. *c.* 22. § 4.

## Thames. See **Rivers**, 1.

## Tilbury Fort. See **Fortifications.**

## Tobacco.

1. Unmanufactured Tobacco exported from *Great Britain*, allowed to be reimported during a limited Time, 18 *Geo.* 3. *c.* 24. § 1.
2. Tobacco the Produce of *Dominica* allowed to be imported under certain Reſtrictions, *idem*, § 3.
3. Foreign Prize Tobacco to pay the ſame Duties as Tobacco the Produce of *Britiſh America*, 20 *Geo.* 3. *c.* 9. § 6, 7.
4. Tobacco, the Growth of the *Britiſh American* Colonies, allowed to be imported from Neutral Ports, under certain Regulations, 20 *Geo.* 3. *c.* 39. § 1, 2, 3.
5. Such Tobacco to pay an additional Duty of one Penny *per* Pound, and Five *per Cent.* on the Amount of the Duty, conformable to the 19 *Geo.* 3. *c.* 25. 20 *Geo.* 3. *c.* 39. § 4.
6. A Drawback of theſe Duties allowed on Exportation, *idem*, § 7.

*See* **Ireland**, 6.

## Tobacco-pipe Clay.

Tobacco-pipe Clay allowed to be exported to the *Britiſh* Sugar Colonies in the *Weſt Indies*, 17 *Geo* 3. *c.* 43. § 4. 20 *Geo.* 3. *c.* 19. § 5.

## Transportation.

1. The Act 16 *Geo.* 3. *c.* 43. altering the Puniſhment of Felons by Tranſportation, to hard Labour, farther continued, 18 *Geo.* 3. *c.* 62. 19 *Geo.* 3. *c.* 54.

2. Persons sentenced to Transportation to the *American* Plantations may be transported to any Parts beyond the Seas, 19 *Geo.* 3. *c.* 74. § 1.
3. Persons so transported, and returning before the Expiration of their Terms, subject to all the Laws relating to Transportation, 19 *Geo.* 3. *c.* 74. § 2.
4. Powers given for the Erection of Penitentiary Houses for the solitary Imprisonment of Convicts, 19 *Geo.* 3. *c.* 74. § 5.
5. Persons guilty of Crimes punishable by Transportation, may be confined in such Penitentiary Houses, 19 *Geo.* 3. *c.* 74. § 24.
6. Governor or Superintendant of such Penitentiary House, to have the same Power over Offenders, as Sheriff or Gaoler, 19 *Geo.* 3. *c.* 74. § 31.
7. Regulations for the Confinement and Labour of the Prisoners, 19 *Geo.* 3. *c.* 74. § 33, *&c.*
8. Rules for the Diet of Offenders, 19 *Geo.* 3. *c.* 74. § 54.
9. Offenders, how to be dismissed at the Expiration of their Terms, 19 *Geo.* 3. *c.* 74. § 56.

*See* **Felonies with Clergy.**

## Turkey Company.

1. Persons free of the *Turkey* Company allowed free Import and Export to and from *Ireland*, 20 *Geo.* 3. *c.* 18. § 3.
2. May import *Levant* Goods into *Great Britain* or *Ireland*, in Ships belonging to any State in Amity with his Majesty, 20 *Geo.* 3. *c.* 45. § 1.

## Turnpikes.

1. Limitation of Exemptions from Toll, for Cattle driven to or from Water or Pasture, 17 *Geo.* 3. *c.* 16.
2. The 13 *Geo.* 3. *c.* 84. § 23, subjecting Carriages having the Fellies of the Wheels of less Breadth than six Inches, to double Tolls, repealed, 18 *Geo.* 3. *c.* 28.
3. Trustees under Turnpike Acts enabled to meet and act, though they may have neglected to meet or adjourn conformable to the Directions of such Acts, 18 *Geo.* 3. *c.* 63.

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# V.

## Vicars, Parsons, and Curates.

1. Incumbent not provided with a proper House, may borrow Money on Glebe and Tithes for Building or Repairs, 17 *Geo.* 3. *c.* 53. § 1.
2. Interest and Principal, how to be paid, *idem*, § 6.
3. Money received for Dilapidations to be applied in Part of Payment, *idem*, § 9.
4. Schedule of Forms, *idem*.

*See* **Churches**, 4, 5.

## Vinegar.

1. Additional Duty of 8*l.* 8*s.* *per* Ton on *French* Vinegar; and 4*l.* 4*s.* on all other Vinegar imported, 18 *Geo.* 3 *c.* 27.
2. A Duty of 8*l.* more *per* Ton on *French* Vinegar, and 4*l.* *per* Ton on all other Vinegar, imported, 20 *Geo.* 3. *c.* 30. § 1.

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# W.

## Wages. See **Artificers.**

## Wells, in *Somersetshire*.

1. For building a new Town-hall in the City of *Wells*, and for regulating the Markets there, 19 *Geo.* 3. *c.* 31.
2. For paving and lighting the City of *Wells*, 19 *Geo.* 3. *c.* 32.

## Westminster City.

1. The Dean and Chapter enabled to open certain Streets and Passages in the City and Liberty of *Westminster*, 17 *Geo.* 3. *c.* 61.
2. For erecting a Court-house in the City of *Westminster*, 18 *Geo.* 3. *c.* 72.

## Wine.

1. Additional Duty of 8*l.* 8*s.* *per* Ton on *French* Wine imported; and 4*l.* 4*s.* on all other Wine imported, 18 *Geo.* 3. *c.* 27.
2. A Drawback of these Duties allowed on all Foreign Wines exported to *America* or the *East Indies*, 19 *Geo.* 3. *c.* 41.
3. A Duty of 8*l.* *per* Ton more, laid on *French* Wine; and 4*l.* on all other Wine imported, 20 *Geo.* 3. *c.* 30. § 1.
4. A Drawback of these Duties allowed on Exportation, *idem*, § 6.

## Wool.

So much of the Act 13 & 14 *Car.* 2. *c.* 18. as restrains the Removal of Wool, Fuller's Earth, *&c.* within certain Times and Hours, repealed, 20 *Geo.* 3. *c.* 55.

## Woollen Manufactures.

1. A Committee of Manufacturers appointed for *Yorkshire*, *Lancashire*, and *Cheshire*, 17 *Geo.* 3. *c.* 11. § 1.
2. Inspectors of Worsted Yarn to be appointed and stationed, *idem*, § 8, 9.
3. Regulations for the reeling of Worsted Yarn, *idem*, § 11.
4. Punishment of Workmen for embezzling Materials, altered, 17 *Geo.* 3. *c.* 56. § 1.
5. Punishment of receiving embezzled Materials, altered, *idem*, § 3.
6. Punishment of Workmen for not performing Engagements, altered, *idem* § 8.

*See* **Ireland**, 8. **Wool.**

## Worcester, City of. See **Paving**, 19.

## Worsted.

1. Appointment of Inspectors of Worsted Yarn for the Counties of *York*, *Lancaster*, and *Chester*. 17 *Geo.* 3. *c.* 11. § 8, 9.
2. Regulations for reeling of Worsted Yarn, *idem*, § 11.

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# Y.

## York Buildings Company.

For expediting the Sale of Estates in *Scotland* belonging to the *York Buildings* Company, for the Relief of their Creditors, 17 *Geo.* 3. *c.* 24.

END OF THE THIRTEENTH VOLUME.

